



TEXAS STATE BOARD OF SOCIAL WORKER EXAMINERS
1100 WEST 49TH STREET AUSTIN, TEXAS 78756-3183
(800) 232-3162 OR (512) 719-3521

Jeannie McGuire, LBSW, Chair
College Station, Texas

Julia Dunaway, LCSW
Ft. Worth, Texas

Vacant, LMSW
City, Texas

March 1, 2007

BOARD MEMBERS

Vacant, Public Member
City, Texas

Matt Shaheen, Public Member
Plano, Texas

Lt. Willie McGee, Public Member
Plainview, Texas

Dorinda Noble, LCSW
Kyle, Texas

Charles Horton
Executive Director

Kimberly Hernandez, LBSW
El Paso, Texas

Tim Brown, LMSW
Bryan, TX

Dear Licensees,

It is extremely important that all licensees of the Texas State Board of Social Worker Examiners (TSBSWE) are aware of changes that have occurred in 1) social work regulation and 2) how the law and rules have clarified the scope of work and practice settings that our board-granted licenses and recognitions authorize. We want to inform licensees of the basic current Texas social work licensing structure, and to remind all licensees that it is their legal responsibility to stay informed of all of the rules governing their practice. We also want to inform those providers that our stakeholders have identified as needing to know information about licensing. While we are posting this information on the board website, we also encourage all of you who receive this letter to share it with other interested parties.

Over the past several years social service providers have increasingly contracted with social workers and other professionals rather than hire them as employees. While some professional licenses authorize independent practice, others do not. The licenses of Licensed Master Social Worker (LMSW) and Licensed Baccalaureate Social Worker (LBSW) (*and the previous licenses of Licensed Social Worker/LSW and Social Worker Associate/SWA*) do not and never have authorized the independent practice of social work. All holders of these licenses are only authorized to work as volunteers or in employment settings in an agency. Since creating an agency and hiring yourself is also analogous with working independently, that practice is also prohibited. The board is aware that currently some LMSWs and LBSWs work under contract or for direct payment or have established self owned agencies, all of which means that they are working outside of the scope of their licensure.

Recent legislation required the board to establish independent practice criteria and procedures for recognizing independent practice. The board has developed a plan that allows a six month timeframe and a method for social workers to obtain recognition of independent practice or to obtain supervision toward recognition. Licensed social workers who are not directly impacted may also apply. This period will begin March 1, 2007 and will end August 31, 2007. Licensees who meet the criteria may become recognized for independent practice by applying for the recognition and applying separately for a waiver of the experience requirement. We plan for all of the forms and instructions to be on the board's web site March 1, 2007. After August 31, 2007, the board will no longer accept waiver applications. Future applicants will have to meet the requirement of 24 months of full time supervised experience under a pre-filed, pre-approved board plan.

This plan provides for a reasonable and fair transition to the structure of social worker regulation required by law in Texas today. I emphasize the following:

WEB Page: <http://www.dshs.state.tx.us/socialwork/default.shtm>
Fax: (512) 834-6677 **E-Mail:** lsw@dshs.state.tx.us
Licensing Fees: P.O. Box 12197, Capitol Station, Austin, TX 78711-2197
Consumer Complaints: P.O. Box 141369, Austin, TX 78714-1369

After August 31, 2007, a licensee who is engaged in professional practice beyond the scope of work and/or the setting (employment vs. independent practice) authorized by their license could be in violation of rules that could result in disciplinary action, up to and including revocation of his/her license.

I encourage all social workers to review the attached information that summarizes the key components of social work regulation in Texas today. This information also explains and reminds all licensees of other relevant topics that we all should understand. I strongly encourage all social workers to access a copy of the board rules at www.dshs.state.tx.us/socialwork. Print it or save it, but review it. If you can't get the rule from the web call us and we'll send you a copy. Pay special attention to subchapters D, titled Code of Conduct and Professional Standards of Practice in its entirety, the subchapter of the rules which deals most directly with the conduct required of professional social workers. A licensee who is aware of these rules and plans for compliance will greatly decrease both the likelihood that a complaint is filed against him/her and the chances of being found in violation of a rule.

