

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2250—Missouri Real Estate Commission
Chapter 9—Disciplinary Proceedings**

PROPOSED AMENDMENT

20 CSR 2250-9.020 Investigation. The commission is proposing to amend section (1).

PURPOSE: The purpose of this amendment is to give the commission the discretion of whether or not to furnish a copy of the response to the complainant.

(1) Upon receipt of a complaint in proper form, the commission shall investigate the actions of the licensee against whom the complaint is made. In conducting an investigation, the commission, in its discretion, may request the licensee under investigation to answer the charges in writing and to produce relevant documentary evidence and may request the licensee to appear before it. A copy of any written answer of the licensee *[shall]* may be furnished to the complainant if it would assist in the investigation of the matters raised by the complaint.

AUTHORITY: section 339.120, RSMo Supp. [1993] 2008. This rule originally filed as 4 CSR 250-9.020. Original rule filed Nov. 14, 1978, effective Feb. 11, 1979. Amended: Filed Feb. 2, 1994, effective Aug. 28, 1994. Moved to 20 CSR 2250-9.020, effective Aug. 28, 2006. Amended: Filed Aug. 18, 2009.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Real Estate Commission, PO Box 1339, Jefferson City, MO 65102, by facsimile at 573-751-2628, or via email at realestate@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 1—General Rules**

PROPOSED RESCISSION

20 CSR 2263-1.010 Definitions. This rule defined terms used in 4 CSR 263.

PURPOSE: This rule is being rescinded and readopted to include the new levels of licensure created due to the passage of House Bill 780 and Senate Bill 308 (2007).

AUTHORITY: sections 337.065, 337.600, and 337.627, RSMo 2000 and 337.674, RSMo Supp. 2001. This rule originally filed as 4 CSR 263-1.010. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 1—General Rules**

PROPOSED RULE

20 CSR 2263-1.010 Definitions

PURPOSE: This rule defines terms used in 20 CSR 2263.

(1) The words defined in sections 337.600–337.689, RSMo, shall have the same meaning when used in these rules, unless the context plainly requires a different meaning.

(A) “Acceptable educational institution” shall mean—

1. A school, college, university, or other institution of higher learning in the United States which, at the time the applicant was enrolled and graduated, was accredited by a regional accrediting commission recognized by the United States Department of Education or the Committee on Recognition of Post-Secondary Accreditation (CORPA), or its successor organization; or

2. A school, college, university, or other institution of higher learning outside the United States which, at the time the applicant was enrolled and graduated, maintained a standard of training determined by the committee to be substantially equivalent to the standards of training of those institutions accredited by one (1) of the regional accrediting commissions recognized by the United States Department of Education or CORPA.

(B) “Applicant” means an individual submitting an application for any step in the licensure process, including an individual who has submitted an application for registration of supervision, temporary permit, or any social work license.

(C) “Client” means any individual, couple, family, group, organization, or community for whom the practice of licensed social work is provided.

(D) “Committee” means the State Committee for Social Workers.

(E) “Confidential information” means information revealed by a client or otherwise obtained by a member of the profession in the professional relationship.

(F) “Dual relationship” or “multiple relationships” occur when members of the profession relate to clients in more than one (1) relationship, whether professional, social, or business. Dual or multiple relationships can occur simultaneously or consecutively.

(G) “Legal resident alien” means any noncitizen of the United States who has been admitted to and remains in the United States with the recognition of the Immigration and Naturalization Service (INS).

(H) “Licensed social work” is practiced by a licensed social worker for a client.

(I) “Licensed social worker” means any person who is a licensed social worker.

(J) "Member of the profession" is any applicant, registrant, or licensed social worker.

(K) "Provisional licensee" means an individual who has completed all requirements for licensure with the exception of the supervised experience.

(L) "Registrant" means an individual who has submitted an application for registration of supervision, or an individual whose application for registration of supervision has been approved by the committee, and who is engaged in a program of supervised social work experience as described in sections 337.615, 337.645, and 337.653, RSMo, but who has not met all of the requirements for licensure.

(M) "Temporary permit" authorizes an applicant for reciprocity to practice social work in Missouri pending licensure.

(N) "Term of licensure" means the period between initial licensure and renewal, and the period between renewals.

AUTHORITY: sections 337.600 and 337.627, RSMo Supp. 2008. This rule originally filed as 4 CSR 263-1.010. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 1—General Rules**

PROPOSED AMENDMENT

20 CSR 2263-1.035 Fees. The board is proposing to amend subsections (1)(A) and (1)(G).

PURPOSE: Pursuant to section 337.612.4, RSMo, the board shall set the amount of the fees which this chapter authorizes and requires by rules and regulations promulgated pursuant to Chapter 536, RSMo. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter. Therefore, the board is proposing to decrease their application fees.

(1) The following fees are established by the committee and are payable in the form of a cashier's check, personal check, or money order:

- | | |
|---|----------------|
| (A) Application/Initial License Fee | |
| 1. October–January (two (2)-year license) | \$117.00/60.00 |
| 2. February–May (one and one-half (1 1/2)-year license) | \$88.00/45.00 |
| 3. June–September (one (1)-year license) | \$58.00/30.00 |
| (G) Reciprocity Application Fee | \$131.00/60.00 |

AUTHORITY: sections 337.612 and [337.677, RSMo Supp. 2005 and] 337.627, RSMo [2000] Supp. 2008. This rule originally filed as 4 CSR 263-1.035. Original rule filed Jan. 20, 1999, effective July 30, 1999. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 27, 2009.

PUBLIC COST: This proposed amendment will reduce the clinical social worker fund by approximately eleven thousand one hundred forty-five dollars (\$11,145) annually for the life of the rule. It is anticipated that the reduction will recur for the life of the rule, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed amendment will save private entities approximately eleven thousand one hundred forty-five dollars (\$11,145) annually for the life of the rule. It is anticipated that the savings will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2263 - State Committee for Social Workers

Chapter 1 - General Rules

Proposed Amendment - 20 CSR 2263-1.035 Fees

Prepared January 28, 2009 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Loss of Revenue	
State Committee for Social Workers		\$11,145.00
	Total Loss of Revenue Annually for the Life of the Rule	\$11,145.00

III. WORKSHEET

The committee is statutorily obligated to enforce and administer the provisions of sections 337.600-337.689, RSMo. Pursuant to Section 337.612, RSMo, the committee shall by rule and regulation set the amount of fees authorized by sections 337.600-337.689, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the committee for administering the provisions of sections 337.600-337.689, RSMo. The committee estimates the projections calculated in the Private Entity Fiscal Notes will be total loss of revenue for the committee.

IV. ASSUMPTION

1. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to decrease at the rate projected by the Legislative Oversight Committee.

PRIVATE FISCAL NOTE**I. RULE NUMBER****Title 20 - Department of Insurance, Financial Institutions and Professional Registration****Division 2263 - State Committee for Social Workers****Chapter 1 - General Rules****Proposed Amendment - 20 CSR 2263-1.035 Fees****Prepared January 28, 2009 by the Division of Professional Registration****II. SUMMARY OF FISCAL IMPACT**

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated savings with compliance with the amendment by affected entities:
40	Applicants for Initial Licensure (2 year license @ \$57 decrease)	\$2,280.00
55	Applicants for Initial Licensure (1½ - 1 year license @ \$43 decrease)	\$2,365.00
80	Applicants for Initial Licensure (1 year license @ \$28 decrease)	\$2,240.00
60	Applicants for Reciprocity (Reciprocity Application Fee @ \$71 decrease)	\$4,260.00
Estimated Annual Savings of Compliance with the Amendment for the Life of the Rule		\$11,145.00

III. WORKSHEET

See table above.

IV. ASSUMPTION

1. The figures reported above are based on FY05-FY08 actuals.
2. The committee is statutorily obligated to enforce and administer the provisions of sections 337.600-337.689, RSMo. Pursuant to Section 337.612, RSMo, the committee shall by rule and regulation set the amount of fees authorized by sections 337.600-337.689, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the committee for administering the provisions of sections 337.600-337.689, RSMo.
3. It is anticipated that the total saving will recur for the life of the rule, may vary with inflation and is expected to decrease at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

PROPOSED RESCISSION

20 CSR 2263-2.020 Educational Requirements for Licensed Clinical Social Workers. This rule defined the educational requirements for an applicant for clinical social work licensure, provisional clinical social work licensure, registration of supervision, and reciprocity.

PURPOSE: This rule is being rescinded to be consistent with the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure that were created.

AUTHORITY: sections 337.612 and 337.615, RSMo Supp. 2001 and 337.627, RSMo 2000. This rule originally filed as 4 CSR 263-2.020. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. Amended: Filed Jan. 11, 1995, effective June 30, 1995. Rescinded: Filed Dec. 30, 1998, effective July 30, 1999. Readopted: Filed Jan. 26, 1999, effective July 30, 1999. Amended: Filed Oct. 30, 2002, effective June 30, 2003. Moved to 20 CSR 2263-2.020, effective Aug. 28, 2006. Rescinded: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

PROPOSED RULE

20 CSR 2263-2.020 Educational Requirements for Licensed Social Workers

PURPOSE: This rule defines the educational requirements for an applicant for social work licensure, registration of supervision, and reciprocity.

(1) An applicant for registration of supervision, or a social work license, must have a degree from a professional social work program in an acceptable educational institution. An acceptable educational institution is a college or university program of social work accredited by the Council on Social Work Education (CSWE) or its successor organization, or an equivalent accreditation program, acceptable to the committee, in countries outside the United States.

(2) Verification of the degree is required by means of an official transcript sent directly to the committee by the educational institution.

AUTHORITY: sections 337.612, 337.615, and 337.627, RSMo Supp. 2008. This rule originally filed as 4 CSR 263-2.020. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

PROPOSED RESCISSION

20 CSR 2263-2.022 Education Requirements for Licensed Baccalaureate Social Workers. This rule defined the educational requirements for an applicant for baccalaureate level social work licensure, provisional baccalaureate level social work licensure, and registration of supervision and reciprocity.

PURPOSE: This rule is being rescinded due to the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure that it created.

AUTHORITY: sections 337.665 and 337.677.1, RSMo Supp. 2001. This rule originally filed as 4 CSR 263-2.022. Original rule filed Oct. 30, 2002, effective June 30, 2003. Moved to 20 CSR 2263-2.022, effective Aug. 28, 2006. Rescinded: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

PROPOSED AMENDMENT

20 CSR 2263-2.030 Supervised Licensed Social Work Experience. The board is proposing to amend section (1), add a new section (2), and amend the newly renumbered sections (3) and (4).

PURPOSE: *This amendment further defines the requirements of supervised experience to be consistent with the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure that they created.*

(1) *[The supervisor must have met the requirements for an acceptable supervisor at the time the supervision was performed.]* Supervision of the applicant for licensure shall not begin, and will only be acceptable to the committee, after the satisfactory completion of the educational requirements as set forth in the rules promulgated by the committee.

