

1 **ENROLLED**

2 **Senate Bill No. 559**

3 (By Senators M. Hall and Ferns)

4 _____
5 [Passed March 9, 2015; in effect ninety days from passage.]
6 _____

7
8
9 AN ACT to amend and reenact §30-30-16 of the Code of West Virginia, 1931, as amended, all
10 relating to qualifications for a provisional license to practice as a social worker; providing
11 that certain individuals applying for a provisional license to practice social work meet the
12 education requirement with a baccalaureate degree; requiring the Board of Social Work to
13 promulgate emergency rules; providing an education alternative for a provisionally licensed
14 social worker seeking to become a licensed social worker; requiring the Secretary of the
15 West Virginia Department of Health and Human Resources to promulgate rules; and
16 requiring a legislative audit of the social worker license application process.

17 *Be it enacted by the Legislature of West Virginia:*

18 That §30-30-16 of the Code of West Virginia, 1931, as amended, be amended and reenacted,
19 to read as follows:

20 **ARTICLE 30. SOCIAL WORKERS.**

21 **§30-30-16. Provisional license to practice as a social worker.**

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

- 1 (1) Submit an application to the board;
- 2 (2) Be at least eighteen years of age;
- 3 (3) Be of good moral character;
- 4 (4) Have a baccalaureate degree in a related field, as provided by legislative rule: *Provided,*
5 That an individual seeking employment as a provisionally licensed social worker with the West
6 Virginia Department of Health and Human Resources shall have a baccalaureate degree;
- 7 (5) Have obtained regular supervised employment, or the reasonable promise of regular
8 supervised employment contingent upon receiving a provisional license, in a critical social work
9 workforce shortage position, area or setting requiring a social work license: *Provided,* That such
10 employment shall not as an independent practitioner, contracted employee, sole proprietor,
11 consultant or other nonregular employment;
- 12 (6) Have satisfied the board that he or she merits the public trust by providing the board with
13 three letters of recommendation from persons not related to the applicant;
- 14 (7) Not be an alcohol or drug abuser, as these terms are defined in section eleven, article
15 one-a, chapter twenty-seven of this code: *Provided,* That an applicant in an active recovery process,
16 which may, in the discretion of the board, be evidenced by participation in an acknowledged
17 substance abuse treatment and/or recovery program may be considered;
- 18 (8) Not have been convicted of a felony in any jurisdiction within five years preceding the
19 date of application for license which conviction remains unreversed;
- 20 (9) Not have been convicted of a misdemeanor or felony in any jurisdiction if the offense for
21 which he or she was convicted related to the practice of social work, which conviction remains
22 unreversed; and

1 (10) Meet any other requirements established by the board.

2 (b) The board shall promulgate emergency rules, in accordance with section fifteen, article
3 three, chapter twenty-nine-a of this code, to implement the provisions of subsection (a) of this
4 section.

5 (c) A provisionally licensed social worker may become a licensed social worker, by
6 completing the following:

7 (1) Be continuously employed for four years as a social worker and supervised. The board
8 shall promulgate by legislative rule the supervision requirements;

9 (2) Complete twelve credit hours of core social work study from a program accredited by the
10 council on social work education, as defined by legislative rule, within the four-year provisional
11 license period: *Provided*, That an individual employed as a provisionally licensed social worker with
12 the West Virginia Department of Health and Human Resources shall satisfy this requirement upon
13 completion of the social work training program with the West Virginia Department of Health and
14 Human Resources. The Secretary of the West Virginia Department of Health and Human Resources
15 shall, with the advice of the Higher Education Policy Commission, West Virginia University School
16 of Social Work and Marshall University Department of Social Work, promulgate legislative rules,
17 in accordance with article three, chapter twenty-nine-a of this code, to implement the provisions of
18 this subdivision;

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

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

21 (d) On or before July 1, 2020, the Legislative Auditor shall cause to be performed a
22 performance audit of the provisional license to practice as a social worker application process and

1 the application process by which a provisional licensee may become a licensed social worker.