You can also print a copy of the Code of Conduct in English and Spanish from the web site.

If you plan to apply for the Independent Practice Recognition under the waiver, please review the information in this packet, read the related rules which provide the criteria for the waiver, and study and use the board forms A, W-Temp and VIII-Temp.

The board office staff are getting prepared to provide customer support during this six month waiver application and new non-clinical supervision plan period. Since we anticipate that applications may come in at a high rate, we may experience the longer processing time that comes with higher volume of applications. Staff will be working hard to respond to the applicants' needs.

Thank you in advance for reviewing this important information.

Jeannie McGuire

Jeannie McGuire, MS, LBSW
Chair
Texas State Board of Social Worker Examiners

Important Information for Licensed Social Workers
March 2007

- Tiered Social Work Licensing in Texas
- The Practice of Clinical Social Work by LMSWs
- Important Deadline for Independent Practice Recognition
- TSBSWE Board Approved Supervision
- Does supervision expire?
- Jurisprudence Examination/Training Course
- Code of Conduct
- Consumer Information
- Supervisor Training Minimum Requirements
- Board Approved Supervisor Fee
- License Expiration, Late Renewal, Lapse of License
- Client Consent and Confidentiality
- Required Reports to the Board
- Display and Use Current License Title
- Social Worker Roster on the TSBSWE Website

Tiered Social Work Licensing in Texas

The tiered licensing scheme of LBSWs, LMSWs, and LCSWs authorizes practice of each license category as described in Subchapter C of the board rules. The board's authorized license and specialty recognitions are: 1) LCSW, 2) LMSW-AP, 3) LMSW with independent practice recognition, 4) LMSW, 5) LBSW with independent practice recognition, 6) LBSW. In addition, any licensee could be approved to supervise other social workers in specific board roles.

➤ LBSW (generalist practice)—license authorizes a social worker to use the title and to practice most non-clinical social work. An LBSW is not authorized to practice independently (must be a traditionally salaried/hourly employee of an agency the LBSW does not own in total or in part, may work in a volunteer, non-paid capacity for an agency the LBSW does not own in total or in part). An LBSW is NOT authorized to practice clinical social work. See below for definition of clinical social work, section 781.402 (b). However, an LBSW may practice non-clinical social work independently (i.e. under contract, for direct payment from the client or for third party reimbursement) only if the LBSW is recognized by the board for independent practice (independent practice recognition) or is under a formal supervision plan with a board approved supervisor.

➤ LMSW (master's level practice)—license authorizes a social worker to use the title and to practice non-clinical social work. An LMSW is not authorized to practice independently (must be a traditionally salaried/hourly employee of an agency the LMSW does not own in total or in part, may work in a volunteer, non-paid capacity for an agency the LMSW does not own in total or in part). An LMSW is NOT authorized to practice clinical social work (see below for definition of clinical social work, section 781.402 (b)), unless the LMSW is either under a formal clinical supervision plan with a LCSW board approved supervisor or unless the LMSW is receiving clinical supervision from a person who is licensed and qualified to provide and supervise the type of clinical services the LMSW is providing. In addition, an LMSW may practice non-clinical social work independently (i.e. under contract, for direct payment from the client or for third party reimbursement) only if the LMSW is recognized by the board for advanced practice (holds the LMSW-AP) or independent practice or is under a formal supervision plan with a board approved supervisor for either the specialty recognition of advanced practice or independent practice.

➤ LCSW (clinical practice)—license authorizes a social worker to use the title and to practice clinical and non-clinical social work either independently or in a traditional agency employment setting.

Board rule §781.402 defines the practice of professional social work independent clinical and non-clinical practice authorized by the board as follows:

§781.402. The Practice of Professional Social Work

(a) Practice of Baccalaureate Social Work--The application of social work theory, knowledge, methods, ethics and the professional use of self to restore or enhance social, psychosocial, or biopsychosocial functioning of individuals, couples, families, groups, organizations and communities. Baccalaureate Social Work is basic generalist practice that includes interviewing, assessment, planning, intervention, evaluation, case management, mediation, counseling, supportive counseling, direct practice, information and referral, problem solving, supervision, consultation, education, advocacy, community organization and the development, implementation, and administration of policies, programs and activities.