(2) **The supervisor must have met the requirements for an acceptable supervisor, as set out in 20 CSR 2263-2.031, at the time the supervision was performed.**

[(2)](3) Acceptable supervised licensed social work experience has the following characteristics:

(A) **Allowable supervision:**

1. A minimum of two (2) hours every two (2) weeks of individual face-to-face supervision by the supervisor *[at the rate of no fewer than forty-eight (48) weeks per calendar year.]*;

2. However, individual face-to-face supervision may be consolidated for up to four (4) weeks for a total of four (4) hours of individual face-to-face supervision per four (4)-week period. These hours shall be included in the total number of supervised hours required in subsection *[(2)](3)(B)*. Fifty percent (50%) of supervision may be group supervision~~./~~;

3. For the purpose of this rule, group supervision may consist of at least three (3), and no more than six (6) supervisees~~./~~; and

4. The use of electronic communications is acceptable for meeting supervision requirements of this rule only if the ethical standards for confidentiality are maintained, and communication is verbally and visually interactive between the supervisor and the supervisee;

(B) The minimum acceptable supervised experience shall be three thousand (3,000) hours obtained in no less than twenty-four (24) and no more than forty-eight (48) consecutive calendar months. The forty-eight (48)-month time frame may include periods of *[nonemployment]* **unemployment** and/or part-time employment. The total time frame is calculated in consecutive months, not the employment within that period. Supervised experience toward the three thousand (3,000) required hours which is not within a consecutive forty-eight (48)-month period, is not eligible for submission toward licensure; and

(C) The practice of *[clinical or baccalaureate]* social work *[of]* by the supervisee shall be performed under the oversight, guidance, control, and full professional responsibility of the supervisor~~/~~, *pre*/approved by the committee, in compliance with all laws and regulations relating to the practice of social work. In the event the applicant fails to pre-approve their supervisor(s), or are applying through reciprocity, the committee may review the supervision for compliance and consideration for licensure.

[(3)](4) **[Upon completion of twenty-four (24) months and three thousand (3,000) hours of supervised social work experience, an]** An application for licensure must be submitted pursuant to the rules promulgated by the committee **upon completion of the supervised social work experience.** All applicants for licensure must remain under approved supervision until the license is approved by the committee.

AUTHORITY: *sections 337.600, 337.612, 337.615, [and] 337.627, [RSMo 2000 and 337.650,] 337.662, and 337.665 [and 337.677], RSMo Supp. [2001] 2008. This rule originally filed as*

4 CSR 263-2.030. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 27, 2009.

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2263—State Committee for Social Workers Chapter 2—Licensure Requirements

PROPOSED RESCISSION

20 CSR 2263-2.031 Acceptable Supervisors and Supervisor Responsibilities. This rule defined an acceptable supervisor and supervisor responsibilities.

PURPOSE: *This rule is being rescinded and readopted to update the new levels of licensure put into effect by the passage of House Bill 780 and Senate Bill 308 (2007).*

AUTHORITY: *sections 337.627, RSMo 2000 and 337.600, 337.612, 337.615, 337.665, and 337.677, RSMo Supp. 2004. This rule originally filed as 4 CSR 263-2.031. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Rescinded: Filed Aug. 27, 2009.*

PUBLIC COST: *This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed rescission with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2263—State Committee for Social Workers Chapter 2—Licensure Requirements

PROPOSED RULE

20 CSR 2263-2.031 Acceptable Supervisors and Supervisor Responsibilities

PURPOSE: This rule defines an acceptable supervisor and supervisor responsibilities.

(1) Acceptable Supervisors.

(A) An acceptable supervisor for a clinical or advanced macro social worker license shall:

1. Have a master's or doctorate degree from a college or university program of social work accredited by the Council on Social Work Education (CSWE) or a doctorate degree in social work;

2. Be licensed in Missouri as a clinical or advanced macro social worker or similarly licensed in another state whose licensure laws, as determined by the committee, are equivalent to Missouri;

3. Have completed a sixteen (16)-hour continuing education course in supervision approved in accordance with the rules of continuing education.

A. Approved course work and (16)-hour supervision training courses must contain components relative to:

(I) Supervisory Relationship and Process;

(II) Supervision of Supervisee's Practices;

(III) Professional Relationships;

(IV) Work Content;

(V) Evaluation and lifelong learning; and

(VI) Professional Responsibility;

4. Have five (5) years of post licensure experience; and

5. For ongoing currency, supervisors shall have completed at least three (3) hours of face-to-face continuing education in supervision each renewal cycle as part of the total hours required.

(B) A licensed clinical social worker (LCSW) may supervise LCSW, licensed advanced macro social worker (LAMSW), or licensed baccalaureate social worker (LBSW) registrants.

(C) A LAMSW may supervise LAMSW or LBSW registrants.

(D) A Missouri LBSW or a LBSW from another state whose licensure laws, as determined by the committee are equivalent to Missouri, may supervise an LBSW registrant.

(2) The acceptable supervisor cannot be a relative of the supervisee.

(A) A relative is defined as spouse, parent, child, sibling of the whole or half-blood, grandparent, grandchild, aunt, or uncle of the supervisee or one who is or has been related by marriage or has any other dual relationship.

(3) A licensed supervisor whose license has been subject to probation, suspension, or revocation shall not supervise without prior approval of the committee. A licensed supervisor who is currently under probation, suspension, or revocation shall not supervise.

(4) A social worker holding an equivalent license in another state may supervise in that state but may not do so in Missouri because supervision is the practice of social work according to sections 337.600-337.639, RSMo.

(5) The practice of social work by the supervisee shall be performed under the supervisor's control, oversight, guidance, and full professional responsibility. This shall include all applicable areas of practice including but not limited to:

(A) General orientation of the setting's policies and procedures;

(B) Providing strategies for professional social work practice;

(C) Preliminary screening of all potential clients of the supervisee to determine if the supervisee is capable of successful assessment, intervention, and referral;

(D) Thorough knowledge of the supervisee's entire workload;

(E) Thorough knowledge of each assignment or case, including assessment, diagnosis, and intervention;

(F) Ongoing evaluation and modification of the supervisee's workload as necessary;

(G) Allowable Supervision.

1. A minimum of two (2) hours every two (2) weeks of individual face-to-face supervision by the supervisor.

2. However, individual face-to-face supervision may be consolidated for up to four (4) weeks for a total of four (4) hours of individual face-to-face supervision per four (4)-week period. These hours shall be included in the total number of supervised hours required as set forth in the rules promulgated by the committee.

3. Fifty percent (50%) of supervision may be group supervision. For the purpose of this rule, group supervision may consist of at least three (3), and no more than six (6), supervisees.

4. The use of electronic communications is acceptable for meeting supervision requirements of this rule only if the ethical standards for confidentiality are maintained, and the communication is verbally and visually interactive between the supervisor and the supervisee;

(H) A contract shall be negotiated by supervisor and supervisee and a copy furnished to the committee within thirty (30) days of the beginning of supervision. Should the contract be terminated before completion of the minimum number of hours required, the supervisee is responsible for negotiating a new contract and obtaining all evaluation and termination forms required to document prior supervision;

(I) Acceptable safeguards shall be built into the contract if the supervisor and supervisee have a relationship that could affect the employment or benefits of the supervisor, and the relationship could, in any way, bias or compromise the supervisor's evaluation of the supervisee;

(J) When the proposed supervisor is not a staff member of the supervisee's agency, social work ethics demand that the proposed supervisor insure that the agency administration, or its representative, is in accord with the arrangements for supervision by a qualified licensed social worker supervisor. This is essential whether these arrangements are made by the agency or the supervisee and regardless of whether the agency contributes to financial compensation of the supervisor. The supervisor is responsible for securing agreement from the agency administration as to the purpose and content of the desired supervision and the supervisor's specific role, responsibilities, and limitations. The supervisor is also responsible for learning agency functions and policies so that any supervisory suggestions are constructive and realistic within agency purposes and resources;

(K) When there is a change in the setting or supervisor, the supervisor is responsible for notifying the committee and submitting a change of status form to the committee. Such change of status form must be received by the committee within fourteen (14) days of the change;

(L) If supervision is terminated by either party, the supervisor is responsible for notifying the committee and submitting a termination form to the committee. Such termination form must be received by the committee within fourteen (14) days of termination; and

(M) A report on progress to date shall be made to the committee during the twenty-fourth and forty-eighth months of supervision.

(6) Within fourteen (14) days of the termination of the supervised experience, the supervisor shall complete the committee's Attestation of Supervision Form, summarizing the supervisee's performance and level of compliance with the requirements for supervised social work experience.

(A) If the supervisor does not recommend the supervisee for licensure or recommends licensure with reservation, the Attestation of Supervision Form shall be supplemented with a detailed statement explaining why recommendation for licensure without reservation cannot be made. Exhibits may be attached to the statement of explanation.

(B) A copy of the statement of explanation, and any exhibits, shall be delivered to the supervisee.

(C) The supervisee may respond to the statement of explanation within fourteen (14) days, in writing or by making a request for an appearance before the committee.

(D) The supervisor and the supervisee shall promptly respond to any inquiry made by the committee or at its direction regarding the

Attestation of Supervision Form or the statement of explanation.

(7) A licensed social worker assuming the role of supervisor may employ the supervisee in the supervisor's private practice setting. In those instances, the supervisor may bill clients for services rendered by the supervisee but under no circumstances shall the supervisee bill the clients directly for services rendered by the supervisee. The professional setting shall not include private practice in which the supervisee operates, manages, or has an ownership interest in the private practice.

AUTHORITY: sections 337.600, 337.612, 337.615, 337.627, and 337.665, RSMo Supp. 2008. This rule originally filed as 4 CSR 263-2.031. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions approximately one thousand four hundred eighty-seven dollars and twenty-four cents (\$1,487.24) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed rule will cost private entities approximately three hundred twenty-two dollars (\$322) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2263 - State Committee for Social Workers

Chapter 2 - Licensure Requirements

Proposed Rule - 20 CSR 2263-2.031 Acceptable Supervisors and Supervisor Responsibilities

Prepared January 28, 2009 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance
State Committee for Social Workers	\$1,487.24
	Total Annual Cost of Compliance for the Life of the Rule \$1,487.24

III. WORKSHEET

The Licensure Technician II reviews the Attestation of Supervision forms, prepares and corresponds with the applicants and the supervisor for any additional information required by the committee. The committee may also respond to applicants and supervisors who have not successfully completed the supervised experience. There are about twenty applicants who are not recommended for licensure without reservation annually. The committee estimates that 300 applicants will apply for licensure annually.

Personal Service Dollars

STAFF	ANNUAL SALARY	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	TOTAL COST
Licensure Technician II	\$24,576	\$36,591.21	\$17.59	\$0.29	10 minutes	\$2.93 300 Applicants	\$879.60
Licensure Technician II	\$24,576	\$36,591.21	\$17.59	\$0.29	10 minutes	\$2.93 20 Applicants	\$58.64
						Total Annual Personal Service Costs for the Life of the Rule	\$938.24

The committee anticipates that they will send at least two letters of correspondence to each new applicant annually.

