

258 CMR: BOARD OF REGISTRATION OF SOCIAL WORKERS

258 CMR 31.00: CONTINUING EDUCATION REQUIREMENTS

Section

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31.01: Purpose

The purpose of 258 CMR 31.00 is to require all social workers licensed by the Board to obtain continuing education as a condition for renewal of their licenses in order to promote and enhance the professional competence of all licensed social workers, and to establish criteria for approval of continuing education programs to be used in fulfilling such continuing education requirements.

31.02: Definitions

For purposes of 258 CMR 31.00, the following terms shall have the following meanings, unless the context in which they are used clearly indicates otherwise:

Authorization Number. The number that a recognized entity, as defined in 258 CMR 31.02: Recognized Entity, assigns to an approved continuing education course, program, seminar or workshop.

Board. The Massachusetts Board of Registration of Social Workers.

Continuing Education Hour. A unit of not less than 50 minutes of actual instruction time in an approved continuing education course, program, seminar or workshop.

Continuing Education Program. Any course, program, seminar or workshop which provides information or knowledge which contributes directly to the professional competence of social workers and which meets the requirements of 258 CMR 31.04.

Individual Continuing Education Activity. Any activity by an individual licensed social worker which has been specially approved by the Board pursuant to 258 CMR 31.04(4) and provides information or knowledge which contributes directly to the professional competence of a social worker. Such activities include, but shall not necessarily be limited to, lectures, course or conference presentations, publication of a professional article, or research activities which lead to a conference presentation or publication of a professional article.

Licensed State, County, or Municipal Social Worker. Any social worker who holds a license to practice social work issued by the Board but who provides social work services exclusively in his or her capacity as an employee of a unit of state, county or municipal government within the Commonwealth of Massachusetts.

Licensure Period. The period between initial licensure, as referenced in 258 CMR 9.08: *License Term and Expiration*, and its first expiration date, and thereafter, the two-year period between expiration dates.

Recognized Entity. An educational institution, professional organization or other entity which has been recognized or authorized by the Board to sponsor, conduct or approve continuing education programs in social work.

31.03: Establishment of Continuing Education Requirement

(1) General Requirement. Beginning with the licensure period commencing October 1, 2004, every social worker, as a condition for renewal of his or her license, shall complete the minimum number of continuing education hours specified below for his or her licensure level during each licensure period, unless he or she is exempt from such requirements pursuant to 258 CMR 31.03(2), or is entitled to pro-rate such requirements pursuant to 258 CMR 31.03(3):

- (a) Licensed Independent Clinical Social Workers (LICSWs) – 30 continuing education hours;
- (b) Licensed Certified Social Workers (LCSWs) – 20 continuing education hours;
- (c) Licensed Social Workers (LSWs) – 15 continuing education hours; and
- (d) Licensed Social Work Associates (LSWAs) – ten continuing education hours.

All such continuing education hours shall be completed in continuing education programs which meet the requirements of 258 CMR 31.04.

(2) Exemption for Licensed State, County or Municipal Social Workers.

(a) A social worker who holds a license to practice social work issued by the Board, but who provides social work services exclusively in his or her capacity as an employee of a unit of state, county or municipal government located within the Commonwealth of Massachusetts, shall be exempt from the continuing education requirement established by 258 CMR 31.03(1). A social worker shall not be eligible for this exemption if he or she provides social work services or engages in the practice of social work as an independent practitioner or as an employee of a private agency, health care facility or other entity at any time during the licensure period for which exemption is sought.

(b) A social worker seeking exemption from the continuing education requirement of 258 CMR 31.03(1) pursuant to 258 CMR 31.03(2)(b) shall file, as part of his or her license renewal application, a sworn affidavit, on forms furnished by the Board for this purpose, attesting to the fact that he or she has not provided social work services or engaged in the practice of social work as an independent practitioner or as an employee of any private agency, health care facility or other private entity at any time during the licensure period, and is therefore eligible for exemption under the provisions of 258 CMR 31.03(2)(b).

(3) Proration of Continuing Education Requirements. The number of continuing education hours required for license renewal shall be pro-rated for the licensure period in which a social worker first obtains his or her license from the Board, as follows:

- (a) A social worker who first receives his or her license during the first quarter of the licensure period shall complete 75% of the continuing education hours normally required for his or her level of licensure;
- (b) A social worker who first receives his or her license during the second quarter of the licensure period shall complete 50% of the continuing education hours normally required for his or her level of licensure;
- (c) A social worker who first receives his or her license during the third quarter of the licensure period shall complete 25% of the continuing education hours normally required for his or her level of licensure; and
- (d) A social worker who first receives his or her license during the last quarter of the licensure period shall not be required to complete any continuing education hours for that licensure period.