(b) Practice of Clinical Social Work--A specialty within the practice of social work that requires the application of social work theory, knowledge, methods, ethics, and the professional use of self to restore or enhance social, psychosocial, or biopsychosocial functioning of individuals, couples, families, groups, and/or persons who are adversely affected by social or psychosocial stress or health impairment. The practice of Clinical Social Work requires the application of specialized clinical knowledge and advanced clinical skills in the areas of assessment, diagnosis, and treatment of mental, emotional, and behavioral disorders, conditions and addictions, including severe mental illness in adults and serious emotional disturbances in children. The practice of Clinical Social Work acknowledges the practitioners ability to engage in Baccalaureate Social Work practice and Master's Social Work practice. Treatment methods include the provision of individual, marital, couple, family, and group therapy mediation, counseling, supportive counseling, direct practice, and psychotherapy. Clinical social workers are qualified to use the Diagnostic and Statistical Manual of Mental Disorders (DSM), the International Classification of Diseases (ICD), and other diagnostic classification systems in assessment, diagnosis, and other activities. The practice of Clinical Social Work may include independent clinical practice and the provision of clinical supervision.

(c) Practice of Master's 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 and communities. Master's Social Work practice requires the application of specialized knowledge and advanced practice skills in the areas of assessment, treatment planning, implementation and evaluation, case management, mediation, counseling, supportive counseling, direct practice, information and referral, supervision, consultation, education, research, advocacy, community organization and the development, implementation, and administration of policies, programs and activities. The Practice of Master's Social Work may include the Practice of Clinical Social Work under clinical supervision. The practice of Master's Social Work acknowledges the practitioners ability to engage in Baccalaureate Social Work practice.

(d) Independent Non-Clinical Practice --The practice of non-clinical social work outside the jurisdiction of an organizational setting, after completion of all applicable supervision requirements, in which the social worker assumes responsibility and accountability for the nature and quality of the services provided to clients, pro bono or in exchange for direct payment or third party reimbursement.

(e) Independent Clinical Practice--The provision of clinical social work in independent practice wherein the social worker assumes responsibility and accountability for the nature and quality of the services provided to clients, pro bono or in exchange for direct payment or third party reimbursement.

What distinguishes clinical social work from master's social work?

- Clinical social work is a specialty within the practice of social work that requires applying social work theory, knowledge, methods, ethics, and the professional use of self to restore or enhance social, psychosocial, or biopsychosocial functioning of individuals, couples, families, groups, and/or persons who are adversely affected by social or psychosocial stress or health impairment.
- The practice of Clinical Social Work requires applying specialized clinical knowledge and advanced clinical skills in assessing, diagnosing, and treating mental, emotional, and behavioral disorders, conditions and addictions, including severe mental illness in adults and serious emotional disturbances in children.

- Clinical treatment methods include providing individual, marital, couple, family, and group therapy and psychotherapy.
- Clinical social workers are qualified to use the Diagnostic and Statistical Manual of Mental Disorders (DSM-IV-TR), the International Classification of Diseases (ICD), and other diagnostic classification systems in assessment, diagnosis, and other activities.
- The practice of clinical social work may include independent clinical practice and the provision of clinical supervision.

What happened to “private” practice?

The board rules no longer use the term “private practice.” The term used for the independent practice of clinical social work in board rule is now “independent clinical practice.”

The Practice of Master's Social Work may include the practice of clinical social work in an agency setting under clinical supervision. An LBSW is not authorized to practice clinical social work in any setting.

The following chart displays the activities/settings/requirements that are authorized by licenses/specialty recognitions granted by the board.

