

258 CMR: BOARD OF REGISTRATION OF SOCIAL WORKERS

258 CMR 9.00: LICENSURE REQUIREMENTS AND PROCEDURES

Section

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9.01: General Licensure Requirement

No person shall engage in the practice of social work, perform or offer to perform social work services, use the title “social worker” or any derivative thereof, make any written, oral or electronic representation that he or she is a social worker, or otherwise hold himself or herself out to the public as able to engage in the practice of social work, unless he or she has first obtained a license to practice social work from the Board pursuant to M.G.L. c. 112, § 131 and 258 CMR 9.00, or is exempt from the licensure requirement pursuant to M.G.L. c. 112, §§ 131 and 134 and 258 CMR 9.02.

9.02: Exceptions to General Licensure Requirement

(1) Exception for State, County and Municipal Employees. Nothing in 258 CMR 9.01 shall be construed to prevent an individual who does not possess a license issued by the Board from engaging in the practice of social work, performing or offering to perform social work services, or representing himself or herself to the public as a social worker, as long as he or she does so exclusively in his or her capacity as an employee of the Commonwealth of Massachusetts or a unit of county or municipal government located within the Commonwealth of Massachusetts, and as long as licensure is not required by some other applicable provision of law.

(2) Exception for Social Work Students. Nothing in 258 CMR 9.01 shall be construed to prevent an individual who does not possess a license issued by the Board, but who is duly enrolled as a student in an undergraduate or graduate school of social work accredited by the Council on Social Work Education, from engaging in the practice of social work or performing or offering to perform social work services, as long as he or she complies with all of the following conditions:

- (a) The student performs all such social work services under the direct personal supervision of:
 - 1. an individual who holds a license to practice social work in the Commonwealth of Massachusetts as a Licensed Independent Clinical Social Worker or Licensed Certified Social Worker;
 - 2. an individual who meets the requirements for licensure in the Commonwealth of Massachusetts as a Licensed Independent Clinical Social Worker or Licensed Certified Social Worker, but is exempt from the licensure requirement pursuant to 258 CMR 9.02(1); or
 - 3. a member of the faculty of the undergraduate or graduate school of social work in which the student is enrolled;
- (b) The student is designated or identified as a “social work student”, “social work intern”, “social work trainee”, or by a similar title which clearly indicates his or her training status, at all times while performing such social work services; and
- (c) The student does not hold himself or herself out to the public by any title or description which states or implies that he or she is licensed to practice social work in the Commonwealth of Massachusetts.

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(3) Exception for Practice While License Application is Pending. Nothing in 258 CMR 9.01 shall be construed to prevent an individual who has filed a license application with the Board for licensure as a social worker, but whose license application has not yet been finally approved or denied by the Board, from engaging in the practice of social work or performing or offering to perform social work services, as long as he or she meets all of the following conditions:

- (a) That individual is authorized to take the examination prescribed by 258 CMR 9.00 for the level of licensure for which he or she has applied, and has not previously failed that examination more than once;
- (b) That individual performs all such social work services under the direct personal supervision of:
 - 1. an individual who holds a license to practice social work in the Commonwealth of Massachusetts as a Licensed Independent Clinical Social Worker or Licensed Certified Social Worker; or
 - 2. an individual who meets the requirements for licensure in the Commonwealth of Massachusetts as a Licensed Independent Clinical Social Worker or Licensed Certified Social Worker, but is exempt from the licensure requirement pursuant to 258 CMR 9.02(1);
- (c) That individual is designated or identified as a “social work intern”, “social work trainee”, or by a similar title which clearly indicates his or her training status, at all times while performing such social work services; and
- (d) That individual does not hold himself or herself out to the public by any title or description which states or implies that he or she is licensed to practice social work in the Commonwealth of Massachusetts.

9.03: Licensure Requirements for a Licensed Independent Clinical Social Worker (LICSW)

An applicant may be granted a license as a Licensed Independent Clinical Social Worker (LICSW) if he or she submits to the Board a properly-completed application for such licensure, accompanied by all of the following:

- (1) Satisfactory written or electronic documentation that he or she holds a master’s or doctoral degree in social work from a graduate school of social work accredited by the Council on Social Work Education, or a degree from a foreign educational institution which is equivalent to a master’s or doctoral degree in social work as determined by the Council on Social Work Education;
- (2) Satisfactory written or electronic documentation that he or she currently holds, or has at some time in the past held:
 - (a) a license to practice as a Licensed Certified Social Worker (LCSW) issued by the Board pursuant to 258 CMR 9.04; or
 - (b) a license to practice social work under the laws of another state, territory or political subdivision in the United States for which the educational and experiential requirements are substantially equivalent to the education and experience requirements for the LCSW license in Massachusetts as set forth in 258 CMR 9.04;
- (3) Satisfactory written or electronic documentation that he or she has provided at least 3500 hours of clinical social work services in accordance with the requirements of 258 CMR 12.02(1) or (2) over a period of not less than two years from the date on which he or she was licensed by the Board as an LCSW as provided for in 258 CMR 9.04 and/or in compliance with the exemptions detailed in 258 CMR 9.02.
- (4) Satisfactory written or electronic documentation that he or she has received, during the course of the post-graduate clinical social work experience required by 258 CMR 9.03(3), a minimum of 100 hours of individual face-to-face clinical supervision from:
 - (a) an individual who holds a license as a Licensed Independent Clinical Social Worker issued by the Board;
 - (b) an individual who meets the requirements for licensure in the Commonwealth of Massachusetts as a Licensed Independent Clinical Social Worker, but is exempt from the licensure requirement pursuant to 258 CMR 9.02(1); or

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- (c) an individual who holds a license from another jurisdiction which authorizes that individual to provide clinical social work services as an independent practitioner, if the requirements for the issuance of that license are, in the opinion of the Board, substantially equivalent to the requirements for licensure as a Licensed Independent Clinical Social Worker in the Commonwealth of Massachusetts;
- (5) Satisfactory written or electronic documentation that he or she has passed the Clinical licensure examination administered by the Association of Social Work Boards, or an equivalent examination as determined by the Board, not more than two years prior to the date of his or her application;
- (6) A minimum of three professional references, on forms furnished for that purpose by the Board or its agent, from persons familiar with the applicant's professional experience in the field of social work, attesting that the applicant is of good moral character and has demonstrated that he or she will conduct his or her activities as a social worker in accordance with generally accepted standards of professional social work practice. At least one such reference shall be from a person who provided the clinical supervision required by 258 CMR 9.03(4). All such references shall be from:
 - (a) persons who are licensed by the Commonwealth of Massachusetts as a Licensed Independent Clinical Social Worker, psychologist, psychiatrist, or Licensed Psychiatric Nurse Mental Health Clinical Specialist; or
 - (b) persons who are licensed in clinical social work, psychiatry, clinical psychology or psychiatric nursing in another jurisdiction.
- (7) Payment of the licensure fees prescribed by the Executive Office of Administration and Finance pursuant to M.G.L. c. 7, § 3B.

9.04: Licensure Requirements for a Licensed Certified Social Worker (LCSW)

An applicant may be granted a license as a Licensed Certified Social Worker (LCSW) if he or she submits to the Board a properly-completed application for such licensure, accompanied by all of the following:

- (1) Satisfactory written or electronic documentation that he or she holds a master's or doctoral degree in social work from a graduate school of social work accredited by the Council on Social Work Education, or a degree from a foreign educational institution which is equivalent to a master's or doctoral degree in social work as determined by the Council on Social Work Education;
- (2) Satisfactory written or electronic documentation that he or she has passed the Intermediate licensure examination administered by the Association of Social Work Boards, or an equivalent examination as determined by the Board, not more than two years prior to the date of his or her application;
- (3) A minimum of three professional references, on forms furnished for that purpose by the Board or its agent, from persons familiar with the applicant's professional experience in the field of social work, attesting that the applicant is of good moral character and has demonstrated that he or she will conduct his or her activities as a social worker in accordance with generally accepted standards of professional social work practice. One such reference shall be from the applicant's most recent field placement supervisor, a person who is licensed by the Board as a Licensed Certified Social Worker or Licensed Independent Clinical Social Worker, or a person who is eligible for such licensure pursuant to 258 CMR 9.03, 258 CMR 9.04 or 258 CMR 9.07; and
- (4) Payment of the licensure fees prescribed by the Executive Office of Administration and Finance pursuant to M.G.L. c. 7, § 3B.

