

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 3691

(SENATE AUTHORS: HOFFMAN, Utke and Mohamed)

DATE	D-PG	OFFICIAL STATUS
02/15/2024	11598	Introduction and first reading Referred to Health and Human Services
02/19/2024	11660	Author added Mohamed
02/26/2024	11731	Comm report: To pass and re-referred to State and Local Government and Veterans
03/21/2024	12484a	Comm report: To pass as amended and re-refer to Health and Human Services See HF5247

1.1 A bill for an act

1.2 relating to health-related licensing; modifying and recodifying social worker

1.3 provisional licensure; amending Minnesota Statutes 2022, sections 148D.061,

1.4 subdivisions 1, 8; 148D.062, subdivisions 3, 4; 148D.063, subdivisions 1, 2;

1.5 148E.055, by adding subdivisions; repealing Minnesota Statutes 2022, section

1.6 148D.061, subdivision 9.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2022, section 148D.061, subdivision 1, is amended to read:

1.9 Subdivision 1. **Requirements for a provisional license.** An applicant may be issued a

1.10 provisional license if the applicant:

1.11 ~~(1) was born in a foreign country;~~

1.12 ~~(2) communicates in English as a second language;~~

1.13 ~~(3) has taken the applicable examination administered by the Association of Social Work~~

1.14 ~~Boards or similar examination body designated by the board;~~

1.15 ~~(4) (1) has met the requirements of section 148E.055, subdivision 2, paragraph (a),~~

1.16 ~~clauses (1), (3), (4), (5), and (6); or subdivision 3, paragraph (a), clauses (1), (3), (4), (5),~~

1.17 ~~and (6); or subdivision 4, paragraph (a), clauses (1), (2), (4), (5), (6), and (7); or subdivision~~

1.18 ~~5, paragraph (a), clauses (1), (2), (3), (5), (6), (7), and (8); and~~

1.19 ~~(5) (2) complies with the requirements of subdivisions 2 to 7.~~

1.20 **EFFECTIVE DATE.** This section is effective October 1, 2024.

2.1 Sec. 2. Minnesota Statutes 2022, section 148D.061, subdivision 8, is amended to read:

2.2 Subd. 8. **Disciplinary or other action.** A licensee who is issued a provisional license
2.3 is subject to the grounds for disciplinary action under section 148E.190. The board may
2.4 also take action according to sections 148E.260 to 148E.270 if:

2.5 (1) the licensee's supervisor does not submit an evaluation as required by section
2.6 148D.063;

2.7 (2) an evaluation submitted according to section 148D.063 indicates that the licensee
2.8 cannot practice social work competently and ethically; or

2.9 (3) the licensee does not comply with the requirements of subdivisions 1 to 7.

2.10 **EFFECTIVE DATE.** This section is effective October 1, 2024.

2.11 Sec. 3. Minnesota Statutes 2022, section 148D.062, subdivision 3, is amended to read:

2.12 Subd. 3. **Types of supervision.** (a) ~~Twenty-five hours~~ Half of the supervision hours
2.13 required by subdivision 1 must consist of one-on-one in-person supervision. The supervision
2.14 must be provided either in person or via eye-to-eye electronic media while maintaining
2.15 visual contact.

2.16 (b) ~~Twelve and one-half hours~~ Half of the supervision hours must consist of one or more
2.17 of the following types of supervision:

2.18 (1) ~~in-person~~ one-on-one supervision provided in person or via eye-to-eye electronic
2.19 media while maintaining visual contact; or

2.20 (2) ~~in-person~~ group supervision provided in person, by telephone, or via eye-to-eye
2.21 electronic media while maintaining visual contact.

2.22 (c) ~~To qualify as in-person~~ Group supervision, the group must not exceed seven members
2.23 including the supervisor six supervisees.

2.24 (d) Supervision must not be provided by email.

2.25 **EFFECTIVE DATE.** This section is effective October 1, 2024.

2.26 Sec. 4. Minnesota Statutes 2022, section 148D.062, subdivision 4, is amended to read:

2.27 Subd. 4. **Supervisor requirements.** (a) The supervision required by subdivision 1 must
2.28 be provided by a supervisor who meets the requirements in section 148E.120 and has ~~either:~~

2.29 (1) ~~5,000 hours experience engaged in authorized social work practice; or~~

3.1 ~~(2)~~ completed 30 hours of training in supervision, which may be satisfied by completing
3.2 academic coursework in supervision or continuing education courses in supervision as
3.3 defined in section 148E.010, subdivision 18.

