

**2022 -- H 7396 SUBSTITUTE A**

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LC004331/SUB A/3  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2022**

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- LICENSE PROCEDURE FOR  
SOCIAL WORKERS

Introduced By: Representatives Shallcross Smith, Fogarty, Ajello, Hull, Cassar, and  
Caldwell

Date Introduced: February 09, 2022

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 5-39.1-8 of the General Laws in Chapter 5-39.1 entitled "License  
2 Procedure for Social Workers" is hereby amended to read as follows:

3           **5-39.1-8. Licenses.**

4           (a) The department shall issue the appropriate license to applicants who meet the  
5 qualifications of this section.

6           (b) Prerequisites: "Licensed clinical social worker." A license as a "licensed clinical social  
7 worker" shall be issued to an applicant who meets the following qualifications:

8           (1) Has a doctorate in clinical social work from a duly accredited college or university or  
9 master's degree from a school of social work accredited by the council on social work education;  
10 and

11           (2) ~~Has~~ [After August 15, 2025, has](#) satisfactorily completed an examination for this license;

12 or

13           (3) Has a comparable license, certification, or registration from the state, or another state  
14 or territory of the United States that imposes qualifications substantially similar to those of this  
15 chapter, as determined by the board.

16           (c) Prerequisites: "Licensed independent clinical social worker." A license for a "licensed  
17 independent clinical social worker" shall be issued to an applicant who meets the following  
18 qualifications:

- 1 (1) Is licensed under this chapter as a "licensed clinical social worker"; and
- 2 (2) Has twenty-four (24) months of experience acceptable to the board, under appropriate
- 3 supervision; and
- 4 (3) Has fulfilled the continuing education requirements for this license; and
- 5 (4) Has satisfactorily completed an examination for this license; or
- 6 (5) Has a comparable license, certification, or registration from the state, or another state
- 7 or territory of the United States that imposes qualifications substantially similar to those of this
- 8 chapter.

9 (d) In addition to these qualifications, an applicant for any of these titles must prove to the  
10 board's satisfaction:

- 11 (1) An age of at least twenty-one (21) years;
- 12 (2) That he or she merits the public trust;
- 13 (3) A United States citizenship or proof of other legal resident status;
- 14 (4) An absence of conviction of a felony, which is subject to waiver by the board upon
- 15 presentation of satisfactory evidence that this conviction does not impair the ability of the person
- 16 to conduct with safety to the public the practice authorized by this license. The applicant shall bear
- 17 the burden of proving that his or her conviction does not impair his or her ability to conduct with
- 18 safety to the public the practice authorized by this license;
- 19 (5) An absence of NASW sanction for violation of code of ethics, or other state-board
- 20 sanction which is subject to waiver by the board upon presentation of satisfactory evidence that this
- 21 sanction does not impair the ability of the person to conduct with safety to the public the practice
- 22 authorized by this license. The applicant bears the burden of proving that his or her sanction does
- 23 not impair his or her ability to conduct with safety to the public the practice authorized by this
- 24 license;
- 25 (6) That the applicant has not been declared mentally incompetent by any court, and if any
- 26 decree has ever been rendered, that there has been a subsequent court determination that the
- 27 applicant is competent; and
- 28 (7) Freedom from use of any controlled substance or any alcoholic beverages to the extent
- 29 that the use impairs the ability of the person to conduct with safety to the public the practice
- 30 authorized by this license. The applicant bears the burden of proving that he or she is free from use
- 31 of any controlled substance or any alcoholic beverages that impair his or her ability to conduct with
- 32 safety to the public the practice authorized by this license.

33 [\(e\) No applicant for a license as a "licensed clinical social worker" shall be required to take](#)  
34 [or pass a standardized written examination in order to qualify for the license prior to August 15,](#)

1 2025. This subsection shall sunset and expire on August 15, 2025.

2 (f) For the purpose of increasing access for more individuals to attain licensure as a  
3 "licensed clinical social worker" or "licensed independent clinical social worker" to meet the  
4 language and cultural needs of Rhode Island's diverse communities, the board of social work  
5 examiners shall consider and may promulgate any rules and regulations necessary:

6 (1) To make accommodations for individuals whose first language is not English;

7 (2) To offer licensing exams in languages other than English; and

8 (3) To develop alternative qualifications for licensure that may not include either or both  
9 of the examinations pursuant to subsections (b) and (c) of this section.

10 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- LICENSE PROCEDURE FOR  
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1           This act would provide that no applicant for a license as a "licensed clinical social worker"  
2 shall be required to take or pass a standardized written examination, prior to August 15, 2025, in  
3 order to qualify for the license. This shall sunset and expire on August 15, 2025.

4           This act would take effect upon passage.

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