9.05: Licensure Requirements for a Licensed Social Worker (LSW)

An applicant may be granted a license as a Licensed Social Worker (LSW) if he or she submits to the Board a properly-completed application for such licensure, accompanied by all of the following:

(1) Satisfactory written or electronic documentation that he or she possesses one of the following combinations of education and social work experience:

- (a) A baccalaureate degree in social work (BSW) from an undergraduate school or program of social work accredited by the Council on Social Work Education, or a degree from a foreign educational institution which is equivalent to a baccalaureate degree in social work as determined by the Council on Social Work Education; or
- (b) A baccalaureate degree in a field other than social work from an accredited college or university, plus a minimum of 3500 hours of work experience over not less than two years in the provision of social work services as an employee of an agency, health care facility or unrelated individual and under the direct supervision of an individual who meets the requirements of 258 CMR 9.05(2); or
- (c) A minimum of 2½ years (75 semester hours or 100 quarter hours), but less than four years, of undergraduate college education at an accredited college or university, plus a minimum of 8,750 hours of work experience over not less than five years in the provision of social work services as an employee of an agency, health care facility or unrelated individual and under the direct supervision of an individual who meets the requirements of 258 CMR 9.05(2); or
- (d) Two years (60 semester hours or 80 quarter hours) of undergraduate college education at an accredited college or university, plus a minimum of 10,500 hours of work experience over not less than six years in the provision of social work services as an employee of an agency, health care facility or unrelated individual and under the direct supervision of an individual who meets the requirements of 258 CMR 9.05(2); or
- (e) One year (30 semester hours or 40 quarter hours) of undergraduate college education at an accredited college or university, plus a minimum of 14,000 hours of work experience over not less than eight years in the provision of social work services as an employee of an agency, health care facility or unrelated individual and under the direct supervision of an individual who meets the requirements of 258 CMR 9.05(2); or
- (f) A high school diploma, or its equivalent, plus a minimum of 17,500 hours of work experience over not less than ten years in the provision of social work services as an employee of an agency, health care facility or unrelated individual and under the direct supervision of an individual who meets the requirements of 258 CMR 9.05(2).

(2) In the case of any applicant who is applying for licensure pursuant to any provision of 258 CMR 9.05(1) other than 258 CMR 9.05(1)(a), satisfactory written or electronic documentation that he or she completed the required work experience in the provision of social work services under the direct supervision of, and received individual face-to-face supervision at a rate of not less than one hour of supervision for every 35 hours of work experience from:

- (a) An individual who holds a license as a Licensed Independent Clinical Social Worker issued by the Board;
- (b) An individual who meets the requirements for licensure in the Commonwealth of Massachusetts as a Licensed Independent Clinical Social Worker, but is exempt from the licensure requirement pursuant to 258 CMR 9.02(1);
- (c) An individual who holds a license from another jurisdiction which authorizes that individual to provide clinical social work services as an independent practitioner, if the requirements for the issuance of that license are, in the opinion of the Board, substantially equivalent to the requirements for licensure as a Licensed Independent Clinical Social Worker in the Commonwealth of Massachusetts;
- (d) An individual who holds a license as a Licensed Certified Social Worker issued by the Board pursuant to 258 CMR 9.04;
- (e) An individual who meets the requirements for licensure in the Commonwealth of Massachusetts as a Licensed Certified Social Worker, but is exempt from the licensure requirement pursuant to 258 CMR 9.02(1);
- (f) An individual who holds a license from another jurisdiction for which the requirements for licensure in that jurisdiction are, in the opinion of the Board, substantially equivalent to the requirements for licensure as a Licensed Certified Social Worker in the Commonwealth of Massachusetts; or

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(g) An individual who holds at least a baccalaureate degree in social work (BSW) from an undergraduate school or program of social work accredited by the Council on Social Work Education, or a degree from a foreign educational institution which is equivalent to a baccalaureate degree in social work as determined by the Council on Social Work Education.

(3) Satisfactory written or electronic documentation that he or she has passed the Basic licensure examination administered by the Association of Social Work Boards, or its successor agency, or an equivalent examination as determined by the Board, not more than two years prior to the date of his or her application;

(4) A minimum of three professional references, on forms furnished for that purpose by the Board or its agent, from persons familiar with the applicant's professional experience in the field of social work, attesting that the applicant is of good moral character and has demonstrated that he or she will conduct his or her activities as a social worker in accordance with generally accepted standards of professional social work practice. One such reference shall be from the person who supervised the applicant in his or her most recent social work employment setting, a person who is licensed by the Board as a Licensed Certified Social Worker or Licensed Independent Clinical Social Worker, or a person who is eligible for such licensure pursuant to 258 CMR 9.03, 258 CMR 9.04 or 258 CMR 9.07; and

(5) Payment of the licensure fees prescribed by the Executive Office of Administration and Finance pursuant to M.G.L. c. 7, § 3B.

