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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**  
**No. 2214** Session of  
1980

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INTRODUCED BY GALLEN, ARTY, ALDEN AND HASAY, JANUARY 31, 1980

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 31, 1980

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AN ACT

1 Licensing and regulating the practice of social work, creating a  
2 board and providing penalties.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known as and may be cited as the  
7 "Professional Social Worker's License and Practice Act."

8 Section 2. Legislative intent.

9 The General Assembly recognizes the need to protect the  
10 people of the Commonwealth through the evaluation, licensing and  
11 review of those individuals engaged primarily in the practice of  
12 professional social work in the private sector. This act  
13 regulates only those representing themselves in title or  
14 description of service as a professional social worker.

15 Section 3. Definitions.

16 The following words and phrases when used in this act shall  
17 have, unless the context clearly indicates otherwise, the

1 meanings given to them in this section:

2 "Agency." All organizations, including those receiving State  
3 grants other than those under the Civil Service System, where a  
4 Level I or II Professional Social Worker is employed.

5 "Practice of social work." Rendering or offering to render,  
6 to individuals, families, groups, organizations, governmental  
7 units, or the general public, services which are guided by  
8 special knowledge of social resources, social systems, social  
9 casework, social group work, community organization, social  
10 administration, social work education and social research, or  
11 any other combination of these in accordance with recognized  
12 social work ethics, principles and methods.

13 "Social worker." A professional social worker who has  
14 attained credentials from an accredited social work program or  
15 school, and utilizes a distinct body of knowledge and skills  
16 which are professionally employed in the delivery and  
17 administration of social services and in the development of  
18 social welfare programs.

19 "Social Worker Level I - Licensed Professional Social  
20 Practitioner".--A person who has attained a bachelor's degree in  
21 social work from an accredited educational institution.

22 "Social Worker Level II - Licensed Professional Social  
23 Worker".--A person who has attained a master's degree or higher  
24 degree from an institution accredited by the commission on  
25 accreditation of the Council of Social Work Education.

26 Section 4. Creation of board; powers and duties.

27 (a) A board for licensing of social work shall be created,  
28 within the Department of State under the Bureau of Professional  
29 and Occupational Affairs. The board shall be comprised of five  
30 members, four of which shall be selected from the field of

1 social work, one from the public at large. All members shall  
2 serve for a four-year term and shall be appointed by the  
3 Governor and approved by the Senate. Any member whose four-year  
4 term has expired shall continue in office until his successor is  
5 duly qualified or for a period of one year, whichever first  
6 occurs.

7 (b) Of those members selected from the field of social work,  
8 all shall be graduates of a school of social work and have  
9 practiced social work for a period of five years preceding their  
10 appointment. At least two members shall possess Level II social  
11 worker qualifications.

12 (c) The board shall meet at least two times a year in  
13 Harrisburg. Each member shall receive compensation of \$30 per  
14 day in addition to actual and necessary expenses for each day  
15 actually devoted to the duties of the board.

16 (d) The board shall have the power to revoke, suspend or  
17 reject the licensing of social workers, upon good cause.  
18 Procedures shall be setup to conduct hearings on these matters.  
19 The board shall have the power to administer oaths and receive  
20 testimony. The rules of evidence shall not apply although all  
21 hearings shall be conducted to accord the applicant the greatest  
22 due process and confidentiality. The board shall consider only  
23 those grounds enumerated in section 6 in order to revoke,  
24 suspend or refuse to license. The board shall hear all evidence  
25 submitted and arguments and promptly record their decision,  
26 supported by findings of fact.

27 (e) Action of the board is final and not subject to review  
28 but rejected applicants may apply for board reconsideration at a  
29 public hearing within 30 days after notice and there may be only  
30 one application for reconsideration.

1 (f) The board shall meet within 30 days after the effective  
2 date of this act and set up operating procedures and an  
3 application form for licensing social workers. It shall be the  
4 responsibility of the board to circulate these forms and educate  
5 the public to the requirement of licensing, in order to practice  
6 social work within the Commonwealth.

7 (g) The board shall list licensed professional social  
8 workers with their designated credentials after each name.