Qualified activities/settings/requirements	LCSW	LMSW-AP	LMSW IPR	LMSW	LBSW IPR	LBSW
Clinical SW, including psychotherapy	Yes	No*	No*	No*	No	No
Non-clinical SW	Yes	Yes	Yes	Yes	Yes	Yes
Employment setting	Yes	Yes	Yes	Yes	Yes	Yes
Independent clinical practice	Yes	No	No	No	No	No
Independent non-clinical practice	Yes	Yes	Yes	No	Yes	No
Direct payment	Yes	Yes	Yes	No*	Yes	No**
Third party reimbursement	Yes	Yes	Yes	No*	Yes	No**
Contract work	Yes	Yes	Yes	No*	Yes	No**
Supervised experience required?	Yes	Yes	Yes	No	Yes	No
Examination required	Clinical	Advanced Generalist	N/A	Masters	N/A	Bachelors
Direct practice***	Yes	Yes	Yes	No	Yes	No
Indirect practice	Yes	Yes	Yes	No	Yes	No

* May practice clinical social work when employed by an agency and when under clinical supervision.

** May practice independently when under a board approved non-clinical supervision plan.

*** Direct practice is providing direct social work services to clients from a location that the social worker owns or leases and that is not owned or leased by an employer or other legal entity with responsibility for the client

The Practice of Clinical Social Work by LMSWs

As mentioned earlier, an LMSW is not currently authorized to practice clinical social work unless the LMSW is under clinical supervision. LMSWs were authorized by their license to practice clinical social work without clinical supervision prior to the August 24, 2005 rule change. The board has received some preliminary feedback that this change was not widely recognized or understood by some LMSWs or their employers. As a result, an unknown number of social workers may be practicing beyond the scope that is authorized by their license. This situation has legal and ethical implications that could adversely affect LMSWs and their employers.

There are two types of clinical supervision: 1) clinical supervision toward eligibility for the LCSW license, which must be provided by a board approved LCSW supervisor and 2) clinical supervision of a LMSW who is working in

an agency setting, which may be provided by a person who holds a license that qualifies the person providing supervision to independently provide a variety of clinical mental health services to the public. Examples of qualifying licenses include: Licensed Clinical Social Worker, Licensed Psychologist, Licensed Marriage and Family Therapist, Licensed Professional Counselor, and Psychiatrist. A Licensed Chemical Dependency Counselor would not qualify.

The board has decided to study the issue further. The board is open to considering what changes, if any, could be made to the board's rules. The current licensing structure is designed to protect the public by authorizing independent clinical practice only to license holders who have met examination, supervision, and supervised experience requirements (LCSWs) and to LMSWs who are receiving supervision by a person who holds a license that qualifies the person to provide clinical services, supervise the clinical services of a LMSW, and be responsible for the clinical services provided by the LMSW.

Please note the definition of clinical supervision in the board rules:

§781.102. Definitions.

(12) Clinical supervision--An interactional professional relationship between a supervisor and a social worker that provides evaluation and direction over the supervisee's practice of clinical social work and promotes continued development of the social worker's knowledge, skills, and abilities to engage in the practice of clinical social work in an ethical and competent manner.

All LMSWs who are not under clinical supervision should assess the services that they provide to determine whether the services that they are providing are clinical, as defined by the TSBSWE in board rules. If they believe that they are currently providing clinical services based on this analysis, they should take steps to either 1) obtain clinical supervision or 2) cease and desist in practicing clinical social work.

If an LMSW believes that obtaining clinical supervision cannot be accomplished because of factors such as geographic access to a qualified supervisor who is available to provide supervision, lack of funding for the supervision, or a lack of willingness of an employing agency to allow outside supervision, the board strongly recommends that the LMSW provide a report to the board, using the board's specific form created for this purpose, by May 31, 2007 (Form Z). The board will use the reports to gauge the impact of the current rule and further investigate possible rule changes to minimize the impact on LMSWs, the clients they serve, and the agencies that depend on their services.

An LMSW who self reports that he or she is engaging in clinical practice without supervision by May 31, 2007 will not be sanctioned by the board for practicing clinical social work without supervision at this time. Each LMSW who self reports will be provided information from the board—regarding the requirement to comply in the future (a deadline for compliance is planned to be set by rule) or any future options, if the board determines that there are options that could be put in place.

