

FILED

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WEST VIRGINIA LEGISLATURE
EIGHTY-SECOND LEGISLATURE
REGULAR SESSION, 2015

OFFICE WEST VIRGINIA
SECRETARY OF STATE

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ENROLLED

Senate Bill No. 559

(By SENATORS M. HALL AND FERNS)

[PASSED MARCH 9, 2015; IN EFFECT NINETY DAYS FROM PASSAGE.]

SB559

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Senate Bill No. 559

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(BY SENATORS M. HALL AND FERNS)

[Passed March 9, 2015; in effect ninety days from passage.]

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

Be it enacted by the Legislature of West Virginia:

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

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
- 2 a social worker, the applicant must:

3 (1) Submit an application to the board;

4 (2) Be at least eighteen years of age;

5 (3) Be of good moral character;

6 (4) Have a baccalaureate degree in a related field, as
7 provided by legislative rule: *Provided*, That an individual
8 seeking employment as a provisionally licensed social worker
9 with the West Virginia Department of Health and Human
10 Resources shall have a baccalaureate degree;

11 (5) Have obtained regular supervised employment, or the
12 reasonable promise of regular supervised employment
13 contingent upon receiving a provisional license, in a critical
14 social work workforce shortage position, area or setting
15 requiring a social work license: *Provided*, That such
16 employment shall not as an independent practitioner,
17 contracted employee, sole proprietor, consultant or other
18 nonregular employment;

19 (6) Have satisfied the board that he or she merits the
20 public trust by providing the board with three letters of
21 recommendation from persons not related to the applicant;

22 (7) Not be an alcohol or drug abuser, as these terms are
23 defined in section eleven, article one-a, chapter twenty-seven
24 of this code: *Provided*, That an applicant in an active
25 recovery process, which may, in the discretion of the board,
26 be evidenced by participation in an acknowledged substance
27 abuse treatment and/or recovery program may be considered;

28 (8) Not have been convicted of a felony in any
29 jurisdiction within five years preceding the date of
30 application for license which conviction remains unreversed;

31 (9) Not have been convicted of a misdemeanor or felony
32 in any jurisdiction if the offense for which he or she was
33 convicted related to the practice of social work, which
34 conviction remains unreversed; and

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

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

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

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

46 (2) Complete twelve credit hours of core social work
47 study from a program accredited by the council on social
48 work education, as defined by legislative rule, within the
49 four-year provisional license period: *Provided*, That an
50 individual employed as a provisionally licensed social worker
51 with the West Virginia Department of Health and Human
52 Resources shall satisfy this requirement upon completion of
53 the social work training program with the West Virginia
54 Department of Health and Human Resources. The Secretary
55 of the West Virginia Department of Health and Human
56 Resources shall, with the advice of the Higher Education
57 Policy Commission, West Virginia University School of
58 Social Work and Marshall University Department of Social
59 Work, promulgate legislative rules, in accordance with article
60 three, chapter twenty nine-a of this code, to implement the
61 provisions of this subdivision;

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

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

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

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

David R. Mansueti
.....
Chairman Senate Committee

John B. McL...
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clark S. Barnes
.....
Clerk of the Senate

Stephen D. Harrison
.....
Clerk of the House of Delegates

Michelle P. Phelps
.....
President of the Senate

Philip M. ...
.....
Speaker of the House of Delegates

The within *is approved* this the *24th*
Day of *March*, 2015.

Earl Ray Tomblin
.....
Governor

PRESENTED TO THE GOVERNOR

MAR 16 2015

Time 10:44 AM