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost
Letterhead	\$0.20	600	\$120.00
Postage	\$0.44	600	\$264.00
Envelopes	\$0.10	600	\$60.00
License Envelopes	\$0.23	300	\$69.00
Licenses	\$0.12	300	\$36.00
Total Annual Expense and Equipment Costs for the Life of the Rule			\$549.00

IV. ASSUMPTION

1. Employee's salaries were calculated using the annual salary multiplied by 48.89% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of applications or renewals. The total cost was based on the cost per application multiplied by the estimated number of applications.
2. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2263 - State Committee for Social Workers

Chapter 2 - Licensure Requirements

Proposed Rule - 20 CSR 2263-2.031 Acceptable Supervisors and Supervisor Responsibilities

Prepared January 28, 2009 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
300	Applicants for Licensure (Postage @ \$0.44)	\$132.00
300	Applicants for Licensure (Copies @ \$0.10)	\$30.00
300	Supervisors Sending in the Change of Status Form (Postage @ \$0.44)	\$132.00
20	Supervisors Not Recommending Supervisees for Licensure Without Reservation (Postage @ \$0.44)	\$8.80
20	Supervisors Not Recommending Supervisees for Licensure Without Reservation (Copying @ \$0.10)	\$2.00
20	Supervisees Not Being Recommended for Licensure Without Reservation (Mailing to committee Postage @ \$0.44)	\$8.80
20	Supervisees Not Being Recommended for Licensure Without Reservation (Mailing to committee for Response Postage @ \$0.44)	\$8.40
Estimated Annual Cost of Compliance for the Life of the Rule		\$322.00

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The figures reported above are based on FY05-FY08 actuals.
2. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

PROPOSED AMENDMENT

20 CSR 2263-2.032 Registration of Supervised Social Work Experience. The board is proposing to amend sections (1) through (6) and add sections (10) through (13).

PURPOSE: This amendment modifies the existing language to be consistent with House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure they created.

(1) Supervised social work experience shall be registered for approval by the committee *[within thirty (30) days of]* prior to the beginning of supervision. This will ensure that the supervision is acceptable to the committee prior to applying for licensure. In the event the applicant fails to pre-approve their supervisor(s), or *[are]* is applying through reciprocity, the committee at its discretion may review the supervision for compliance and consideration of licensure.

(2) Registration of supervision for social workers beginning the practice of *[clinical social work experience or the practice of baccalaureate]* social work under supervision in another state and intending to apply for licensure in Missouri is *[accepted by]* acceptable to the committee if the supervisor holds a license in the other state, determined by the committee~~[,]~~ to be *[equivalent]* substantially similar to Missouri's.

(3) The applicant for registration of supervision shall—

(A) Have *[an official transcript of the social work education sent directly from the educational institution(s) to the committee;]* one (1) of the following licenses:

1. Licensed master social worker (LMSW) for clinical or advanced macro path; or

2. Licensed baccalaureate social worker (LBSW) if seeking independent practice on a baccalaureate level;

(B) Submit a completed registration of supervision form provided by the committee *[within thirty (30) days of the beginning of supervision];*

(C) Submit a copy of a contract negotiated between the applicant and the proposed supervisor. However, should the contract be terminated before the completion of the minimum hours required, the supervisee is responsible for negotiating a new contract and obtaining all evaluation and termination forms required to document prior supervision. Such a contract shall not be valid if the supervisor and supervisee have a relationship that could affect the employment or benefits of the supervisor, and the relationship could, in any way, bias or compromise the supervisor's evaluation of the supervisee; **and**

(D) Pay the one (1)-time registration of supervision fee as prescribed by the committee~~;~~ and~~].~~

[(E) Submit proof of submission of fingerprints to the Missouri State Highway Patrol's approved vendor for both a Missouri State Highway Patrol and Federal Bureau of Investigation fingerprint background check. Any fees due for fingerprint background checks shall be paid by the applicant directly to the Missouri Highway Patrol or its approved vendor. All fees are nonrefundable.]

(4) The applicant for registration of supervision shall *[provide clinical or baccalaureate]* practice social work under the order, control, oversight, guidance, and full professional responsibility of the approved registered supervisor at the setting(s) approved by the committee.

(5) Whenever a supervisee changes a supervisor or adds a supervisor or new setting, a Change of Status form, provided by the committee, shall be submitted to the committee by the supervisee. There is no fee for updating a change of supervision and/or setting.

(6) A supervisee may be employed in the supervisor's private practice setting or in the private practice of another. *[In those instances, the supervisor may bill clients for services rendered by the supervisee but under no circumstances shall the supervisee bill the clients directly for services rendered.]* The professional setting shall not include private practice in which the supervisee operates, manages, or has an ownership interest in the private practice.

(10) Because the difficulties in confirming or verifying supervision increase dramatically over time, supervision will not be recognized if it occurred more than sixty (60) calendar months prior to the application for licensure being filed.

(11) Any termination of supervision or change of supervision site must be reported by the supervisor to the committee in writing within fourteen (14) days.

(12) A written report on progress to date shall be made by the supervisor to the committee during the twenty-fourth and forty-eighth months of supervision.

(13) If the required hours of supervision are not completed within forty-eight (48)-months of the beginning of supervision, the supervisee shall submit a detailed written plan to the committee for approval specifying how the supervision will be successfully concluded, co-signed by the supervisor. The committee may approve the plan, request further information from either the supervisee or the supervisor, or require either the supervisee or the supervisor, or both, to appear before the committee or a subcommittee thereof.

AUTHORITY: sections 337.600, 337.612, 337.615, 337.627, and [337.650,] 337.665, RSMo [2000] Supp. 2008 [and 337.677, RSMo Supp. 2006]. This rule originally filed as 4 CSR 263-2.032. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 27, 2009.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions approximately ninety-seven dollars and eighty-three cents (\$97.83) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed amendment will cost private entities approximately two hundred fifty-three dollars and sixty cents (\$253.60) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2263 - State Committee for Social Workers

Chapter 2 - Licensure Requirements

Proposed Amendment - 20 CSR 2263-2.032 Registration of Supervised Social Work Experience

Prepared January 28, 2009 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance	
State Committee for Social Workers	\$97.83	
	Total Annual Cost of Compliance with the Amendment for the Life of the Rule	\$97.83

III. WORKSHEET

The Administrative Office Support Assistant reviews the written plans from the applicants that detail how the supervision will be successfully concluded and prepares and corresponds with the applicants and the supervisor for any additional information required by the committee. The committee estimates that 300 applicants will apply for licensure annually, half of which will not complete their supervision within the required 48 month time frame. Of those applicants, the committee estimates that 20 will choose to continue to pursue licensure with the committee and 1 of those will be required to appear before the committee. The committee will meet with the applicant during a regularly scheduled meeting so no additional costs will be incurred.

Personal Service Dollars

STAFF	ANNUAL SALARY	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	TOTAL COST
Administrative Office Support Assistant	\$28,596	\$42,576.58	\$20.47	\$0.34	10 minutes	\$3.41 20 Applicants	\$68.23
					Total Annual Personal Service Costs of the Amendment for the Life of the Rule		\$68.23

The committee anticipates that they will send at least two letters of correspondence to each applicant that did not complete their supervision requirements within the 48 month time frame.

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost
Letterhead	\$0.20	40	\$8.00
Postage	\$0.44	40	\$17.60
Envelopes	\$0.10	40	\$4.00
Total Annual Expense and Equipment Costs of the Amendment for the Life of the Rule			\$29.60

IV. ASSUMPTION

1. Employee's salaries were calculated using the annual salary multiplied by 48.89% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of applications or renewals. The total cost was based on the cost per application multiplied by the estimated number of applications.
2. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE FISCAL NOTE**I. RULE NUMBER****Title 20 - Department of Insurance, Financial Institutions and Professional Registration****Division 2263 - State Committee for Social Workers****Chapter 2 - Licensure Requirements****Proposed Amendment - 20 CSR 2263-2.032 Registration of Supervised Social Work**

Prepared January 28, 2009 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
20	Applicants for Licensure Who Have Not Completed Supervision Requirements Within 48 Months of the Beginning of Supervision (Postage @ \$0.44)	\$8.80
20	Applicants for Licensure Who Have Not Completed Supervision Requirements Within 48 Months of the Beginning of Supervision (Copying @ \$0.10)	\$2.00
20	Supervisors for Applicant for Licensure Who Have Not Completed Supervision Requirements Within 48 Months of the Beginning of Supervision (Postage @ \$0.44)	\$8.80
20	Supervisors for Applicants for Licensure Who Have Not Completed Supervision Requirements Within 48 Months of the Beginning of Supervision (Copying @ \$0.10)	\$2.00

1	Applicants for Licensure Who Have Not Completed Supervision Requirements Within 48 Months of the Beginning of Supervision Who Will Be Required To Appear Before the committee (Travel Expenses @ \$116.00)	\$116.00
1	Supervisor for Applicant for Licensure Who Has Not Completed Supervision Requirements Within 48 Months of the Beginning of Supervision Who Will Be Required To Appear Before the committee (Travel Expenses @ \$116.00)	\$116.00
	Estimated Annual Cost of Compliance to the Amendment for the Life of the Rule	\$253.60

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The figures reported above are based on FY05-FY08 actuals.
2. The travel expenses are based on gas expenses for an average trip of 134 miles one way at \$0.43 per mile. It is not possible to estimate all costs (i.e. meals and lodging) that an applicant could incur in attending a meeting of the committee. However, the committee anticipates that this will be a one day trip for the applicant, therefore, costs should be minimal.
3. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

PROPOSED AMENDMENT

20 CSR 2263-2.045 Provisional [Licensed Clinical Social Worker] Licenses. The board is proposing to amend the title of the rule, and sections (1) through (3) and (5) through (8).

PURPOSE: This amendment modifies the title of the rule, clarifies who is eligible for provisional license, which exam is appropriate for provisional license and baccalaureate social work, and modifies the existing language to be consistent with the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure that they created.

(1) Application for provisional clinical social work licensure shall be made on the forms provided by the committee. Application forms shall be obtained from the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102.

(A) No other classes of license are eligible for provisional license under sections 337.600–337.689, RSMo.

(2) An application for licensure as a provisional licensed clinical social worker is not considered officially filed with the committee until it has been determined by the committee [or division] staff to be complete and the application is submitted on the form(s) provided by the committee. The application must be typewritten or printed legibly in black ink, signed, notarized, and accompanied by the application fee as set forth in the rules promulgated by the committee.

(3) The following documents must be on file for an application for provisional [clinical] social work licensure to be considered complete and officially filed:

(D) Verification of a passing score[, as determined by the committee,] on the [clinical] examination administered by the Association of Social Work Boards (ASWB). Verification of score(s) must be sent directly to the committee office by the ASWB[, and].

1. The examination for a provisional licensed clinical social worker is the clinical examination; and

2. The examination for a baccalaureate social worker is the bachelors examination, or higher; and

(E) An applicant for provisional [clinical] social work licensure who answers “yes” to any question in the application which relates to possible grounds for denial of licensure under section 337.630, RSMo, shall submit a sworn affidavit setting forth in detail the facts that explain the answer and shall submit copies of [appropriate] documents related to that answer, [if] as requested by the committee, which shall include but is not limited to the following:

(5) The term of a provisional [clinical] social worker license shall be no more than forty-eight (48) consecutive calendar months except under extenuating circumstances as determined by the committee. The provisional [clinical] social work license shall be valid only while the licensee is under active supervision as defined by rule. The provisional [clinical] social work license will terminate with the issuance of a [clinical] social work license.

(6) The applicant for provisional [clinical] social work licensure shall provide [clinical] social work as defined in section 337.600(17), RSMo, under the order, control, oversight, guidance, and full professional responsibility of the approved registered supervisor at the setting(s) approved by the committee.