9.06: Licensure Requirements for a Licensed Social Work Associate (LSWA)

An applicant may be granted a license as a Licensed Social Work Associate (LSWA) if he or she submits to the Board a properly-completed application for such licensure, accompanied by all of the following:

(1) Satisfactory written or electronic documentation that he or she possesses one of the following levels of education and training:

(a) An associate degree, or at least 60 credit hours of college education, in the fields of social work, psychology, counseling or other similar human services field, from an accredited college or university; or

(b) A baccalaureate degree in any field from an accredited college or university; or

(c) A minimum of 1000 hours of education in social work theory and methods in courses or programs approved by the Board;

(2) Satisfactory written or electronic documentation that he or she has attained the Associate level passing score on the Basic licensure examination administered by the Association of State Social Work Boards, or its successor agency, or an equivalent examination as determined by the Board, not more than two years prior to the date of his or her application;

(3) A minimum of three professional references, on forms furnished for that purpose by the Board or its agent, from persons familiar with the applicant's professional experience in the field of social work, attesting that the applicant is of good moral character and has demonstrated that he or she will conduct his or her activities as a social worker in accordance with generally accepted standards of professional social work practice. At least one such reference shall be from a person who is licensed by the Board as a Licensed Certified Social Worker or Licensed Independent Clinical Social Worker, or a person who is eligible for such licensure pursuant to 258 CMR 9.03, 258 CMR 9.04 or 258 CMR 9.07; and

(4) Payment of the licensure fees prescribed by the Executive Office of Administration and Finance pursuant to M.G.L. c. 7, § 3B.

9.07: Licensure by Reciprocity

An applicant who is, or has been, licensed or registered as a social worker under the laws of another state, territory or political subdivision which is a member of the Association of Social Work Boards (ASWB) may be granted a license by the Board without taking the licensing examination otherwise required by 258 CMR 9.03 through 258 CMR 9.06 if:

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- (1) The educational and experience requirements for the license or registration held by that applicant in that other state, territory or political subdivision are substantially equivalent, in the opinion of the Board, to the educational and experience requirements for the level of licensure the applicant is seeking in Massachusetts, as set forth in the applicable provision of 258 CMR 9.03 through 9.06;
- (2) The permissible scope of social work practice authorized by the license or registration held by that applicant in that other state, territory or political subdivision is substantially equivalent, in the opinion of the Board, to the permissible scope of practice for the level of licensure the applicant is seeking in Massachusetts, as set forth in the applicable provision of 258 CMR 12.01 through 12.04;
- (3) The applicant obtained his or her license or registration in that other state, territory or political subdivision by passing a licensing examination administered by the ASWB required for the level of licensure the applicant is seeking in Massachusetts as set forth in the applicable provision of 258 CMR 9.03 through 9.06; and
- (4) The applicant's license or registration in that other state, territory or political subdivision is in good standing at the time of his or her application and has not been revoked, suspended, surrendered, denied, or otherwise restricted or encumbered as a result of any disciplinary proceeding brought by the licensing authority of that state, territory or political subdivision.

9.08: License Term and Expiration

With the exception of the original license issued by the Board, each licensee must renew their license every two years. Said original license shall be valid from the date of issue for a minimum period of 24 months and shall expire on the birthday of the licensee next following the end of such period. Each subsequent license renewal date shall be on the second anniversary of that birth date. Individuals with a birth date of February 29th shall have an expiration date of March 1st.

9.09: Renewal, Lapse and Reinstatement of Licenses

- (1) Renewal Prior to Expiration Date. An individual who holds a license to practice social work issued by the Board may renew that license, on or before its expiration date, by filing a properly-completed license renewal application and paying the license renewal fee prescribed by the Executive Office of Administration and Finance pursuant to M.G.L. c. 7, § 3B for that level of licensure.
- (2) Reinstatement Within One Year after Expiration Date. An individual who fails to renew his or her license to practice social work on or before its expiration date may nevertheless reinstate that license at any time within one year after that expiration date by:
 - (a) Filing a properly-completed license renewal application;
 - (b) Paying the license renewal fee for that level of licensure prescribed by the Executive Office of Administration and Finance pursuant to M.G.L. c. 7, § 3B; and
 - (c) Paying any additional late renewal fee prescribed by the Executive Office of Administration and Finance pursuant to M.G.L. c. 7, § 3B.
- (3) Relicensure More Than One Year, but Less Than Two Years after Expiration Date. An individual who fails to renew or reinstate his or her license to practice social work within one year after its expiration date, but who meets the applicable requirements for initial licensure set forth in 258 CMR 9.03 through 9.06, may, not later than two years after the expiration of his or her previous license, obtain relicensure at the same level which he or she previously held by:
 - (a) Filing a properly-completed application for re-licensure on a form furnished by the Board for that purpose;
 - (b) Paying the application/license fee for that level of licensure prescribed by the Executive Office of Administration and Finance pursuant to M.G.L. c. 7, § 3B;
 - (c) Submitting written documentation of his or her compliance with the continuing education requirements of 258 CMR 31.03(1); and

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(d) Appearing personally, if requested, to explain the reasons for his or her failure to renew his or her previous license in a timely manner.