Important Deadline for Independent Practice Recognition
--

After August 31, 2007 – LBSWs and LMSWs May Not Engage in Independent Practice

U N L E S S

- Licensee holds independent practice recognition, or
- Licensee is under application for independent practice recognition and the waiver, or
- Licensee has an approved supervision plan on file with the board and is actively under the supervision of a board approved supervisor

An LBSW or LMSW who engages in independent practice after August 31, 2007 who does not meet one of the above criteria may be subject to disciplinary action against his or her license.

Criteria for Temporary Waiver of Experience Requirement for Independent Practice Recognition

Board rule §781.303 (b) addresses the criteria for the waiver of experience as follows:

§781.303(b) An LBSW or LMSW who seeks to obtain a waiver of the supervision and experience requirement for independent practice recognition as set forth by the board in subsection (a) (1) - (3) of this section must submit an application for licensure/upgrade/specialty recognition and the Special Application For Waiver of Supervision and Experience Requirements, along with required documentation and the application fees no later than August 31, 2007. An application for waiver will be evaluated and either approved or denied. No partial credit will be given toward the supervised experience requirement, if an application for the waiver is denied. In order to be granted the waiver, the LBSW or LMSW must fully meet the following requirements and parameters set by the board:

- (1) two years full time (paid or voluntary) social work experience while fully licensed as a social worker under the supervision of a licensed social worker (LCSW, LMSW-AP, LMSW, LBSW);
- (2) three years full time (paid or voluntary) social work experience while fully licensed as a social worker under the supervision of a licensed mental health professional (LCSW, LMSW-AP, LMSW, LBSW, LMFT, LPC, LCDC, Psychologist, Psychiatrist, Psychiatric Nurse or other mental health professional accepted by the board);
- (3) four years full time (paid or voluntary) social work experience while fully licensed as a social worker in an agency setting with or without the supervision of a licensed mental health professional; or
- (4) four years full time (paid or voluntary) social work experience while fully licensed as a social worker without supervision in a setting that meets the criteria in subsection (a)(5) of this section.

Note 1: experience accrued by a LMSW under the supervision of a LBSW is not eligible to count toward criteria (1) and (2) above.

Note 2: subsection (a) (5) refers to independent practice.

Jurisprudence Examination/Training Course

State law requires that a person who applies for a new license complete a jurisprudence examination/training course that the board developed. The board also adopted rules that require all current licensees complete the jurisprudence examination/training course (referred to in board rule as a jurisprudence training course) when they renew their license between January 1, 2007 and December 31, 2008. The jurisprudence examination/jurisprudence training course may be accessed from the board's web site at www.dshs.state.tx.us/socialwork. After the licensee completes the training course, he/she receives a certificate of completion for the licensee's records. In addition, completing the jurisprudence training course shall count as three hours of the continuing education requirement for professional ethics and social work values.

TSBSWE Board Approved Supervision

The requirements to be a supervisor are as follows (from §781.304 (1) (A-F))

A supervisor must:

- (A) be an LBSW, LMSW, LCSW or LMSW-AP in good standing or hold the equivalent social work license or certification in another state;
- (B) take professional responsibility for the social work services provided within the supervisory plan;
- (C) have completed a supervisor's training program acceptable to the board;
- (D) currently be engaged in the practice of social work and self-identified as a social worker;
- (E) submit the required documentation and fee to the board for approval; and
- (F) pay the annual Approved Supervisor fee as listed in §781.217 of this title (relating to Fees).

Supervision of a licensee in any of the above supervisory roles is defined and authorized by the board. The board has an expectation that supervisors authorized by the board fully understand the rules that pertain to supervision and understand the board's expectations of the supervisor in his or her execution of the role.

The board requires that new supervisors complete a supervisor training course presented by a board approved supervisor training provider. A list of approved supervisor training providers is available on the board's web site.

Board rules authorize non-provisional licensees of all license categories to supervise other licensees in specific roles, once the licensee becomes a board approved supervisor. The following table details authorized supervisory roles by license types and specialty recognitions.