3.4 (b) Supervision must be provided:

3.5 (1) if the supervisee is not engaged in clinical practice and the supervisee has a provisional
3.6 license to practice as a licensed social worker, by:

3.7 (i) a licensed social worker who has completed the supervised practice requirements;

3.8 (ii) a licensed graduate social worker who has completed the supervised practice
3.9 requirements;

3.10 (iii) a licensed independent social worker; or

3.11 (iv) a licensed independent clinical social worker;

3.12 (2) if the supervisee is not engaged in clinical practice and the supervisee has a provisional
3.13 license to practice as a licensed graduate social worker, licensed independent social worker,
3.14 or licensed independent clinical social worker, by:

3.15 (i) a licensed graduate social worker who has completed the supervised practice
3.16 requirements;

3.17 (ii) a licensed independent social worker; or

3.18 (iii) a licensed independent clinical social worker;

3.19 (3) if the supervisee is engaged in clinical practice and the supervisee has a provisional
3.20 license to practice as a licensed graduate social worker, licensed independent social worker,
3.21 or licensed independent clinical social worker, by a licensed independent clinical social
3.22 worker; or

3.23 (4) by a supervisor who meets the requirements in section 148E.120, subdivision 2.

3.24 **EFFECTIVE DATE.** This section is effective October 1, 2024.

3.25 Sec. 5. Minnesota Statutes 2022, section 148D.063, subdivision 1, is amended to read:

3.26 Subdivision 1. **Supervision plan.** (a) An applicant granted a provisional license must
3.27 submit, on a form provided by the board, a supervision plan for meeting the supervision
3.28 requirements in section 148D.062.

3.29 (b) The supervision plan must be submitted no later than 30 days after the licensee begins
3.30 a social work practice position.

4.1 ~~(e) The board may revoke a licensee's provisional license for failure to submit the~~
4.2 ~~supervision plan within 30 days after beginning a social work practice position.~~

4.3 ~~(d)~~ (c) The supervision plan must include the following:

4.4 (1) the name of the supervisee, the name of the agency in which the supervisee is being
4.5 supervised, and the supervisee's position title;

4.6 (2) the name and qualifications of the person providing the supervision;

4.7 (3) the number of hours of one-on-one ~~in-person~~ supervision and the number and type
4.8 of additional hours of supervision to be completed by the supervisee;

4.9 (4) the supervisee's position description;

4.10 (5) a brief description of the supervision the supervisee will receive in the following
4.11 content areas:

4.12 (i) clinical practice, if applicable;

4.13 (ii) development of professional social work knowledge, skills, and values;

4.14 (iii) practice methods;

4.15 (iv) authorized scope of practice;

4.16 (v) ensuring continuing competence; and

4.17 (vi) ethical standards of practice; and

4.18 (6) if applicable, a detailed description of the supervisee's clinical social work practice,
4.19 addressing:

4.20 (i) the client population, the range of presenting issues, and the diagnoses;

4.21 (ii) the clinical modalities that were utilized; and

4.22 (iii) the process utilized for determining clinical diagnoses, including the diagnostic
4.23 instruments used and the role of the supervisee in the diagnostic process.

4.24 ~~(e)~~ (d) The board must receive a revised supervision plan within 30 days of any of the
4.25 following changes:

4.26 (1) the supervisee has a new supervisor;

4.27 (2) the supervisee begins a new social work position;

4.28 (3) the scope or content of the supervisee's social work practice changes substantially;

4.29 (4) the number of practice or supervision hours changes substantially; or

5.1 (5) the type of supervision changes as supervision is described in section 148D.062.

5.2 ~~(f) The board may revoke a licensee's provisional license for failure to submit a revised~~
 5.3 ~~supervision plan as required in paragraph (e).~~

5.4 ~~(g)~~ (e) The board must approve the supervisor and the supervision plan.

5.5 **EFFECTIVE DATE.** This section is effective October 1, 2024.

5.6 Sec. 6. Minnesota Statutes 2022, section 148D.063, subdivision 2, is amended to read:

5.7 Subd. 2. **Evaluation.** (a) When a licensee's supervisor submits an evaluation to the board
 5.8 according to section 148D.061, subdivision 6, the supervisee and supervisor must provide
 5.9 the following information on a form provided by the board:

5.10 (1) the name of the supervisee, the name of the agency in which the supervisee is being
 5.11 supervised, and the supervisee's position title;

5.12 (2) the name and qualifications of the supervisor;

5.13 (3) the number of hours and dates of each type of supervision completed;

5.14 (4) the supervisee's position description;

5.15 (5) a declaration that the supervisee has not engaged in conduct in violation of the
 5.16 standards of practice in sections 148E.195 to 148E.240;

5.17 (6) a declaration that the supervisee has practiced competently and ethically according
 5.18 to professional social work knowledge, skills, and values; and

5.19 (7) on a form provided by the board, an evaluation of the licensee's practice in the
 5.20 following areas:

5.21 (i) development of professional social work knowledge, skills, and values;

5.22 (ii) practice methods;

5.23 (iii) authorized scope of practice;

5.24 ~~(iv) ensuring continuing competence;~~

5.25 ~~(v)~~ (iv) ethical standards of practice; and

5.26 ~~(vi)~~ (v) clinical practice, if applicable.

