

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Committee Substitute

for

House Bill 3261

By Delegate Young

[Originating in the Committee on Government
Organization; Reported on February 8, 2023]

1 A BILL to amend and reenact §30-30-16 of the Code of West Virginia, 1931, as amended, relating
2 to modifying the qualifications for social workers in West Virginia.

Be it enacted by the Legislature of West Virginia:

ARTICLE 30. SOCIAL WORKERS.

§30-30-16. Provisional license to practice as a social worker.

1 (a) To be eligible for a provisional license to practice as a social worker, the applicant must:

2 (1) Submit an application to the board;

3 (2) Be at least 18 years of age;

4 (3) Have a baccalaureate degree in a related field, as provided by legislative rule;

5 (4) Have obtained regular supervised employment, or the reasonable promise of regular
6 supervised employment, contingent upon receiving a provisional license, in a critical social work
7 workforce shortage position, area, or setting requiring a social work license: *Provided*, That such
8 employment shall not be as an independent practitioner, contracted employee, sole proprietor,
9 consultant, or other nonregular employment;

10 (5) Have satisfied the board that he or she merits the public trust by providing the board
11 with three letters of recommendation from persons not related to the applicant;

12 (6) Not be an alcohol or drug abuser, as these terms are defined in §27-1A-11 of this code:
13 *Provided*, That an applicant in an active recovery process, which may, in the discretion of the
14 board, be evidenced by participation in an acknowledged substance abuse treatment and/or
15 recovery program, may be considered;

16 (7) Not have been convicted of a felony in any jurisdiction within five years preceding the
17 date of application for license, which conviction remains unreversed;

18 (8) Not have been convicted of a misdemeanor or felony in any jurisdiction if the offense for
19 which he or she was convicted related to the practice of social work, which conviction remains
20 unreversed; and

21 (9) Meet any other requirements established by the board.

22 (b) The board shall promulgate emergency rules, in accordance with §29A-3-15 of this
23 code, to implement the provisions of subsection (a) of this section.

24 (c) A provisionally licensed social worker may become a licensed social worker by
25 completing the following:

26 (1) Be continuously employed for four years as a social worker and supervised: Provided,
27 That should an individual lose his or her employment due to a reduction in force, or be unable to
28 work due to medical reasons, the individual may request that the Board allow for a reasonable
29 interruption in continuous employment and provide additional time for the individual to complete
30 the requirements of the provisional license. The board shall promulgate by legislative rule the
31 supervision requirements;

32 (2) Complete 12 credit hours of core social work study from a program accredited by the
33 council on social work education, as defined by legislative rule, within the four-year provisional
34 license period;

35 (3) Complete continuing education as required by legislative rule; and

36 (4) Pass an examination approved by the board.

37 (d) On or before July 1, 2020, the Legislative Auditor shall cause to be performed a
38 performance audit of the provisional license to practice as a social worker application process and
39 the application process by which a provisional licensee may become a licensed social worker.

40 (e) Any employee of the Department of Health and Human Resources with a provisional
41 license as of the effective date of this section who opted to take the department-provided courses
42 previously allowed has until June 30, 2022, to convert his or her license to a social work license or
43 provisional license under this section. If the individual cannot or desires not to complete this
44 process, he or she shall be eligible for registration as provided in §30-30-30 of this code.

NOTE: The purpose of this bill is to modify the requirements for social workers in West Virginia.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.