(4) Pursuant to M.G.L. c. 112, § 264, applicants and licensees shall participate in at least one domestic violence and sexual violence training as a condition for licensure, renewal, revival or reinstatement of licensure.

(a) The Board, in consultation with the Department of Public Health, will identify programs or courses of study that meet the standards required by 258 CMR 31.03(4) and provide its licensees with a list of such programs or courses.

(b) An applicant for renewal, revival or reinstatement of licensure, who has previously completed a program or course approved by the Board shall not be required to participate in a subsequent program or course of domestic violence and sexual violence training except where the Board, in its discretion, requires completion of such a program or course as a condition of renewal, revival, or reinstatement of licensure.

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(5) Extension of Time for Completion. The Board may extend the deadline for completion of the continuing education required by 258 CMR 31.03(1) upon a showing by the social worker that completion of such continuing education by the original deadline imposes an undue hardship due to unforeseen circumstances.

31.04: Criteria for Approval of Continuing Education Programs

(1) Program Content Requirements. A continuing education course or program, or an individual continuing education activity, may be approved, and may be used to satisfy the continuing education requirements set forth in 258 CMR 31.03(1), only if that course, program or activity covers:

- (a) Theories and concepts of human behavior in the social environment;
- (b) Social work practice, knowledge and skills;
- (c) Social work research, program evaluation, or practice evaluation;
- (d) Social work agency management or administration;
- (e) Development, evaluation and/or implementation of social policy;
- (f) Social work ethics and standards of professional practice; or
- (g) Current issues in clinical or non-clinical social work practice (*e.g.*, diversity, aging, multiculturalism, new approaches to diagnosis and treatment of mental or emotional disorders, *etc.*)

Continuing education credit will not be given for programs that do not apply directly to and "contribute to the growth of professional competence in social work practice". Programs focused on marketing skills, management or other business skills, or computer proficiency skills will not be considered acceptable, as those types of courses are intended to enhance business skills, and not social work skills.

(2) Approval by Recognized Entity. A continuing education course or program, other than an individual continuing education activity approved for credit pursuant to 258 CMR 31.04(4), may be used to satisfy the continuing education requirements set forth in 258 CMR 31.03(1) only if it has been reviewed and approved by a recognized entity, as defined in 258 CMR 31.02. A continuing education course or program shall be deemed to have been approved by a recognized entity if:

- (a) The course or program is presented or conducted by a graduate or undergraduate social work school, program or department accredited by the Council on Social Work Education;
- (b) The course or program has been reviewed and approved by ASWB as an Approved Continuing Education (ACE) program;
- (c) The course or program has been approved for continuing education credit by a governmental agency in any other state, province, territory or political subdivision of the United States or Canada which is responsible for the licensure, certification or registration of social workers;
- (d) The course or program has been reviewed and approved by the National Association of Social Workers or a chapter of the National Association of Social Workers;
- (e) The course or program has been reviewed and approved for continuing education credit by the National Association of Black Social Workers or by a state chapter of the National Association of Black Social Workers; or
- (f) The course or program has been reviewed and approved by any other organization which has been authorized by the Board to review and approve such courses or programs.

(3) Administrative Requirements for Continuing Education Courses and Programs. A continuing education course or program, other than an individual continuing education activity approved for credit pursuant to 258 CMR 31.04(4), may be used to satisfy the continuing education requirements set forth in 258 CMR 31.03(1) only if the entity which provides or sponsors that course or program also meets the following requirements:

- (a) An outline of the course or program is prepared and distributed to all attendees. Said outline shall state the number of continuing education contact hours provided;
- (b) The course or program shall be at least 50 consecutive minutes in length;
- (c) The provider or sponsor of the course or program ensures that the course or program is presented by individuals who are properly qualified and competent to do so by virtue of appropriate academic training, professional licensure or certification, and/or appropriate professional experience;