(7) A provisional [licensed clinical] social worker may be employed in the supervisor's private practice setting or in the private practice of another. In those instances, the supervisor may bill clients for services rendered by the provisional [licensed clinical] social worker but under no circumstances shall the provisional [licensed clinical] social worker bill the clients directly for services rendered. The only exception to this section shall be when reimbursement for services is provided under Title XIX (Medicaid) through the Missouri Department of Social Services Medicaid Services Division. A provisional [licensed clinical] social worker may accept a Medicaid reimbursement number and services may be billed through that number, provided such reimbursement is administered through the professional setting employing the provisional [licensed clinical] social worker, and not directly paid to the provisional [licensed clinical] social worker. The professional setting shall not include private practice in which the provisional [licensed clinical] social worker operates, manages, or has an ownership interest in the private practice.

(8) Provisional [licensed clinical] social workers shall report any change of supervisor, setting, or both in writing on a Change of Status form provided by the committee. There is no fee for updating a change of supervision and/or setting. The committee shall notify both the provisional [licensed clinical] social worker and registered supervisor, in writing, of the committee's approval or refusal of the registration of supervision.

AUTHORITY: sections 337.600, 337.612 [and], 337.615, [RSMo Supp. 2004 and] 337.627, and 337.630, RSMo [2000] Supp. 2008. This rule originally filed as 4 CSR 263-2.045. Original rule filed Dec. 30, 1998, effective July 30, 1999. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 27, 2009.

PUBLIC COST: This proposed amendment will save state agencies or political subdivisions approximately one hundred ninety-five dollars and forty-seven cents (\$195.47) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed amendment will save private entities approximately thirty dollars and eighty cents (\$30.80) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to decrease at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2263 - State Committee for Social Workers

Chapter 2 - Licensure Requirements

Proposed Amendment - 20 CSR 2263-2.045 Provisional Licenses

Prepared January 28, 2009 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Savings of Compliance	
State Committee for Social Workers	\$195.47	
	Total Annual Cost Savings of Compliance with the Amendment for the Life of the Rule	\$195.47

III. WORKSHEET

The Licensure Technician II prepared and corresponded with the applicants for provisional licensure for any additional information required by the committee. The committee estimates that 70 applicants were issued provisional licenses annually.

Personal Service Dollars

STAFF	ANNUAL SALARY	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	TOTAL COST
Licensure Technician II	\$24,576	\$36,591.21	\$17.59	\$0.29	7 minutes	\$2.05 70 Applicants	\$143.67
					Total Annual Personal Service Cost Savings of the Amendment for the Life of the Rule		\$143.67

The committee sent out the provisional licenses on security paper.

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost
Security Paper	\$0.20	70	\$14.00
Postage	\$0.44	70	\$30.80
Envelopes	\$0.10	70	\$7.00
Total Annual Expense and Equipment Cost Savings of the Amendment for the Life of the Rule			\$51.80

IV. ASSUMPTION

1. Employee's salaries were calculated using the annual salary multiplied by 48.89% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of applications or renewals. The total cost was based on the cost per application multiplied by the estimated number of applications.
2. It is anticipated that the total savings will recur for the life of the rule, may vary with inflation and is expected to decrease at the rate projected by the Legislative Oversight Committee.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2263 - State Committee for Social Workers

Chapter 2 - Licensure Requirements

Proposed Amendment - 20 CSR 2263-2.045 Provisional Licenses

Prepared January 28, 2009 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated cost savings of compliance with the amendment by affected entities:
70	Applicants for Provisional Licensure (Postage @ \$0.44)	\$30.80
	Estimated Annual Cost Savings of Compliance with the Amendment for the Life of the Rule	\$30.80

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The figures reported above are based on FY05-FY08 actuals.
2. It is anticipated that the total saving will recur for the life of the rule, may vary with inflation and is expected to decrease at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

PROPOSED RESCISSION

20 CSR 2263-2.047 Provisional Licensed Baccalaureate Social Worker. This rule outlined the requirements for provisional licensed baccalaureate social workers.

PURPOSE: This rule is being rescinded as the language is now included in 20 CSR 2263-2.045 due to the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure created.

AUTHORITY: sections 337.650, 337.653, 337.665, and 337.677, RSMo Supp. 2004. This rule originally filed as 4 CSR 263-2.047. Original rule filed Oct. 30, 2002, effective June 30, 2003. Amended: Filed March 15, 2004, effective Sept. 30, 2004. Amended: Filed March 28, 2005, effective Sept. 30, 2005. Moved to 20 CSR 2263-2.047, effective Aug. 28, 2006. Rescinded: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

PROPOSED AMENDMENT

20 CSR 2263-2.050 Application for Licensure as a [Clinical] Social Worker. The board is proposing to amend the title of the rule, amend sections (1) and (2), add a new section (3), renumber the remaining sections thereafter, amend renumbered section (4), add a new section (5), and amend renumbered section (6).

PURPOSE: This amendment modifies the title of the rule and clarifies the requirements for each level of licensure and modifies the existing language to be consistent with the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure they created.

(1) Application for [clinical] social work licensure shall be made on the forms provided by the committee. Application forms shall be obtained from the Executive Director, State Committee for Social Workers, P.O. Box 1335, Jefferson City, MO 65102.

(2) An application for licensure is not considered officially filed with the committee until it has been determined by the committee [or division] staff to be complete and the application is submitted on the form(s) provided by the committee. The application shall be type-

written or printed legibly in black ink, signed, notarized, and accompanied by the application fee as set forth in the rules promulgated by the committee.

(3) A separate application for licensure shall be made for each class of license sought.

[(3)](4) The following documents shall be on file for an application to be considered complete and officially filed:

(A) Completed application form, specifying the type of license sought;

(B) Official transcript(s) sent directly from the educational institution(s);

(C) Completed Attestation of [Clinical] Supervision form(s) sent directly from the attesting supervisor(s), if applicable;

(D) Verification of a passing score, as determined by the committee, on the [clinical] examination administered by the Association of Social Work Boards (ASWB). Verification of score(s) shall be sent directly to the committee office by the ASWB; and/. The required examinations are:

1. Licensed baccalaureate social worker—bachelors examination;

2. Licensed baccalaureate social worker independent practice—bachelors examination;

3. Licensed master social worker—masters examination;

4. Licensed advanced macro social worker—advanced generalist examination.

A. An examination taken before the completion of the supervised work experience is not acceptable; and

5. Licensed clinical social worker—clinical examination.

A. An examination taken before the completion of the supervised work experience is not acceptable; and

(E) Proof of submission of fingerprints to the Missouri State Highway Patrol's approved vendor for both a Missouri State Highway Patrol and Federal Bureau of Investigation fingerprint background check. Any fees due for fingerprint background checks shall be paid by the applicant directly to the Missouri Highway Patrol or its approved vendor. All fees are nonrefundable.

(F) An applicant for licensure who answers "yes" to any question in the application which relates to possible grounds for denial of licensure under section 337.630, RSMo, shall submit a sworn affidavit setting forth in detail the facts that explain the answer and shall submit copies of appropriate documents related to that answer, if requested by the committee, which shall include but is not limited to the following:

1. Certified copies of final orders/judgments;

2. If no final order—Certified copy of clerk's docket sheet and copy of complaint; and

3. If criminal conviction—A certified copy of final order and sentence or commutation of sentence.

(5) A person who has previously held a license as a social worker, whose license had either expired or been revoked, shall submit evidence of competency. Evidence of competency in this case shall be the same as the evidence required of an inactive licensee who desires to return to active status as stated in 20 CSR 2263-2.090.

[(4)](6) Following the committee's review process, the applicant will be informed by letter of licensure [approval or] denial. The denial letter will identify the reasons for denial and the appeal process.

AUTHORITY: sections 337.600, 337.612, [and] 337.615, 337.627, and 337.630, RSMo [2000] Supp. [2006] 2008. This rule originally filed as 4 CSR 263-2.050. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 27, 2009.

***PUBLIC COST:** This proposed amendment will cost state agencies or political subdivisions approximately fifty-seven thousand five hundred eighty-eight dollars and seventy-one cents (\$57,588.71) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.*

***PRIVATE COST:** This proposed amendment will cost private entities approximately \$8,960,000 annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.*

***NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.*

STAFF	ANNUAL SALARY	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	TOTAL COST
Licensure Technician II	\$24,576	\$36,591.21	\$17.59	\$0.29	3 Minutes	\$0.88	\$8,795.96
Administrative Office Support Assistant	\$28,596	\$42,576.58	\$20.47	\$0.34	3 Minutes	\$1.02	\$10,234.76
Executive Director	\$56,601	\$84,273.23	\$40.52	\$0.68	3 Minutes	\$2.03	\$20,257.99
				Total Annual Personal Services Cost of Compliance with the Amendment for the Life of the Rule			\$39,288.71

The committee anticipates that they will send at least two letters of correspondence to each new applicant annually.

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost Per Item
Letterhead	\$0.20	20,000	\$4,000.00
Postage	\$0.44	20,000	\$8,800.00
Envelopes	\$0.10	20,000	\$2,000.00
License Envelopes	\$0.23	10,000	\$2,300.00
Licenses	\$0.12	10,000	\$1,200.00
Total Annual Expense and Equipment Cost of Compliance with the Amendment for the Life of the Rule			\$18,300.00

IV. ASSUMPTION

1. Employee's salaries were calculated using the annual salary multiplied by 48.89% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of applications or renewals. The total cost was based on the cost per application multiplied by the estimated number of applications.
2. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE FISCAL NOTE**I. RULE NUMBER****Title 20 - Department of Insurance, Financial Institutions and Professional Registration****Division 2263 - State Committee for Social Workers****Chapter 2 - Licensure Requirements****Proposed Amendment - 20 CSR 2263-2.050 Application for Licensure as a Social Worker****Prepared January 28, 2009 by the Division of Professional Registration****II. SUMMARY OF FISCAL IMPACT**

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
10,000	Applicants for Initial Licensure (Application Fee @ \$30)	\$300,000
10,000	Applicants for Initial Licensure (Background Check Fee @ \$52)	\$520,000
10,000	Applicants for Initial Licensure (Notary @ \$2.00)	\$20,000
10,000	Applicants for Initial Licensure (Continuing Education @ \$635)	\$6,350,000
10,000	Applicants for Initial Licensure (Exam @ \$175.00)	\$1,750,000
10,000	Applicants for Initial Licensure (Postage @ \$2)	\$20,000
	Estimated Annual Cost of Compliance with the Amendment for the Life of the Rule	\$8,960,000.00

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The figures reported above are based on FY05-FY08 actuals.
2. The committee accepts many forms of continuing education that are obtainable at home, therefore, travel expenses were not considered in this fiscal note.
3. The committee is statutorily obligated to enforce and administer the provisions of sections 337.600-337.689, RSMo. Pursuant to Section 337.612, RSMo, the committee shall by rule and regulation set the amount of fees authorized by sections 337.600-337.689, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the committee for administering the provisions of sections 337.600-337.689, RSMo.
4. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

PROPOSED RESCISSION

20 CSR 2263-2.052 Application for Licensure as a Licensed Baccalaureate Social Worker. This rule outlined the procedures for application for licensure as a baccalaureate social worker.

