

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Health and Human Services

BILL: CS/SB 884

INTRODUCER: Health Policy Committee and Senator Baxley

SUBJECT: Clinical Social Workers, Marriage and Family Therapists, and Mental Health Counselors

DATE: April 15, 2019 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Rossitto-Van Winkle	Brown	HP	Fav/CS
2.	Loe	Kidd	AHS	Recommend: Favorable
3.			AP	

Please see Section IX. for Additional Information:
COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 884 requires the Department of Health (DOH) to certify an individual who has applied to the DOH and meets the requirements for designation as a certified master social worker to practice generalist social work in Florida.

The bill has no impact on state revenues or expenditures.

The bill takes effect July 1, 2019.

II. Present Situation:

Regulation of Certified Master Social Workers

The DOH is authorized¹ to certify an applicant for designation as a certified master social worker if the applicant:

- Submits an application and nonrefundable fee to the DOH at least 60 days before the examination to qualify to take the exam;
- Submits an official transcript that the applicant has received:
 - A doctoral degree in social work, or

¹ Section 491.0145, Florida Statutes.

- A master’s degree in social work with an emphasis on clinical practice or administration in seven content areas;²
- Submits proof of at least three years’ experience in clinical services or administrative experience; and
- Has passed the national Advanced Generalist level examination developed by the Association of Social Work Boards.³

Any person who holds a master’s degree in social work from institutions outside the United States may apply to the DOH for certification if the academic training in social work has been evaluated as equivalent to a degree from a school accredited by the Council on Social Work Education. The applicant must submit to the DOH a copy of the academic training from the Foreign Equivalency Determination Service of the Council on Social Work Education.

A certified master social worker is not licensed or authorized to provide clinical social work services.⁴

Display of Licenses and Use of Professional Titles

An individual licensed in Florida as a clinical social worker, marriage and family therapist, or mental health counselor or certified as a master social worker is required to display their licenses at each practice location.⁵ The aforementioned licensees must display their name and respective professional title on all promotional materials, cards, brochures, stationery, advertisements, and signs that name the licensee.

A registered intern or provisional licensee in clinical social work, marriage and family therapy, or mental health counseling must display his or her valid registration or provisional license at each location where the intern is completing experience requirements or a provisional licensee is practicing, and each must also include the term “intern” or “provisional licensee” on all promotional materials, cards, brochures, stationery, advertisements, and signs that name the intern or provisional licensee.

III. Effect of Proposed Changes:

Section 1 amends s. 491.003, F.S., to define the terms “certified master social worker” and the “practice of generalist social work.” A “certified master social worker” is a person licensed under ch. 491, F.S., to practice generalist social work. “General social work” is the application of social work theory, knowledge, methods and ethics, and the professional use of self to restore or enhance social, psychosocial, or biopsychosocial functioning of individuals, couples, families, groups, organizations, or communities. The term includes the application of specialized knowledge and advanced practice skills in non-diagnostic assessment, treatment planning,

² See s. 491.0145(2), F.S. The seven content areas include agency administration and supervision, program planning and evaluation, staff development, research, community organization, community services, social planning, and human service advocacy.

³ The Department of Health, Board of Clinical Social Work, Marriage & Family Therapy and Mental Health Counseling, *Certified Master Social Worker*, available at <https://floridasmantalhealthprofessions.gov/licensing/certified-master-social-worker/> (last visited Mar.20, 2019).

⁴ Section 491.0145(6), F.S.

⁵ Section 491.0149, Florida Statutes.

implementation and evaluation, case management, information and referral, supervision, consultation, education, research, advocacy, community organization, and the development, implementation, and administration of policies, programs, and activities.

Section 2 amends s. 491.004, F.S., to remove obsolete language relating to the initial appointment of members by the Governor to the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling.

Section 3 amends s. 491.0145, F.S., to require, rather than authorize, the DOH to certify an applicant for designation as a certified master social worker who meets application, financial, education, experience, and examination requirements. The bill grants rulemaking authority to the DOH for the regulation of certified master social workers, and makes other technical and conforming changes.

Section 4 amends s. 491.0149, F.S., to add social media to the list of promotional materials required to include the professional title of all licensees and certificate holders, interns, and provisional licensees in the professions of social work, marriage and family therapy, and mental health counseling. The bill also requires a generalist social worker to include the words “certified master social worker” or the letters “CMSW” on all promotional materials that name the licensee.

Section 5 provides that the bill takes effect July 1, 2019.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 491.003, 491.004, 491.0145, and 491.0149.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Health Policy on April 1, 2019:

The CS:

- Defines the terms “certified master social worker” and the “practice of generalist social work;”
- Requires the DOH to certify an applicant as a certified master social worker who meets certain requirements;
- Authorizes the DOH to adopt rules for the regulation of the certified master social workers;
- Requires the use of professional titles by licensees and certificate holders, provisional licensees, and intern registrants on social media; and
- Deletes obsolete language and makes technical and conforming changes.

B. Amendments:

None.