(4) Relicensure More Than Two Years after Expiration Date. An individual who fails to renew or reinstate his or her license to practice social work within two years after its expiration date, but who meets the applicable requirements for initial licensure set forth in 258 CMR 9.03 through 9.06, may obtain relicensure at the same level which he or she previously held by:

- (a) Filing a properly-completed application for re-licensure with the Board on forms furnished by the Board for that purpose;
- (b) Paying the application/license fee for that level of licensure prescribed by the Executive Office of Administration and Finance pursuant to M.G.L. c. 7, § 3B;
- (c) Furnishing the Board with satisfactory written or electronic documentation that he or she has retaken, and passed, the licensing examination prescribed by the Board and administered by the Association of Social Work Boards or its successor agency, for the level of licensure which the licensee seeks to reobtain.

(5) Effect of Failure to Renew License on or Before Date of Expiration. An individual who fails to renew his or her license to practice social work on or before the expiration date printed on that license shall be considered unlicensed, and shall not engage or offer to engage in the practice of social work within the Commonwealth of Massachusetts, until such time as he or she has obtained renewal or reinstatement of his or her license pursuant to 258 CMR 9.09(2), 258 CMR 9.09(3) or 258 CMR 9.09(4).

(6) Continuing Education Required for Renewal or Reinstatement. No individual may, under any circumstances, renew or reinstate his or her license to practice social work unless and until he or she has:

- (a) Completed all of the continuing education required for renewal or reinstatement of that license as required by 258 CMR 31.03(1); or
- (b) Obtained a written extension of the deadline for completion of the continuing education required for renewal or reinstatement of that license from the Board pursuant to 258 CMR 31.03(4); or
- (c) Submitted satisfactory written proof to the Board that he or she is exempt from the continuing education requirements of 258 CMR 31.00 *et seq.* because he or she practices social work exclusively as an employee of a unit of state, county or municipal government in the Commonwealth of Massachusetts.

9.10: Application Procedures and Applicant Responsibilities

(1) All applications for licensure to practice social work in the Commonwealth of Massachusetts shall be made in accordance with all instructions and procedures prescribed by the Board.

(2) Applicants shall be responsible for ensuring that any and all information provided to the Board or its designee in connection with any application for licensure is accurate and complete. An applicant shall notify the Board or its designee, in writing, of any and all material changes in any information provided to the Board in connection with his or her license application which may occur during the license application process.

(3) An applicant may be required to submit to the Board such additional information as the Board may reasonably require in order to determine whether the applicant is qualified and/or suitable for licensure. The Board may require such an applicant to provide such information either in person or in writing. Failure to respond to or cooperate with such requests shall constitute grounds for denial of the application.

(4) An applicant shall be notified of any deficiency in his or her application for licensure. Upon receipt of such notice, an applicant shall have 30 days in which to correct the deficiency and/or submit any missing or incomplete information, unless a longer period is granted by the Board in writing. Failure to submit missing or corrected information within the prescribed time period shall constitute grounds for denial of the application.

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(5) Scores on the licensure examinations prescribed by the Board shall be valid for two years from the date on which the report of the score was issued to the applicant. Any applicant whose score on the applicable licensing examination is more than two years old shall be required to retake that examination in order to be licensed at that level.

(6) Applicants shall be responsible for payment of all fees and charges required for licensing examinations, processing of license applications and/or issuance of licenses. All such fees and charges are non-refundable, unless otherwise indicated by the Board or its designee in writing. Failure to pay any fee in a timely manner as directed by the Board shall constitute grounds for denial of the license sought.

(7) A licensee shall notify the Board, in writing or by electronic communication, of any change in his or her name or address, as listed in the licensure records of the Board. Failure to do so shall not excuse the licensee from his or her obligation to renew his or her license in a timely manner, as required by 258 CMR 9.09.

9.11: Legally Protected Health Care Activity

No person shall be denied initial licensure or denied renewal due to any complaint, criminal charge conviction, judgment, discipline, or other sanction due to providing or assisting in providing reproductive health care services or gender-affirming health care services, as defined at M.G.L. c. 12, § 11I½, so long as the services provided would have been lawful in Massachusetts and are consistent with standards for good professional practice in Massachusetts.

REGULATORY AUTHORITY

258 CMR 9.00: M.G.L. c. 13, § 84.