PURPOSE: This rule is being rescinded and consolidated into 20 CSR 2263-2.050 due to the passage of House Bill 780 and Senate Bill 308 (2007).

AUTHORITY: sections 337.665 and 337.677.1, RSMo Supp. 2006. This rule originally filed as 4 CSR 263-2.052. Original rule filed Oct. 30, 2002, effective June 30, 2003. Moved to 20 CSR 2263-2.052, effective Aug. 28, 2006. Amended: Filed Dec. 15, 2006, effective June 30, 2007. Rescinded: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

PROPOSED AMENDMENT

20 CSR 2263-2.060 Licensure by Reciprocity [as a Licensed Clinical Social Worker]. The board is proposing to amend the title of the rule and subsections (1)(A) and (1)(C) and section (2).

PURPOSE: This amendment modifies the title of the rule and further outlines the requirements for licensure by reciprocity and modifies the existing language to be consistent with the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure they created.

(1) The committee may issue a license by reciprocity to individuals who meet the licensure requirements as set forth in the rules promulgated by the committee and provide the following:

(A) Completed application for Licensure by Reciprocity form provided by the committee. The application shall state the class of license sought by the applicant;

(C) Verification form provided by the committee to be completed by the regulatory entity verifying that the individual holds a valid, [unrevoked, undisciplined, unrestricted,] unexpired license as a [clinical] social worker in that state, territory, province, or country whose licensing or certification requirements at the time the application is submitted to the committee are substantially similar to those

in Missouri, at the time the application for reciprocity is submitted to the committee]. The applicant has the burden of providing the information necessary for determination of this issue.

(2) Following the committee's review process, the applicant for licensure by reciprocity shall be informed by letter that licensure by reciprocity has been [approved or] denied. The denial letter shall identify the reasons for denial and the appeal process.

AUTHORITY: sections 337.600, 337.612 [and], 337.615, [RSMo Supp. 2006 and] 337.627, and 337.630, RSMo [2000] Supp. 2008. This rule originally filed as 4 CSR 263-2.060. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 27, 2009.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

PROPOSED RESCISSION

20 CSR 2263-2.062 Licensure by Reciprocity as a Licensed Baccalaureate Social Worker. This rule established a procedure for reciprocity applicants to practice baccalaureate level social work in Missouri.

PURPOSE: This rule is being rescinded and consolidated into 20 CSR 2263-2.060 due to the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure that they created.

AUTHORITY: sections 337.650, 337.665 and 337.677.1, RSMo Supp. 2006. This rule originally filed as 4 CSR 263-2.062. Original rule filed Oct. 30, 2002, effective June 30, 2003. Amended: Filed March 15, 2004, effective Sept. 30, 2004. Moved to 20 CSR 2263-2.062, effective Aug. 28, 2006. Amended: Filed Dec. 15, 2006, effective June 30, 2007. Rescinded: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489 or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days

after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

PROPOSED RESCISSION

20 CSR 2263-2.070 Temporary Permits for Licensed Clinical Social Workers. This rule established a procedure for reciprocity applicants to practice clinical social work in Missouri pending licensure.

PURPOSE: This rule is being rescinded and readopted to better clarify the temporary permit requirements due to the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure that they created.

AUTHORITY: sections 337.600, 337.621, 337.627, and 337.630, RSMo 2000. This rule originally filed as 4 CSR 263-2.070. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Rescinded: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

PROPOSED RULE

20 CSR 2263-2.070 Temporary Permits for Licensed Social Workers

PURPOSE: This rule establishes a procedure for reciprocity applicants to obtain a temporary permit to practice social work in Missouri pending licensure.

(1) Individuals who have a valid, unexpired license or certificate as a social worker from a state, territory, province, or country whose licensing or certification requirements are substantially the same as the current Missouri requirements for licensure, as determined by the committee, may receive a temporary permit to practice social work in Missouri pending committee approval for licensure by reciprocity.

(2) Temporary permit requests must be submitted to the committee with a completed reciprocity application.

(3) The applicant has the burden of providing the information necessary for the determination of licensure.

(4) Temporary permits shall be valid for a maximum of three (3) months after issuance.

(5) Individuals who have temporary permits are subject to the statutes and regulations promulgated by the committee governing the practice of social work.

(6) Individuals who have temporary permits may use the social work title for which they seek licensure.

AUTHORITY: section 337.621, RSMo 2000 and sections 337.600, 337.627, and 337.630, RSMo Supp. 2008. This rule originally filed as 4 CSR 263-2.070. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions approximately three dollars and sixty-seven cents (\$3.67) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed rule will cost private entities approximately sixty dollars and forty-four cents (\$60.44) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2263 - State Committee for Social Workers

Chapter 2 - Licensure Requirements

Proposed Rule - 20 CSR 2263-2.070 Temporary Permits for Licensed Social Workers

Prepared January 28, 2009 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance	
State Committee for Social Workers		\$3.67
	Total Annual Cost of Compliance for the Life of the Rule	\$3.67

III. WORKSHEET

The Licensure Technician II reviews forms, corresponds with the applicants for any additional information required by the committee and mails the permit. The committee anticipates that there will be one applicant for temporary licensure annually.

Personal Service Costs

STAFF	ANNUAL SALARY	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	TOTAL COST
Licensure Technician II	\$24,576	\$36,591.21	\$17.59	\$0.29	10 Minutes	\$2.93	\$2.93
						Total Annual Personal Services Cost for the Life of the Rule	\$2.93

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost
Letterhead	\$0.20	1	\$0.20
Postage	\$0.44	1	\$0.44
Envelopes	\$0.10	1	\$0.10
Total Annual Expense and Equipment Cost for the Life of the Rule			\$0.74

IV. ASSUMPTION

1. Employee's salaries were calculated using the annual salary multiplied by 48.89% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of applications or renewals. The total cost was based on the cost per application multiplied by the estimated number of applications.
2. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE FISCAL NOTE**I. RULE NUMBER****Title 20 - Department of Insurance, Financial Institutions and Professional Registration****Division 2263 - State Committee for Social Workers****Chapter 2 - Licensure Requirements****Proposed Rule - 20 CSR 2263-2.070 Temporary Permits for Licensed Social Workers**

Prepared January 28, 2009 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
1	Temporary Permit Applicants (Reciprocity Fee @ \$60.00)	\$60.00
1	Temporary Permit Applicants (Postage @ \$0.44)	\$0.44
Total Annual Cost of Compliance for the Life of the Rule		\$60.44

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The figures reported above are based on FY05-FY08 actuals.
2. The committee is statutorily obligated to enforce and administer the provisions of sections 337.600-337.689, RSMo. Pursuant to Section 337.612, RSMo, the committee shall by rule and regulation set the amount of fees authorized by sections 337.600-337.689, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the committee for administering the provisions of sections 337.600-337.689, RSMo.
3. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

PROPOSED RESCISSION

20 CSR 2263-2.072 Temporary Permits for Licensed Baccalaureate Social Workers. This rule established a procedure for reciprocity applicants to practice baccalaureate level social work in Missouri pending licensure.

PURPOSE: This rule is being rescinded and consolidated into 20 CSR 2263-2.070 due to the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure that they created.

AUTHORITY: sections 337.665, 337.671, and 337.677.1, RSMo Supp. 2001. This rule originally filed as 4 CSR 263-2.072. Original rule filed Oct. 30, 2002, effective June 30, 2003. Moved to 20 CSR 2263-2.072, effective Aug. 28, 2006. Rescinded: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489 or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

PROPOSED AMENDMENT

20 CSR 2263-2.075 Renewal of License. The board is proposing to amend section (1).

PURPOSE: This amendment makes two (2) grammatical corrections in section (1).

(1) All licenses shall be renewed on or before the expiration of the license. Failure of a licensee to renew the license shall cause the license to lapse. Failure to receive notice shall not relieve the licensee of the obligation to renew the license to practice as a licensed social worker and to pay the required fee prior to the expiration date of the license. Renewals shall be postmarked no later than the expiration date of the license, or if the expiration date is a Sunday or federal holiday, then the next day, to avoid the late renewal penalty fee as defined in the rules promulgated by the committee. Deposit of the renewal fee by the division does not constitute acceptance of the renewal application.

AUTHORITY: sections 337.600, 337.612, 337.618, 337.627 and 337.630, [RSMo 2000 and 337.677 and 337.680,] RSMo Supp. [2001] 2008. This rule originally filed as 4 CSR 263-2.075.

Original rule filed Jan. 20, 1999, effective July 30, 1999. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 27, 2009.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

PROPOSED AMENDMENT

20 CSR 2263-2.082 Continuing Education. The board is proposing to amend sections (1), (2), (5), (6), (10), and (11).

PURPOSE: This amendment clarifies the continuing education requirements for licensure renewal, establishes the basic continuing education standards, and modifies the existing language to be consistent with the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure they created.

(1) As a condition for renewing a license to practice, all licensed social workers shall be required to have completed [acceptable continuing professional education courses prior to the renewal of the license.

(A) For the purpose of this rule, hours are considered the same as clock hours.

(B) Baccalaureate social workers shall annually complete fifteen (15) hours of continuing education units.

(C) The annual periods for baccalaureate social workers are—

1. The twelve (12)-month period immediately preceding the license renewal date (the first day of which is the renewal midpoint date), but not including any time prior to licensure; and

2. The twelve (12)-month period immediately preceding the renewal midpoint date, if licensed during this period.

(D) All other licensed social workers shall complete] thirty (30) clock hours of acceptable continuing professional education courses prior to the renewal of [their] the license.

(2) As part of the thirty (30) continuing education (CE) hours required for each renewal cycle, each applicant for renewal or reinstatement of a license shall complete three (3) clock hours of ethics presented by a social worker who has graduated from an accredited school of social work or by a professional who has knowledge of ethics as it relates to the practice of [clinical or baccalaureate] social work.

(5) A licensee who [is not a baccalaureate social worker or] becomes licensed during a renewal cycle shall be required to obtain continuing education at the rate computed by the following [formula]:

(A) [Formula: Number of months licensed during renewal cycle divided by the total number of months in the reporting cycle then multiplied by the number of continuing education required for renewal during the reporting cycle resulting in the total number of continuing education hours required to complete for renewal this reporting cycle. When applicable, this total will then be rounded to the nearest whole number by applying the following rounding rule: round down to the nearest whole number if the digit to the right of the decimal is four (4) or less, round up to the nearest whole number if the digit to the right of the decimal is five (5) or more.]

1. Example: A social worker becomes licensed on January 1, 2005, the reporting cycle is twenty-four (24) months, ending September 30, 2005, and thirty (30) hours of continuing education is required. (Note: Licensed baccalaureate social workers annual requirement is fifteen (15) hours per year.)

$8 \text{ months} \div 24 \text{ months} \times 30 = 9.9$ or round up to ten (10) hours (Licensee must have completed ten (10) continuing education hours to renew.)]

REQUIRED CEs*	
ISSUE MONTH	CE HOURS NEEDED
October	29
November	28
December	26
January	25
February	24
March	23
April	21
May	20
June	19
July	18
August	16
September	15
October	14
November	13
December	11
January	10
February	9
March	8
April	6

*These charts pertain to new licensees only.

Formula: Months licensed divided by the number of months in reporting cycle multiplied by total CE hours required for renewal. Total rounded up or down to the nearest whole number: four (4) or less round down; five (5) or more round up.