Authorized Supervision (when approved as a supervisor)	LCSW	LMSW-AP	LMSW IPR	LMSW	LBSW IPR	LBSW
Clinical Supervision for LCSW	Yes	No	No	No	No	No
Non-clinical supervision toward Advanced Practice	Yes	Yes	No	No	No	No
Non-clinical supervision toward Independent Practice Recognition	Yes	Yes	Yes	No	Yes, LBSW only	No
Supervision of Probationary Initial or Continued Licensure	Yes	Yes Except LCSW	Yes Except LCSW and LMSW-AP	Yes, LMSW or LBSW only	Yes, LBSW or LBSW-IPR only	Yes, LBSW only
Board Ordered Supervision for Probated Suspension	Yes	Yes Except LCSW	Yes Except LCSW and LMSW-AP	Yes, LMSW or LBSW only	Yes, LBSW or LBSW-IPR only	Yes, LBSW only
AMEC program	Yes	Yes	Yes	Yes	Yes, LBSW only	Yes, LBSW only

Does supervision expire?

After August 24, 2005, an LMSW who is applying to sit for the clinical examination toward licensure as an LCSW may not apply supervision hours of clinical experience that occurred more than 5 years prior to the date that the LMSW applies for an upgrade to the LCSW. This rule change affects LMSWs who began supervision prior to the August 24, 2005 rules. LMSWs who began supervision after August 24, 2005 should already be aware of the new time restriction on supervision hours / supervised clinical experience.

Code of Conduct

The Board's former "Code of Ethics" is now a "Code of Conduct." The Code of Conduct is in the Board's rules at §781.410. Action may be taken against a social worker's license for violating the Code of Conduct or any other statutes or board rules. The TSBSWE does not play a role in enforcing the NASW Code of Ethics. Nor does NASW have authority over the TSBSWE. However, if a violation of the NASW Code of Ethics constitutes a violation of a statute or board rule, TSBSWE may take action against that violation.

The Code of Conduct is available on the Board's web site in both Spanish and English. Every social worker licensed by TSBSWE must post in a conspicuous place at practice location a copy of the Code of Conduct.

Consumer Information

Board rule §781.414 requires licensees to provide information to consumers. The rule states,

“(a) A licensee shall inform each client of the name, address, and telephone number of the board for the purpose of reporting violations of the Act or this chapter:

(1) on each registration form;

- (2) on each application;
- (3) on a written contract for services;
- (2) on a sign prominently displayed in each place of business; or
- (3) in a bill for services provided.

Supervisor Training Minimum Requirements

The board is working toward improving supervisor training. Board member Dorinda Noble, PhD, LCSW has been appointed to develop a set of minimum criteria for content (curricula) in order for a supervisor training provider applicant to be approved by the board. It is the board's goal to ensure that new supervisors receive adequate training so that the supervision they provide adequately meets supervisory roles and responsibilities.

For example, an LCSW who supervise an LMSW's clinical experience toward clinical licensure must understand the current definition of clinical social work, as defined in the board's rules. Then the supervisor must evaluate whether a social worker's duties constitute the full time practice of clinical social work before agreeing to supervise him or her toward clinical licensure. The supervisor and supervisee should regularly reevaluate the clinical nature of the social worker's duties. As another example, the supervisor who is supervising a social worker whose license has been suspended (with suspension probated) typically oversees the social worker's practice as well as assessing and monitoring the issues in practice conduct that led to the license suspension.

In the future, the board plans to work with current supervisor training providers to ensure that their courses meet the minimum criteria for content. Current supervisors may need to take or retake a course that meets the minimum requirements when courses become available. Until that time, current supervisors are encouraged to closely review the current adopted rules, the independent practice recognition implementation plan and other publications that provide information about current supervision requirements.

Board Approved Supervisor Fee

Current supervisors will soon see an added charge for board approved supervisor status. The fee is \$25 annually, so a charge of \$50 will appear on the biennial license renewal notices beginning with May 2007 renewals. A supervisor who chooses to surrender the supervisor status may do so by renewing his or her license by mail using board Form B – renewal form. Form B provides the option that allows a supervisor to sign a statement on the form indicating that he or she understands that by surrendering supervisor status it is no longer renewable. If the status is desired in the future, the licensee will have to reapply for supervisor status and meet the current requirements for supervisor status, including the required supervisory training course.