9 (h) The board shall set a fee of \$30 for Level I  
10 applications and \$40 for Level II applications. This fee shall  
11 be a biannual fee. The application as prescribed by the board  
12 shall be accompanied by the above fee, or that fee otherwise  
13 established by law.

14 (i) The board shall have the power to promulgate a code of  
15 ethics under which the professional activities of persons  
16 regulated shall be conducted. Rules and regulations pertinent to  
17 the functions, powers and duties and operation of the board  
18 shall remain in effect until the board adopts new rules or  
19 incorporates the old rules or regulations.

20 Section 5. Existing social workers; reciprocity.

21 (a) For a period of one year from the effective date of this  
22 act the board shall have the power to grant licenses to  
23 applicants who meet the qualifications set forth in subsections  
24 (b) and (c).

25 (b) An applicant who has two years of experience in the  
26 field of social work and has a bachelor's degree in a social  
27 science shall be eligible for licensure as a social worker Level  
28 I, provided, the board is satisfied that the applicant is  
29 otherwise qualified.

30 (c) An applicant who has two years experience in the field

1 of social work and has a master's degree in a social science  
2 shall be eligible for licensure as a social worker Level II,  
3 provided, the board is satisfied that the applicant is otherwise  
4 qualified.

5 (d) The board shall have the power to grant a reciprocal  
6 license in the appropriate level to an applicant who is licensed  
7 to practice social work in another state and has demonstrated  
8 qualifications which equal, if not exceed those required  
9 pursuant to this act in the determination of the board.

10 Section 6. Application; qualifications and/or grounds for  
11 rejection.

12 (a) A person may apply for license under the social work act  
13 if he/she retains a minimum educational requirement of a  
14 bachelor's degree in the field of social work.

15 (b) The application be accompanied by the requisite fee.

16 (c) The applicant has not been convicted of a criminal  
17 offense which may have an adverse effect on his/her professional  
18 performance in the field of social work.

19 (d) The applicant shall not have been found to be addicted  
20 to drugs by a competent physician nor found mentally incompetent  
21 by order of a court of appropriate jurisdiction.

22 (e) The person has not used any fraud or dishonesty in  
23 applying for the license.

24 (f) After the board is satisfied that the requirements of  
25 (a) through (e) are met, the application shall then be forwarded  
26 to the board and shall be reviewed within a three month period  
27 and a decision rendered as to whether or not a license will be  
28 granted.

29 (g) Should a license be granted, the licensee shall receive  
30 a certificate of licensure. The board shall retain jurisdiction

1 over those individuals licensed under the act and may review the  
2 license of the individual in order to suspend, revoke or refuse  
3 to renew if any of the above requirements are found not to have  
4 been met.

5 (h) The board shall have the right to file a verified  
6 complaint against a licensee in writing setting forth grounds  
7 for suspension, refusal to renewal or revocation or any act of  
8 unprofessional misconduct. The licensee shall be notified of the  
9 allegations and have an opportunity to respond at least 30 days  
10 before any hearing is conducted.

11 (i) The board may refer any complaint involving the alleged  
12 practice of the profession of social work without a license to  
13 the appropriate prosecuting official.

#### 14 Section 7. Penalties.

15 Anyone found guilty for violating the provisions of this act  
16 shall be guilty of a misdemeanor and subject to a fine of up to  
17 \$500 or a imprisonment of up to 90 days. A person may be charged  
18 with a misdemeanor if the board or its agents has reason to  
19 believe any of the following:

20 (1) The license the applicant held was obtained through  
21 fraud.

22 (2) The person who holds himself out as a licensed  
23 professional social worker has not been licensed and is  
24 carrying on the practice of social work contrary to the  
25 requirements of statute.

#### 26 Section 8. Legislative review and termination.

27 The board and its functions shall be subject to review at the  
28 close of the sixth year following its creation and shall  
29 terminate unless prior to the sixth year, the General Assembly,  
30 by concurrent resolution, extends the life of the agency.

1 Section 9. Affirmation.

2 Nothing contained in this act shall be construed to prevent  
3 qualified members of other professional groups from doing work  
4 of a phyco-social nature consistent with the standards and  
5 ethics of their respective profession.

6 Section 10. Effective date.

7 This act shall take effect in 60 days.