Example: licensed on January 1 of an odd year, reporting cycle is 24 months, 30 hours of CE required. $8 \text{ months} \div 24 \text{ months} \times 30 = 9.9$ which rounds up to 10. Licensee must have 10 CE hours to renew.

(6) The required continuing education hours may be satisfied through any combination of the following activities:

(E) Five (5) hours for the publication of one (1) chapter in a social work related professional book;

(F) Ten (10) hours for the publication of an entire book related to the practice of [clinical or baccalaureate] social work;

(I) Attending workshops or seminars approved by or sponsored by the following:

1. National Association of Social Workers (NASW);

2. Social service agency and/or organizational staff development unit (i.e., hospitals, nursing homes, residential treatment facility, etc.);

3. Professional associations in the human services including but not limited to the—

A. American Psychological Association (APA);

B. Missouri Psychological Association (MOPA);

C. American Association for Marriage and Family Therapy (AAMFT);

D. Missouri Association for Marriage and Family Therapy (MAMFT);

E. American Counseling Association of Missouri (ACAM);

F. American Counselors Association (ACA);

G. American Mental Health Counseling Association (AMHCA);

H. Missouri Mental Health Counseling Association (MMHCA); and

I. Missouri Society for Clinical Social Workers (MSCSW);

4. Association of Social Work Boards (ASWB) or its successor—Approved Continuing Education (ACE);

5. Accredited college or university;

6. Continuing education hours used to satisfy the continuing education requirements of another state may be submitted to fulfill the requirements of this state if the other state's continuing education requirements are substantially equal to or greater than the requirements of this state.

(10) Once an application for approval of a course has been granted by the committee, reapproval shall not be required for each subsequent presentation of the [educational activity] course so long as [the educational activity] it has not changed. If any portion of the [activity] course has significantly changed, reapplication must be made.

(11) A licensee shall be responsible for maintaining records of continuing education activities. Each licensee shall retain documentation of the continuing education verified on the renewal form for two (2) years following license renewal. The committee may conduct [an] audits of licensees to verify compliance with the continuing education requirements.

AUTHORITY: section[s] 337.627, RSMo [2000 and 337.668 and 337.677, RSMo] Supp. [2005] 2008. This rule originally filed as 4 CSR 263-2.082. Original rule filed June 25, 2004, effective Dec. 30, 2004. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 27, 2009.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received

within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

PROPOSED RESCISSION

20 CSR 2263-2.085 Restoration of License. This rule outlined the process for restoring a license to practice as a clinical social worker or a baccalaureate social worker.

PURPOSE: This rule is being rescinded and readopted due to the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure that they created.

AUTHORITY: sections 337.600, 337.612, 337.618, 337.650, 337.662, 337.677, RSMo Supp. 2003, and 337.627 and 337.630, RSMo 2000. This rule originally filed as 4 CSR 263-2.085. Original rule filed Dec. 30, 1998, effective July 30, 1999. Amended: Filed March 15, 2004, effective Sept. 30, 2004. Moved to 20 CSR 2263-2.085, effective Aug. 28, 2006. Rescinded: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

PROPOSED RULE

20 CSR 2263-2.085 Restoration of License

PURPOSE: This rule outlines the process for restoring a license to practice as a social worker.

(1) A license that has expired may be renewed within sixty (60) days of the expiration date by:

- (A) Submitting a completed renewal form;
- (B) Proof of satisfaction of the continuing education (CE) requirements;
- (C) The renewal fee; and
- (D) The delinquency fee.

(2) A license that has been expired more than sixty (60) days but less than two (2) years may be renewed by:

- (A) Submitting a completed renewal form;
- (B) Proof of satisfaction of the continuing education requirements;

- (C) The renewal fee, the restoration fee; and
- (D) Proof of completion of continuing education hours in the current renewal cycle in accordance with the following:

1.

CEs REQUIRED TO RENEW*	
MONTHS NOT RENEWED	CE HOURS NEEDED
1	1
2	3
3	4
4	5
5	6
6	8
7	9
8	10
9	11
10	13
11	14
12	15
13	16
14	18
15	19
16	20
17	21
18	23
19	24
20	25
21	26
22	28
23	29
24	30

*This chart pertains to licensees who failed to renew only.

Formula: Number of months not renewed divided by twenty-four (24) multiplied by thirty (30) and then rounded to the nearest whole number. Total rounded up or down to the nearest whole number: four (4) or less round down; five (5) or more round up.

Example: license which has been expired for seven (7) months. $7/24 = .29 * 30 = 8.7$, rounded up to 9. Nine (9) hours of CE required to renew.

2. Proof of the completion of the continuing education hours during the lapse period must be submitted with the application for renewal and the required fees. These hours are in addition to the thirty (30) hours required for renewal of the license.

3. The number of continuing education hours completed above the number required in the current renewal cycle can be credited toward the total hours required for the next renewal cycle.

(3) A license that has been expired for two (2) years or more may be renewed by submitting the following:

(A) A completed application for licensure, noting the previous license;

(B) Proof of current qualification for licensure that is not already in the committee's files (i.e., proof of graduation from an accredited program, completion of examinations, or completion of supervised experience);

(C) Proof of completion of no less than thirty (30) hours of continuing education completed within the two (2) years immediately preceding the application, and the prorated hours for the current period calculated as under subsection (2)(A); and

(D) The restoration fee.

AUTHORITY: sections 337.600, 337.612, 337.618, 337.627, 337.630, and 337.662, RSMo Supp. 2008. This rule originally filed as 4 CSR 263-2.085. Original rule filed Dec. 30, 1998, effective July 30, 1999. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions approximately four hundred eighteen dollars and sixty-one cents (\$418.61) biennially for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed rule will cost private entities approximately fourteen thousand eighty-seven dollars and ten cents (\$14,087.10) biennially for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2263 - State Committee for Social Workers

Chapter 2 - Licensure Requirements

Proposed Rule - 20 CSR 2263-2.085 Restoration of License

Prepared January 28, 2009 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance
State Committee for Social Workers	\$418.61
	Total Biennial Cost of Compliance for the Life of the Rule
	\$418.61

III. WORKSHEET

The Licensure Technician II reviews the forms, corresponds with the applicants for any additional information required by the committee and requests that the necessary license be printed. The committee anticipates that there will be 114 applicants that renew after the deadline biennially.

Personal Service Dollars

STAFF	ANNUAL SALARY	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	TOTAL COST
Licensure Technician II	\$24,576	\$36,591.21	\$17.59	\$0.29	10 Minutes	\$2.93	\$334.25
						Total Biennial Personal Service Costs for the Life of the Rule	\$334.25

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost Per
Letterhead	\$0.20	114	\$22.80
Postage	\$0.44	114	\$50.16
Envelopes	\$0.10	114	\$11.40
License Envelopes	\$0.23	114	\$26.22
Licenses	\$0.12	114	\$13.68
Total Biennial Expense and Equipment Costs for the Life of the Rule			\$84.36

IV. ASSUMPTION

1. Employee's salaries were calculated using the annual salary multiplied by 48.89% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of applications or renewals. The total cost was based on the cost per application multiplied by the estimated number of applications.
2. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2263 - State Committee for Social Workers

Chapter 2 - Licensure Requirements

Proposed Rule - 20 CSR 2263-2.085 Restoration of License

Prepared January 28, 2009 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
110	Applicants for Restoration of License Within Sixty (60) Days of the Expiration Date (Renewal Fee @ \$58)	\$6,380.00
110	Applicants for Restoration of License Within Sixty (60) Days of the Expiration Date (Delinquency Fee@ \$58)	\$6,380.00
110	Applicants for Restoration of License Within Sixty (60) Days of the Expiration Date (Postage @ \$0.44)	\$48.40
3	Applicants for Restoration of License That Has Been Expired More Than Sixty (60) Days But Less Than Two (2) Years (Renewal Fee @ \$58)	\$174.00
3	Applicants for Restoration of License That Has Been Expired More Than Sixty (60) Days But Less Than Two (2) Years (Restoration Fee @ \$117)	\$351.00

3	Applicants for Restoration of License That Has Been Expired More Than Sixty (60) Days But Less Than Two (2) Years (Postage @ \$0.42)	\$1.26
1	Applicants for Restoration of License That Has Been Expired More Than Two (2) Years (Restoration Fee @ \$117)	\$117.00
1	Applicants for Restoration of License That Has Been Expired More Than Two (2) Years (Continuing Education @ \$635)	\$635.00
1	Applicants for Restoration of License That Has Been Expired More Than Two (2) Years (Postage @ \$0.44)	\$0.44
Estimated Biennial Cost of Compliance for the Life of the Rule		\$14,087.10

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The figures reported above are based on FY05-FY08 actuals.
2. The committee is statutorily obligated to enforce and administer the provisions of sections 337.600-337.689, RSMo. Pursuant to Section 337.612, RSMo, the committee shall by rule and regulation set the amount of fees authorized by sections 337.600-337.689, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the committee for administering the provisions of sections 337.600-337.689, RSMo.
3. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

PROPOSED AMENDMENT

20 CSR 2263-2.090 Inactive Status. The board is proposing to amend sections (1) and (3) through (6).

PURPOSE: This amendment will make inactive status applicable to all levels of licensure and modifies the existing language to be consistent with the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure that they created.

(1) *[A licensee may request in writing that his/her license be placed on an inactive status.] A licensee shall request inactive status in writing.* An inactive license shall be renewed biennially. Failure to receive a renewal notice shall not relieve the licensee of the obligation to renew the inactive license and pay the required fee prior to the expiration date of the inactive license. Renewals shall be post-marked no later than the expiration date of the license to avoid the late renewal penalty fee as defined in rules promulgated by the committee.

(3) The licensee shall not practice~~/, as a clinical or baccalaureate/~~ social *[worker/ work]* in the state of Missouri while the license is inactive, **unless otherwise allowed by law.**

(4) Licensees granted an inactive license by the committee shall place the word "inactive" adjacent to their *[Licensed Clinical or Baccalaureate Social Worker]* social work title on any business card, letterhead, or any other document or device, **unless otherwise allowed by law.**

(5) If an inactive licensee wishes to return a license to active status, the licensee shall complete a *[Licensed Clinical or Baccalaureate Social Worker]* renewal form and pay the renewal fee as stated in the rules promulgated by the committee. In addition the licensee shall:

(B) Successfully complete the examination required for licensure *[as referenced to in 20 CSR 2263-2.050(3)(D) for clinical social workers or 20 CSR 2263-2.052(3)(D) for baccalaureate social workers].*

(6) In addition to the requirements set forth in section (5) above, a licensee whose license is inactive for five (5) years or more and has not completed sixty (60) hours of continuing education within five (5) years shall be required to successfully complete the examination required for licensure as referenced *[to in 20 CSR 2263-2.050(3)(D) for clinical social workers or 20 CSR 2263-2.052(3)(D) for baccalaureate social workers]* in **20 CSR 2263-2.050(4)(D).**

AUTHORITY: sections 337.600 [and 337.677, RSMo Supp. 2005 and 620.150, RSMo 2000], RSMo Supp. 2008. This rule originally filed as 4 CSR 263-2.090. Original rule filed March 15, 2004, effective Sept. 30, 2004. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 27, 2009.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities approximately eighty-five dollars and eighty cents (\$85.80) biennially for the life of the rule. It is anticipated that the costs will recur for

the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PRIVATE FISCAL NOTE**I. RULE NUMBER****Title 20 - Department of Insurance, Financial Institutions and Professional Registration****Division 2263 - State Committee for Social Workers****Chapter 2 - Licensure Requirements****Proposed Amendment - 20 CSR 2263-2.090 Inactive Status****Prepared January 28, 2009 by the Division of Professional Registration****II. SUMMARY OF FISCAL IMPACT**

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
195	Applicants for Restoration of License that have been expired more than two (2) years (Postage @ \$0.44)	\$85.80
	Estimated Biennial Cost of Compliance with the Amendment for the Life of the Rule	\$85.80

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The figures reported above are based on FY07-FY08 actuals.
2. This amendment will not change the costs for processing inactive licenses or the number that are processed. It only requires that inactive status requests are in writing.
3. The committee is statutorily obligated to enforce and administer the provisions of sections 337.600-337.689, RSMo. Pursuant to Section 337.612, RSMo, the committee shall by rule and regulation set the amount of fees authorized by sections 337.600-337.689, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the committee for administering the provisions of sections 337.600-337.689, RSMo.
4. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

PROPOSED RESCISSION

20 CSR 2263-3.010 Scope of Coverage and Organization. This rule was promulgated pursuant to section 337.630.2(15), RSMo Supp. 1997, and set forth the scope of coverage and organization of the ethical standards/disciplinary rules.

