

By Senator Rich

34-00245-08

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1 A bill to be entitled
2 An act relating to social worker identification; amending
3 ss. 39.01 and 491.003, F.S.; providing definitions;
4 creating s. 491.016, F.S.; prohibiting a social worker
5 from conducting clinical social work unless licensed or
6 certified by the Department of Health; providing a penalty
7 for improper use of the title "social worker"; providing
8 exceptions; requiring the Department of Health to adopt
9 rules; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Present subsections (70), (71), (72), (73), and
14 (74) of section 39.01, Florida Statutes, are renumbered as
15 subsections (71), (72), (73), (74), and (75), respectively, and a
16 new subsection (70) is added to that section, to read:

17 39.01 Definitions.--When used in this chapter, unless the
18 context otherwise requires:

19 (70) "Social worker" means any person who has a bachelor's,
20 master's, or doctoral degree in social work.

21 Section 2. Subsection (17) is added to section 491.003,
22 Florida Statutes, to read:

23 491.003 Definitions.--As used in this chapter:

24 (17) "Social worker" means a person who has a bachelor's,
25 master's, or doctoral degree in social work.

26 Section 3. Section 491.016, Florida Statutes, is created to
27 read:

28 491.016 Professional social worker identification.--

29 (1) A social worker may not conduct clinical social work

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30 unless he or she possesses a license or certification issued
31 under this chapter.

32 (2) A person commits a misdemeanor of the first degree,
33 punishable as provided in s. 775.082 or s. 775.083, when he or
34 she, for or without compensation, holds himself or herself out to
35 the public as a social worker directly or through a governmental
36 or private organization, entity, or agency unless that person:

37 (a) Possesses at least a bachelor's or master's degree in
38 social work from a social work program accredited by or from an
39 institution that is an active candidate for accreditation as a
40 social work program by the Council of Social Work Education; or

41 (b) Completes, at a university or college outside the
42 United States or Canada, a social work program determined by the
43 Foreign Equivalency Determination Service of the Council on
44 Social Work Education to be equivalent to a bachelor's or
45 master's degree in social work.

46 (3) This section does not apply to:

47 (a) A person who, as of July 1, 2008, used the title
48 "social worker" in his or her employment; or

49 (b) An employee who provides social work services under
50 administrative supervision in a long-term care facility licensed
51 by the Agency for Health Care Administration.

52 (4) The department shall adopt rules pursuant to ss.
53 120.536(1) and 120.54 to administer this section.

54 Section 4. This act shall take effect July 1, 2008.