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- (d) The provider or sponsor of the course or program maintains written documentation of the qualifications of the person or persons who presented the course or program;
- (e) A person who is duly licensed as a social worker, psychiatrist, psychologist, mental health counselor, marriage and family therapist, psychiatric nurse practitioner, or other licensed mental health professional, by a government agency in any other state, province, territory or political subdivision of the United States or Canada, which is responsible for the licensure, certification or registration of the above referenced licensed mental health professionals, is directly involved in the planning development and review of that course or program;
- (f) The provider or sponsor of the course or program establishes and maintains an accurate written record of course attendance showing the date of the program or course, the location at which the program or course was given, the name of each person who attended, and the license number of each person who attended;
- (g) The licensed social worker receives a certificate or other written evidence of his or her completion of that course or program only if he or she demonstrates satisfactory comprehension or understanding of the content of that course or program to the provider or sponsor of that course or program;
- (h) The provider or sponsor of the course or program does not issue certificates or other written evidence of completion of the course or program until the course or program is completed;
- (i) The provider or sponsor of the course or program provides all attendees with an opportunity to evaluate that course or program, on a written form provided for that purpose, and retains all completed written evaluation forms for a period of five years after the date on which the course or program was presented;
- (j) The provider or sponsor of the course or program complies with all other applicable state and federal laws including, but not limited to, the Americans with Disabilities Act and any other state or federal laws relating to accessibility of such courses or programs to persons with disabilities or special needs; and
- (k) The provider or sponsor of the course or program has received an authorization number from a recognized entity which has reviewed the course or program and determined that the course or program meets all applicable requirements of 258 CMR 31.04.

(4) Special Approval of Individual Continuing Education Activities. A licensed social worker may obtain credit toward completion of the continuing education required by 258 CMR 31.03(1) for an individual continuing education activity, as defined in 258 CMR 31.02, as long as:

- (a) The individual continuing education activity in question meets the program content requirements of 258 CMR 31.04(1);
- (b) The individual continuing education activity in question consists of a lecture, an oral presentation at a course or conference, publication of a book, publication of an article in a recognized professional journal, completion of research for such a presentation or publication, or a substantially equivalent activity as determined by the Board;
- (c) The licensed social worker seeking credit for the individual continuing education activity in question submits to the Board a written request for continuing education credit for that activity, accompanied by satisfactory written proof of his or her completion of that activity, at least 60 days prior to the end of the licensure period for which continuing education credit is being sought;
- (d) The Board determines that the individual continuing education activity in question meets all other applicable requirements of 258 CMR 31.04; and
- (e) The number of continuing education hours awarded to that licensed social worker for the individual continuing education activity in question does not exceed 50% of the total number of continuing education hours required for renewal of that social worker's license.

(5) Other Credits and Organizations. A licensee may receive up to 25% of continuing education credit in courses that have been approved by the following organizations AND contribute to the professional competence of the licensee. In order to be accepted for continuing education credit, the program must contribute to the growth of professional competence in social work practice. *See* 258 CMR 31.04(1). All licensees must receive a minimum of 75% of their continuing education credit in courses approved by a recognized entity set forth in 258 CMR 31.04(2).

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31.04: continued

The Board may grant continuing education credits for educational programs sponsored by the following organizations in addition to those designated in 258 CMR 31.04(2). The Board has approved the following organizations:

- (a) American Psychological Association (APA);
- (b) National Board for Certified Counselors (NBCC);
- (c) Board of Nursing Home Administrator's (NHA);
- (d) American Nurses Credentialing Center (ANCC);
- (e) Accreditation Council for Continuing Medical Education (ACCME).

31.05: Responsibilities of Individual Licensees

(1) Each licensed social worker shall maintain a written record of all continuing education courses or programs and/or approved individual continuing education activities he or she has completed for a period of not less than two consecutive licensure periods, inclusive of the licensure period during which the course, program or activity was completed.

(2) Each licensed social worker, as part of his or her application for renewal of his or her license, shall attest under the pains and penalties of perjury that he or she has completed the number of continuing education hours required by 258 CMR 31.03(1), or that he or she is exempt from the continuing education requirement pursuant to 258 CMR 31.03(2). Such attestation shall be made on a form prescribed and provided by the Board.

(3) Upon written request by the Board, a licensed social worker shall furnish to the Board such information as the Board may reasonably require about any or all continuing education courses, programs or activities completed by said licensee. Failure or refusal to provide timely proof of completion of the number of continuing education hours required by 258 CMR 31.03 upon the request of the Board shall constitute grounds for disciplinary action by the Board.

(4) Falsification of reports of continuing education courses, seminars, workshops and completed hours, or misrepresentation of any material fact concerning the completion of such continuing education hours, by any licensee shall constitute grounds for disciplinary action by the Board.

31.06: Appeal Process

In the event that an application for approval of a specific continuing education course or program, or for approval of an individual continuing education activity, is denied by the Board, the applicant shall have the right, upon written request, to have the Board's decision reviewed and reconsidered. As part of said review process, the applicant may appear personally before the Board and shall have the right to present any additional information which may reasonably have a bearing on the issue of whether the application for approval should be approved.

REGULATORY AUTHORITY

258 CMR 31.00: M.G.L. c. 13, § 84; c. 112, § 136.