5.27 (b) The supervisor must attest to the satisfaction of the board that the supervisee has met
 5.28 or has made progress on meeting the applicable supervised practice requirements.

5.29 **EFFECTIVE DATE.** This section is effective October 1, 2024.

6.1 Sec. 7. Minnesota Statutes 2022, section 148E.055, is amended by adding a subdivision
6.2 to read:

6.3 Subd. 2b. **Qualifications for licensure by completion of provisional license**
6.4 **requirements as a licensed social worker (LSW).** To be licensed as a licensed social
6.5 worker, an applicant for licensure by completion of provisional license requirements must
6.6 provide evidence satisfactory to the board that the applicant:

6.7 (1) completed all requirements under section 148D.061, subdivisions 1 to 6; and

6.8 (2) continues to meet the requirements of subdivision 2, clauses (1) and (3) to (6).

6.9 **EFFECTIVE DATE.** This section is effective October 1, 2024.

6.10 Sec. 8. Minnesota Statutes 2022, section 148E.055, is amended by adding a subdivision
6.11 to read:

6.12 Subd. 3b. **Qualifications for licensure by completion of provisional license**
6.13 **requirements as a licensed graduate social worker (LGSW).** To be licensed as a licensed
6.14 graduate social worker, an applicant for licensure by completion of provisional license
6.15 requirements must provide evidence satisfactory to the board that the applicant:

6.16 (1) completed all requirements under section 148D.061, subdivisions 1 to 6; and

6.17 (2) continues to meet the requirements of subdivision 3, clauses (1) and (3) to (6).

6.18 **EFFECTIVE DATE.** This section is effective October 1, 2024.

6.19 Sec. 9. Minnesota Statutes 2022, section 148E.055, is amended by adding a subdivision
6.20 to read:

6.21 Subd. 4b. **Qualifications for licensure by completion of provisional license**
6.22 **requirements as a licensed independent social worker (LISW).** To be licensed as a
6.23 licensed independent social worker, an applicant for licensure by completion of provisional
6.24 license requirements must provide evidence satisfactory to the board that the applicant:

6.25 (1) completed all requirements under section 148D.061, subdivisions 1 to 6; and

6.26 (2) continues to meet the requirements of subdivision 4, clauses (1), (2), and (4) to (7).

6.27 **EFFECTIVE DATE.** This section is effective October 1, 2024.

7.1 Sec. 10. Minnesota Statutes 2022, section 148E.055, is amended by adding a subdivision
7.2 to read:

7.3 Subd. 5b. Qualifications for licensure by completion of provisional license
7.4 requirements as a licensed independent clinical social worker (LICSW). To be licensed
7.5 as a licensed independent clinical social worker, an applicant for licensure by completion
7.6 of provisional license requirements must provide evidence satisfactory to the board that the
7.7 applicant:

7.8 (1) completed all requirements under section 148D.061, subdivisions 1 to 6; and

7.9 (2) continues to meet the requirements of subdivision 5, paragraph (a), clauses (1) to (3)
7.10 and (5) to (8).

7.11 **EFFECTIVE DATE.** This section is effective October 1, 2024.

7.12 Sec. 11. **REVISOR INSTRUCTION.**

7.13 The revisor of statutes shall renumber each section of Minnesota Statutes listed in column
7.14 A with the number listed in column B. The revisor shall also make necessary cross-reference
7.15 changes in Minnesota Statutes and Minnesota Rules consistent with the renumbering.

7.16	<u>Column A</u>	<u>Column B</u>
7.17	<u>148D.061</u>	<u>148E.0551</u>
7.18	<u>148D.062</u>	<u>148E.116</u>
7.19	<u>148D.063</u>	<u>148E.126</u>

7.20 **EFFECTIVE DATE.** This section is effective October 1, 2024.

7.21 Sec. 12. **REPEALER.**

7.22 Minnesota Statutes 2022, section 148D.061, subdivision 9, is repealed.

7.23 **EFFECTIVE DATE.** This section is effective October 1, 2024.

APPENDIX
Repealed Minnesota Statutes: S3691-1

148D.061 PROVISIONAL LICENSES.

Subd. 9. **Revocation of provisional license.** The board may immediately revoke the provisional license of a licensee who violates any requirements of this section. The revocation must be made for cause. A licensee whose provisional license is revoked must immediately return the provisional license to the board.