PURPOSE: This rule is being rescinded and readopted to make the ethical standards and disciplinary rules inclusive to all licensees practicing social work as defined in statutes in this state due to the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure they created.

AUTHORITY: sections 337.600, 337.615, 337.650, 337.665, 337.677, and 337.680, RSMo Supp. 2003 and 337.627 and 337.630, RSMo 2000. This rule originally filed as 4 CSR 263-3.010. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Rescinded: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

PROPOSED RULE

20 CSR 2263-3.010 Scope of Coverage and Organization

PURPOSE: This rule sets forth the ethical standards and disciplinary rules inclusive to all licensees practicing social work as defined in statute in this state.

(1) The ethical standards/disciplinary rules for members of the profession, as set forth hereafter by the committee, are mandatory. The failure of a member of the profession to abide by any ethical standard/disciplinary rule in this chapter shall constitute unethical conduct and be grounds for disciplinary proceedings.

AUTHORITY: sections 337.600, 337.615, 337.627, 337.630, and 337.665, RSMo Supp. 2008. This rule originally filed as 4 CSR 263-3.010. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

PROPOSED RESCISSION

20 CSR 2263-3.020 Moral Standards. This rule was promulgated pursuant to section 337.630.2(15), RSMo Supp. 1997, and set forth the moral obligations of the ethical standards/disciplinary rules.

PURPOSE: This rule is being rescinded and readopted to clarify that the moral standards are inclusive to all licensees due to the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure they created.

AUTHORITY: sections 337.600, 337.615, 337.650, 337.665, 337.677, and 337.680, RSMo Supp. 2003 and 337.627 and 337.630, RSMo 2000. This rule originally filed as 4 CSR 263-3.020. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Rescinded: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

PROPOSED RULE

20 CSR 2263-3.020 Moral Standards

PURPOSE: This rule sets forth the moral obligations of the ethical standards/disciplinary rules.

(1) The public must be protected from those who are not qualified to be members of the profession by reason of a deficiency in education, experience, moral standards, or other relevant factors, but who nevertheless attempt to or actually practice social work. To assure the maintenance of high standards of the profession of social work, members of the profession shall assist the committee in promulgating, enforcing, and improving requirements for admission to and for the practice of social work.

(2) No member of the profession shall—

- (A) Violate any ethical standard/disciplinary rule;
- (B) Circumvent any ethical standard/disciplinary rule through the actions of another;
- (C) Engage in conduct which is dishonest, deceitful, or fraudulent;
- (D) Allow the pursuit of financial gain or other personal benefit to interfere with the exercise of sound professional judgment or skills; or
- (E) Use therapeutic relationships with clients to promote, for personal gain or the profit of an agency, commercial enterprises of any kind.

(3) Prior to recommending an applicant for licensure, a member of the profession should be satisfied that the applicant is of good moral character. Although a member of the profession should not become a self-appointed investigator or judge of applicants, a report to the committee of all unfavorable information not otherwise privileged relative to the character, education, experience, citizenship, age, or other qualifications of an applicant must be made.

(4) A member of the profession is subject to discipline for making a materially false statement, or for deliberately failing to disclose a material fact requested in connection with an application.

(5) A member of the profession shall respond to all reasonable requests for information and/or all other correspondence from the committee. Failure to provide the requested information may be cause for denial of licensure, permit, and/or registration of supervision.

(6) A member of the profession shall not engage in any activity that exploits clients, students, or supervisees, including sexual intimacies (which means physical or other contact by either the member of the profession or the client), including, but not limited to:

- (A) Sexual intercourse—any penetration or contact with the female sex organ by a finger, the male sex organ, or any object;
- (B) Sodomy—oral or anal copulation, oral or anal copulation or sexual intercourse between two (2) or more people or a person and an animal, or any penetration of the anal opening by any body part or object;
- (C) Kissing;
- (D) Touching or caressing the legs, thighs, stomach, chest, breasts, genitals, or buttocks, clothed or unclothed;
- (E) Exhibitionism and voyeurism (exposing one's self or encouraging another to expose him/herself); and
- (F) Comments, gestures, or physical contacts of a sexual nature.

(7) A member of the profession shall report to the committee any known or suspected violation(s) of the laws or regulations promulgated by the committee governing the practice of social work which do not violate a client's right to privacy.

AUTHORITY: sections 337.600, 337.615, 337.627, 337.630, and 337.665, RSMo Supp. 2008. This rule originally filed as 4 CSR 263-3.020. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2263—State Committee for Social Workers Chapter 3—Ethical Standards/Disciplinary Rules

PROPOSED RESCISSION

20 CSR 2263-3.040 Client Relationships. This rule was promulgated pursuant to section 337.630.2(15), RSMo 2000, and set forth the ethical standards/disciplinary rules for client relationships.

PURPOSE: This rule is being rescinded and readopted in order to make the rule inclusive to all licensed social workers due to the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure they created.

AUTHORITY: sections 337.600 and 337.615, RSMo Supp. 2003 and 337.627 and 337.630, RSMo 2000. This rule originally filed as 4 CSR 263-3.040. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Rescinded: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2263—State Committee for Social Workers Chapter 3—Ethical Standards/Disciplinary Rules

PROPOSED RULE

20 CSR 2263-3.040 Client Relationships

PURPOSE: This rule sets forth the ethical standards/disciplinary rules for client relationships.

(1) A member of the profession shall not enter into or continue a dual or multiple relationship, including social relationship, business relationship, or sexual relationship, as defined by the committee, with a current client or with a person to whom the member has at any time rendered psychotherapy (clinical social work) or other professional social work services for the treatment or amelioration of mental and emotional conditions. Business relationships do not include purchases made by the member from the client when the client is providing necessary goods or services to the general public, and the member determines that it is not possible or reasonable to obtain the necessary goods or services from another provider.

(2) A member of the profession shall be alert to and avoid conflicts of interest that interfere with the exercise of professional discretion and impartial judgment.

(3) A member of the profession should make clear to clients the purposes, goals, techniques, rules of procedure, and limitations that may affect the professional relationship at or before the time that it is begun. A member of the profession shall not provide professional services to clients without being able to justify the basis upon which those services are rendered.

(4) A member of the profession should be aware of his/her own mental health and emotional stability and the effect those have on his/her ability to provide appropriate services to clients. A member of the profession shall not undertake or continue a professional relationship with a client when the competency of the member is or reasonably could be expected to be impaired due to mental, emotional, physiologic, pharmacologic, or substance abuse conditions. If that condition develops after a professional relationship has been initiated, the member shall notify the client in writing of the termination of services and shall assist the client in obtaining services from another professional.

(5) A member of the profession shall not undertake and/or continue a professional relationship with a client when the objectivity or competency of the member is, or reasonably could be expected to be, impaired because of present or previous familial, social, sexual, emotional, financial, supervisory, political, administrative, or legal relationship with the client. If that dual relationship develops or is discovered after the professional relationship has been initiated, the member of the profession shall terminate the professional relationship in an appropriate manner, shall notify the client in writing of this termination, and shall assist the client in obtaining services from another professional.

(6) A member of the profession should be knowledgeable about the services available in the community and make appropriate referrals for their clients. When a member of the profession has a relationship, particularly of an administrative, supervisory, and/or evaluative nature, with an individual seeking counseling services, the licensed social worker, provisional member shall not serve as the practitioner for such individual but shall refer the individual to another professional.

(7) A member of the profession must inform clients about electronic recording of sessions, how such sessions will be used, and provide specific information about any specialized or experimental activities in which they may be expected to participate as a condition of service.

(8) A member of the profession shall terminate a professional relationship when it is reasonably clear that the client is not benefiting from the relationship or when the service has been satisfactorily rendered.

(9) A member of the profession shall protect clients against physical threats, intimidation, and coercion in the provision of social services insofar as is reasonably possible.

(10) A member of the profession shall not attempt any intervention unless thoroughly trained in its use or under the supervision of an expert.

(11) A member of the profession rendering services to a client shall maintain professional records that include:

(A) The presenting problem(s), assessment, plan of action, and progress notes;

(B) The fee arrangement;

(C) The date and substance of each contact with the client;

(D) Notation and results of formal consults with other providers;

(E) A copy of all evaluative reports prepared or received as a part of the professional relationship;

(F) A copy of a written communication with the client identifying the date and reason for termination of professional service if the licensed social worker is in private practice; and

(G) The clinical records of a member of the profession who is under supervision shall be co-signed by the supervisor.

(12) For the purpose of these rules, the licensed social worker and temporary permit holder shall assure that professional records are maintained for at least five (5) years after the date of service is terminated.

(13) A member of the profession shall not falsify or permit the unauthorized destruction of client records.

AUTHORITY: sections 337.600, 337.615, 337.627, and 337.630, RSMo Supp. 2008. This rule originally filed as 4 CSR 263-3.040. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2263—State Committee for Social Workers Chapter 3—Ethical Standards/Disciplinary Rules

PROPOSED RESCISSION

20 CSR 2263-3.060 Relationships with Colleagues. This rule was promulgated pursuant to section 337.630.2(15), RSMo, and set forth the ethical standards/disciplinary rules for relationships with colleagues.

PURPOSE: This rule is being rescinded and readopted to make the requirement inclusive to all licensed social workers due to the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure that they created.

AUTHORITY: sections 337.600, 337.615, 337.650, 337.665, 337.677, and 337.680, RSMo Supp. 2003 and 337.627 and 337.630, RSMo 2000. This rule originally filed as 4 CSR 263-3.060. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

PROPOSED RULE

20 CSR 2263-3.060 Relationships with Colleagues

PURPOSE: This rule sets forth the ethical standards/disciplinary rules for relationships with colleagues.

(1) A member of the profession should act with integrity in his/her relationships with colleagues, other organizations, agencies, institutions, referral sources, and other professions so as to facilitate the contribution of all colleagues toward achieving optimum benefit for clients.