License Expiration, Late Renewal, Deletion of License

Licenses expire on the date indicated on the license certificate. When a license is expired, a person is no longer authorized to use his or her license title, represent himself or herself as a social worker, use the title of social worker, or provide services described as "social work." For one year past the expiration of a license, a licensee may renew his or her license by paying the late fee, the renewal fee, and completing continuing education requirements. **After one year following the expiration of a license, the license is "deleted" and is no longer renewable.** A person who seeks a new license after the license has been deleted must reapply and meet the current requirements for licensure, including taking or retaking the appropriate licensing examination and jurisprudence examination.

A licensee who is not currently practicing, but wants to maintain the license may continue taking the required continuing education and renewing the license by paying the full fee. Another option is to put a license on inactive status. A license on inactive status also expires and must be renewed in order to avoid late fees and an ultimate deletion of the license. If a license is on inactive status, the social worker is not required to complete continuing education in order to renew the license on inactive status. The biennial license fee for a license on inactive status is also significantly lower. A social worker whose license is on inactive status may not use the title social worker, practice social work, or describe any services he or she provides as social work.

Client Consent and Confidentiality

Before providing professional social work services, a licensee must obtain signed written consent from the client, or a person who is legally authorized to provide consent, such as a natural or an adoptive parent of a minor child, or a person who is the legal conservator of an incapacitated adult. When providing services to a child whose conservatorship has been altered by a court, it is especially important to determine who has the legal authority to consent for treatment.

It is also important to maintain confidentiality of clients' protected health and mental health information as required by law. Chapter 611 of the Texas Health and Safety Code specifies the parameters of both requirements of maintaining confidentiality, and of releasing client information to authorized persons.

Required Reports to the Board

Board rule §781.316 specifies required reports to the board. The rule states, "(a) A licensee shall make written reports to the board office within 30 days of the following:

- 1) a change of mailing address, place of employment or business or home phone number;
- 2) an arrest or conviction of the licensee;
- 3) the filing of a criminal case against the licensee;
- 4) a criminal conviction, other than a Class C misdemeanor traffic offense, of the licensee;
- 5) the settlement of or judgment rendered in a civil lawsuit filed against the licensee and relating to the licensee's professional social work practice; or

6) complaints against, investigations involving or actions against the licensee done by a licensing or certification body related to health or mental health services when known by the licensee.

(b) The information received under subsection (a) of this section may be used by the board to determine whether a licensee remains fit to hold a license.

(c) Failure to make a report as required by subsection (a) of this section is grounds for disciplinary action by the board.

Display and Use Current License Title

In 2005, Licensed Social Workers (LSW) and Social Worker Associates (SWA) were re-titled Licensed Baccalaureate Social Workers (LBSWs). The Licensed Master Social Worker-Advanced Clinical Practice (LMSW-ACP) was re-titled Licensed Clinical Social Workers (LCSWs). New license certificates have been issued. If a licensee does not hold a license certificate with the correct license designation the licensee must contact the board immediately. Licensed social workers must use their current license title in every circumstance where their credentials are referenced (i.e. stationary, business cards, advertising, signatures, etc.).

Social Worker Roster on the TSBSWE Website

For many years, the board has posted a roster of licensed social workers on our website. **Effective September 1, 2007, the mailing addresses of social workers will be also posted on the web.** By law (Occupations Code §505.205) the board is required to prepare and publish at its discretion a roster that contains the name and address of each person licensed under this chapter. In the past, the roster did not display addresses of licensees. The board was contacted by some social workers who were concerned that their home addresses appeared on the web. Our response was to temporarily remove the addresses from the web roster. However, the board's licensing data was recently transitioned to a new database system with different capabilities and the new automated tool for publishing rosters includes the name and address of all licensed social workers. This eliminates the need for staff to process a high volume of requests for social worker addresses, which are not confidential. **During this next six months, social workers have the option of changing their mailing address to a business address or a P.O. Box. Contact the board office to change your mailing address. On September 1, 2007, the mailing address on record will be posted on the web roster.**