

ACT 229

H.B. NO. 945

A Bill for an Act Relating to Social Work.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 467E, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§467E- Privileged communication. Communications between registered clinical social workers and their clients shall be treated in the same manner as provided for psychologist-client privilege under rule 504.1 of the Hawaii Rules of Evidence.”

SECTION 2. Section 467E-1, Hawaii Revised Statutes, is amended by amending the definition of “practice of social work” to read:

““Practice of social work” means applying the formal knowledge base, theoretical concepts, specific functional skills, and essential social values that are used to effect change in human behavior, emotional responses, and social conditions, and helping individuals, couples, families, groups, and community organizations enhance or restore their capacities for personal and social functioning and preventing and controlling social problems. Social work practice is the professional application of social work values, principles, and techniques in the following areas:

- (1) Information, resource identification and development, and referral services;
- (2) Preparation and evaluation of psychosocial assessments and development of social work service plans;
- (3) Case management, coordination, and monitoring of social work service plans in the areas of personal, social, or economic resources, conditions, or problems;
- (4) Administration, development, implementation, and evaluation of social work programs and policies;

- (5) [~~Clinical diagnosis, treatment,~~] Treatment and prevention of psychosocial dysfunction, disability, or impairment, including emotional and mental disorders;
- (6) Social work consultation; [ø]
- (7) Research through the formal organization and methodology of data collection and the analysis and evaluation of social work data practice[-]; or
- (8) Clinical diagnosis or psychotherapy, or both, only if the practitioner is a licensed social worker who initially and triennially registers with the department and is granted permission to use the designation "C.S.W." or "clinical social worker" after providing proof of current certification by:
 - (A) The National Association of Social Workers as a qualified clinical social worker or diplomate in clinical social work; or
 - (B) The American Board of Examiners in Clinical Social Work as a board certified diplomate.'

SECTION 3. Section 467E-13, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

- “(a) No person shall:
 - (1) Use in connection with the person’s name any designation tending to imply that the person is a licensed social worker unless the person is duly licensed and authorized under this chapter; [ø]
 - (2) Represent oneself as a licensed social worker during the time the person’s license issued under this chapter is forfeited, terminated, suspended, or revoked[-]; or
 - (3) Perform clinical diagnosis or psychotherapy unless the person is:
 - (A) A licensed social worker; and
 - (B) Registered as a clinical social worker as provided by paragraph (8) of the definition of “practice of social work” in section 467E-1.’

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.¹

SECTION 5. This Act shall take effect upon approval and shall be repealed on January 1, 2003.

(Approved June 13, 2001.)

Note

1. Edited pursuant to HRS §23G-16.5.