(2) A member of the profession shall not knowingly cause a client to terminate the service of another professional solely for personal gain.

(3) A member of the profession shall not exploit his/her professional relationships with supervisors, colleagues, supervisees, students, or employees either sexually, economically, or otherwise.

(4) A member of the profession who has direct knowledge of a social work colleague's impairment which is due to personal problems, psychosocial distress, substance abuse, or mental health difficulties, and which interferes with practice effectiveness should consult with that colleague when feasible and assist the colleague in taking remedial action.

(5) A member of the profession who functions as a supervisor or educator shall not engage in sexual intimacies or contact as defined in the rules promulgated by the committee, with supervisees, students, trainees, or other colleagues over whom they exercise professional authority.

(6) A member of the profession must exercise appropriate supervision and provide appropriate working conditions, timely evaluations, constructive consultation, and experience opportunities.

AUTHORITY: sections 337.600, 337.615, 337.627, 337.630, and 337.665, RSMo Supp. 2008. This rule originally filed as 4 CSR 263-

3.060. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the *Code of State Regulations*. Rescinded and readopted: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

PROPOSED RESCISSION

20 CSR 2263-3.080 Public Statements/Fees. This rule was promulgated pursuant to section 337.630.2(15), RSMo, and set forth the ethical standards/disciplinary rules as they pertain to public statements/fees.

PURPOSE: This rule is being rescinded and readopted to make the rule inclusive to all social workers due to the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure they created.

AUTHORITY: sections 337.600, 337.615, 337.650, 337.665, 337.677, and 337.680, RSMo Supp. 2003 and 337.627 and 337.630, RSMo 2000. This rule originally filed as 4 CSR 263-3.080. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

PROPOSED RULE

20 CSR 2263-3.080 Public Statements/Fees

PURPOSE: This rule sets forth the ethical standards/disciplinary rules as they pertain to public statements/fees.

(1) A member of the profession shall not—

(A) Give or receive a commission or rebate or any other form of remuneration for referral of clients for professional services;

(B) Engage in fraud or misrepresentation;

(C) Use relationships with therapeutic or therapy clients to promote, for personal gain or the profit of an agency, commercial enterprises of any kind; and

(D) Render services until assured that clients are aware of the fees and billing arrangements.

(2) A member of the profession shall use only those educational credentials in association with his/her license and practice as a licensed social worker that have been earned at an acceptable educational institution. A member of the profession shall not misrepresent their credentials, training, or level of education.

(3) A licensed social worker holder shall use his/her title (i.e., "licensed clinical social worker (LCSW)" or "licensed baccalaureate social worker (LBSW)") in any advertising, public directory, or solicitation, including telephone directory listings, regardless of whether this presentment is made under the licensee's name, a fictitious business or group name, or a corporate name.

(4) A member of the profession shall have his/her license prominently displayed at all times as proof of licensure to the client.

(5) Social workers whose licenses have lapsed or been revoked shall not hold themselves out to be currently licensed as a "licensed clinical social worker (LCSW)" or "licensed baccalaureate social worker (LBSW)."

(6) A member of the profession shall not accept compensation for the professional services from anyone other than the client without disclosure to the client or his/her legal guardian.

(7) A member of the profession shall not accept for professional services any form of remuneration including the bartering of services which has the effect of exploiting the professional relationship or creating a dual or multiple relationship.

(8) A member of the profession shall consider the value of his/her services and the financial ability of clients in establishing reasonable fees for professional services.

(9) A member of the profession shall not accept a fee for professional services or any form of remuneration from clients who are entitled to services through an institution or agency or other benefits structure, unless clients have been fully informed of the availability of, or payments for, these services from other sources.

AUTHORITY: sections 337.600, 337.615, 337.627, 337.630, and 337.665, RSMo Supp. 2008. This rule originally filed as 4 CSR 263-3.080. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

PROPOSED RESCISSION

20 CSR 2263-3.100 Confidentiality. This rule was promulgated pursuant to section 337.630.2(15), RSMo, and sets forth the ethical standards/disciplinary rules as they pertain to confidentiality.

PURPOSE: This rule is being rescinded and readopted to make the rule inclusive to all social workers due to the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure they created.

AUTHORITY: sections 337.600, 337.615, 337.650, 337.665, 337.677, and 337.680, RSMo Supp. 2003 and 337.627 and 337.630, RSMo 2000. This rule originally filed as 4 CSR 263-3.100. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Rescinded: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

PROPOSED RULE

20 CSR 2263-3.100 Confidentiality

PURPOSE: This rule sets forth the ethical standards/disciplinary rules as they pertain to confidentiality.

(1) A member of the profession shall take reasonable personal action, and inform responsible authorities or inform those persons at risk, when the conditions or actions of clients indicate that there is clear and imminent danger to clients or others. When the member is uncertain about the duty to protect, consultation with other professionals is appropriate.

(2) A member of the profession shall inform clients, at the onset of the professional relationship, of the limits of confidentiality.

(3) A member of the profession shall keep confidential his/her therapy relationships with clients including information obtained from this relationship with clients with the following exceptions:

(A) When the client gives written consent;

(B) When the client constitutes a danger to him/herself or to others;

(C) When the member is under court order to disclose information; or

(D) When required by law.

(4) A member of the profession shall make every reasonable effort to see that the member's employer provides for maintenance, storage, and disposal of the records of clients so that unauthorized persons shall not have access to these records.

(5) A member of the profession shall not forward to another person, agency, or potential employer any confidential information of a client without the written consent of the client(s) or their legal guardian(s) nor shall they violate any laws or regulations of this state or the federal government with respect to this information.

(6) When providing counseling services to families, couples, or groups, a member of the profession shall seek agreement among the parties involved concerning each individual's right to confidentiality and obligation to preserve the confidentiality of information shared by others. Participants in family, couples, or group counseling shall be informed by the member that there is no guarantee that all participants will honor such agreements.

AUTHORITY: sections 337.600, 337.615, 337.627, 337.630, and 337.665, RSMo Supp. 2008. This rule originally filed as 4 CSR 263-3.100. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

PROPOSED RESCISSION

20 CSR 2263-3.120 Research on Human Subjects. This rule was promulgated pursuant to section 337.630.2(15), RSMo, and sets forth the ethical standards/disciplinary rules as they pertain to research on human subjects.

PURPOSE: This rule is being rescinded and readopted to make the requirement inclusive to all social workers due to the passage of

House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure that were created.

AUTHORITY: sections 337.600, 337.615, 337.650, 337.665, 337.677, and 337.680, RSMo Supp. 2003 and 337.627 and 337.630, RSMo 2000. This rule originally filed as 4 CSR 263-3.120. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. Rescinded and readopted: Filed Dec. 30, 1998, effective July 30, 1999. Amended: Filed June 25, 2004, effective Dec. 30, 2004. Moved to 20 CSR 2263-3.120, effective Aug. 28, 2006. Rescinded: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
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**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

PROPOSED RULE

20 CSR 2263-3.120 Research on Human Subjects

PURPOSE: This rule sets forth the ethical standards/disciplinary rules as they pertain to research on human subjects.

(1) A member of the profession shall ensure that the welfare of a client is in no way compromised in any experimentation and/or that the client is not participating in any experimentation against his/her will.

(2) In presenting case studies in classes, professional meetings, or publications, licensed members of the profession shall disguise the identity of clients to assure full confidentiality.

(3) In conducting any research on human subjects, a member of the profession shall not violate any laws or regulations of this state or the federal government.

(4) When planning any research activity dealing with human subjects, a member of the profession shall ensure that research problems, design, and execution are in full compliance with Protection of Human Subjects as published in the Code of Federal Regulations 45 CFR 46.

(5) A member of the profession in evaluation or research must obtain voluntary and written informed consent from participants without any implied or actual deprivation or penalty for refusal to participate, without undue inducement to participate, and with due regard for participants' well-being, privacy, and dignity. Informed consent must include information about the nature, extent, and duration of the participation requested and disclosure of the risks and benefits in the research.

AUTHORITY: sections 337.600, 337.615, 337.627, 337.630, and 337.665, RSMo Supp. 2008. This rule originally filed as 4 CSR 263-3.120. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. Rescinded and readopted: Filed Dec. 30, 1998, effective July 30, 1999. Amended: Filed June 25, 2004, effective Dec. 30, 2004. Moved to 20 CSR 2263-3.120, effective Aug. 28, 2006. Rescinded and readopted: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

PROPOSED RESCISSION

20 CSR 2263-3.140 Competence. This rule was promulgated pursuant to section 337.630.2(15), RSMo, and set forth the ethical standards/disciplinary rules as they pertained to competence.

PURPOSE: This rule is being rescinded and readopted to make the regulation inclusive to all social workers due to the passage of House Bill 780 and Senate Bill 308 (2007) and the new levels of licensure that it created.

AUTHORITY: sections 337.600, 337.615, 337.618, 337.650, 337.662, 337.665, 337.677, and 337.680, RSMo Supp. 2003 and 337.627 and 337.630, RSMo 2000. This rule originally filed as 4 CSR 263-3.140. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. Rescinded and readopted: Filed Dec. 30, 1998, effective July 30, 1999. Amended: Filed July 26, 1999, effective Jan. 30, 2000. Amended: Filed March 15, 2004, effective Sept. 30, 2004. Moved to 20 CSR 2263-3.140, effective Aug. 28, 2006. Rescinded: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

PROPOSED RULE

20 CSR 2263-3.140 Competence

PURPOSE: This rule is promulgated pursuant to section 337.630.2(15), RSMo, and sets forth the ethical standards/disciplinary rules as they pertain to competence.

(1) A member of the profession shall:

(A) Limit his/her practice to the area(s) for which he/she are trained;

(B) Utilize consultation on an as-needed, self-determined basis;

(C) Be knowledgeable about how and when to utilize the expertise of other professional disciplines for their clients;

(D) Maintain accessibility to clients;

(E) Make every effort to foster maximum self-determination on the part of the client;

(F) Stress the personal risks involved in any services and help clients explore their readiness to face these risks;

(G) Promote the welfare of clients in the selection, utilization, and interpretation of assessment measures and strategies of intervention;

(H) Recognize the effects of socioeconomic, ethnic, gender, sexual orientation, disability, and racial and cultural factors on clients in assessment and planning services;

(I) Use careful deliberation before assuming responsibility for the client when a client's judgment is seriously impaired. The client should resume responsibility for him/herself as quickly as possible;

(J) Seek treatment for personal medical, substance abuse, psychological, and emotional problems to ensure that they do not interfere with their ability to provide services to clients; and

(K) Take all necessary and reasonable steps to maintain continued competence in the practice of social work by completing at least thirty (30) clock hours of continuing education on or before the expiration of the license for each renewal period.

(2) A member of the profession shall not engage in the practice of social work beyond the scope of his/her competence, as is demonstrated by his/her education, training, or experience. A member of the profession shall make a referral to other professionals when the services required are beyond his/her competence.

AUTHORITY: sections 337.600, 337.615, 337.618, 337.627, 337.630, 337.662, and 337.665, RSMo Supp. 2008. This rule originally filed as 4 CSR 263-3.140. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Rescinded and Readopted: Filed Aug. 27, 2009.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-3489, or via email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.