

JAN 18 2013

A BILL FOR AN ACT

RELATING TO CONTINUING EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the profession of
2 social workers has been regulated in the State since 1994.
3 Unlike other licensed professions, continuing education credit
4 hours are not currently required for social workers to renew
5 their licenses.

6 The legislature further finds that social workers provide
7 critically needed services in prevention, intervention, and
8 treatment to a broad spectrum of clients. It is therefore
9 essential that social workers maintain their professional
10 competency and keep abreast of the latest developments in their
11 profession. Requiring continuing education courses for social
12 workers who are renewing their licenses will give assurance to
13 Hawaii's consumers that social workers are current with the
14 latest developments in their field.

15 The purpose of this Act is to require licensed social
16 workers in Hawaii to:

17 (1) Complete a minimum of fifteen credit hours of
18 continuing education courses for the licensing renewal



1 period beginning July 1, 2013, through June 30, 2016;

2 and

- 3 (2) Complete a minimum of forty-five credit hours of
4 continuing education courses during each licensing
5 renewal period beginning July 1, 2016, and thereafter.

6 SECTION 2. Section 467E-1, Hawaii Revised Statutes, is
7 amended by adding three new definitions to be appropriately
8 inserted and to read as follows:

9 "Continuing education courses" means courses approved by
10 the National Association of Social Workers, the National
11 Association of Social Workers Chapters, or the Association of
12 Social Work Boards.

13 "Credit hour" means, except as otherwise provided, the
14 value assigned to fifty minutes of instruction.

15 "Ethic courses" include ethic theory, ethical reasoning,
16 ethical principles, ethical dilemmas, and professional ethics."

17 SECTION 3. Section 467E-11, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "[+]§467E-11[+] **Renewals.** (a) Every license issued under
20 this chapter shall be renewed triennially on or before June 30,
21 with the first renewal deadline occurring on June 30, 1998.

22 Failure to renew a license shall result in a forfeiture of the



1 license. Licenses which have been so forfeited may be restored
2 within one year of the expiration date upon payment of renewal
3 and penalty fees[-], and in the case of audited licensees,
4 documentary proof of compliance of continuing education.

5 Failure to restore a forfeited license within one year of the
6 date of its expiration shall result in the automatic termination
7 of the license and relicensure may be subject to the person
8 applying as a new applicant and satisfying again all licensing
9 requirements.

10 (b) Beginning with the renewal for the licensing triennium
11 commencing on July 1, 2013, through June 30, 2016, each licensee
12 shall:

- 13 (1) Pay all required fees; and
- 14 (2) Complete a minimum of fifteen credit hours of
15 continuing education courses within the renewal
16 period; provided that a minimum of three credit hours
17 shall be in ethic courses.

18 (c) Beginning with the renewal for the licensing triennium
19 commencing on July 1, 2016, through June 30, 2019, and prior to
20 every triennial renewal thereafter, each licensee shall:

- 21 (1) Pay all required fees; and



1 (2) Complete a minimum of forty-five credit hours of
2 continuing education courses within the three-year
3 period preceding the renewal date; provided that a
4 minimum of three credit hours shall be in ethic
5 courses.

6 (d) A first time licensee shall not be subject to the
7 continuing education requirement for the first license renewal.

8 (e) Each licensee shall maintain the licensee's continuing
9 education records. At the time of renewal, each licensee shall
10 certify under oath that the licensee has complied with the
11 continuing education requirement of this section. The director
12 may require a licensee to submit evidence satisfactory to the
13 director that demonstrates compliance with the continuing
14 education requirement of this section.

15 (f) The director may conduct random audits of licensees to
16 determine compliance with the continuing education requirement.
17 The director shall provide written notice of an audit to a
18 licensee randomly selected for audit. Within sixty days of
19 notification, the licensee shall provide the director with
20 documentation verifying compliance with the continuing education
21 requirement established by this section."



1 SECTION 4. Section 467E-12, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) In addition to any other acts or conditions provided
4 by law, the director may refuse to renew, reinstate, or restore,
5 or may deny, revoke, suspend, or condition in any manner any
6 license, or fine any exempt government employee for any one or
7 more of the following acts or conditions on the part of the
8 applicant, licensee, or exempt person:

- 9 (1) Failing to meet or maintain the conditions and
10 requirements necessary to qualify for the granting of
11 a license;
- 12 (2) Being addicted to, dependent on, or being a habitual
13 user of a narcotic, barbiturate, amphetamine,
14 hallucinogen, opium, or cocaine, or other drugs or
15 derivatives of a similar nature;
- 16 (3) Engaging in the practice of social work while impaired
17 by alcohol, drugs, or mental instability;
- 18 (4) Procuring a social work license through fraud,
19 misrepresentation, or deceit;
- 20 (5) Aiding and abetting an unlicensed person to directly
21 or indirectly use the title "social worker" or engage
22 in practice as a "licensed bachelor social worker",



1 "licensed social worker", or "licensed clinical social
2 worker";

3 (6) Engaging in professional misconduct, incompetence,
4 gross negligence, or manifest incapacity in the
5 practice of social work;

6 (7) Engaging in conduct or practice contrary to recognized
7 standards of ethics for the social work profession;

8 (8) Failing to comply, observe, or adhere to any law in a
9 manner such that the director deems the applicant or
10 holder to be an unfit or improper person to hold a
11 social work license;

12 (9) Revocation, suspension, or other disciplinary action
13 by another state or federal agency against a licensee
14 or applicant for any reason provided by this section;

15 (10) Having a criminal conviction, whether by nolo
16 contendere or otherwise, of a crime directly related
17 to the qualifications, functions, or duties of the
18 social work profession;

19 (11) Failing to report in writing to the director any
20 disciplinary decision issued against the licensee or
21 the applicant in another jurisdiction within thirty
22 days of the disciplinary decision;



1 (12) Employing, utilizing, or attempting to employ or
2 utilize at any time any person not licensed under this
3 chapter who purports to be or engages in practice as a
4 social worker, licensed bachelor social worker,
5 licensed social worker, or licensed clinical social
6 worker;

7 (13) Engaging in the practice of social work beyond the
8 scope of the person's license; [~~or~~]

9 (14) Making a false statement on any document submitted or
10 required to be filed by this chapter, including a
11 false certification of compliance with the continuing
12 education requirement; or

13 [~~(14)~~] (15) Violating this chapter or any rules adopted
14 pursuant thereto."

15 SECTION 5. The director of commerce and consumer affairs
16 shall provide written notice of the contents of this Act to all
17 persons licensed under chapter 467E, Hawaii Revised Statutes,
18 within ninety days of the effective date of this Act.

19 SECTION 6. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21



1 SECTION 7. This Act shall take effect upon its approval.

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INTRODUCED BY: Paul H. Baker

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S.B. NO. 200

Report Title:

Social Workers; Continuing Education

Description:

Requires licensed social workers to complete a minimum of fifteen credit hours of continuing education courses for the licensing renewal period beginning July 1, 2013, through June 30, 2016, and forty-five credit hours of continuing education courses during each licensing renewal period, for the period beginning July 1, 2016, and thereafter.

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