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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1121 Session of  
2011

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INTRODUCED BY WAUGH, FONTANA, SOLOBAY AND RAFFERTY,  
JUNE 10, 2011

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REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, JUNE  
10, 2011

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AN ACT

1 Amending the act of July 9, 1987 (P.L.220, No.39), entitled "An  
2 act licensing and regulating the practice of social work;  
3 providing penalties; and making an appropriation," further  
4 providing for qualifications for license.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Section 7(d), (e) and (f) of the act of July 9,  
8 1987 (P.L.220, No.39), known as the Social Workers, Marriage and  
9 Family Therapists and Professional Counselors Act, amended  
10 December 21, 1998 (P.L.1017, No.136) and July 9, 2008 (P.L.929,  
11 No.68), are amended to read:

12 Section 7. Qualifications for license.

13 \* \* \*

14 (d) Clinical social work license.--An applicant shall be  
15 qualified for a license to hold oneself out as a licensed  
16 clinical social worker if the applicant submits proof  
17 satisfactory to the board that all of the following apply:

18 (1) The applicant is of good moral character.

1           (2) The applicant has successfully met both of the  
2 following requirements:

3           (i) Holds a master's degree in social work or social  
4 welfare or a doctoral degree in social work from an  
5 accredited school of social work as recognized by the  
6 board.

7           (ii) Is licensed under this act as a social worker.

8           (3) The applicant has completed at least [three years  
9 or] 3,000 hours of supervised clinical experience acceptable  
10 to the board as determined by regulation after completion of  
11 the master's degree in social work.

12           (4) The applicant has passed a clinical social work  
13 examination adopted by the board.

14           (5) The applicant has submitted an application  
15 accompanied by the application fee.

16           (6) The applicant has not been convicted of a felony  
17 under The Controlled Substance, Drug, Device and Cosmetic Act  
18 or of an offense under the laws of another jurisdiction  
19 which, if committed in this Commonwealth, would be a felony  
20 under The Controlled Substance, Drug, Device and Cosmetic Act  
21 unless:

22           (i) at least ten years have elapsed from the date of  
23 conviction;

24           (ii) the applicant satisfactorily demonstrated to  
25 the board that the applicant has made significant  
26 progress in personal rehabilitation since the conviction  
27 such that licensure of the applicant should not be  
28 expected to create a substantial risk of harm to the  
29 health and safety of clients or the public or a  
30 substantial risk of further criminal violations; and

1 (iii) the applicant otherwise satisfies the  
2 qualifications contained in or authorized by this act.  
3 As used in this paragraph, the term "convicted" includes a  
4 judgment, an admission of guilt or a plea of nolo contendere.

5 (e) Marriage and family therapist license.--An applicant  
6 shall be qualified to hold oneself out as a licensed marriage  
7 and family therapist if the applicant submits proof satisfactory  
8 to the board that all of the following apply:

9 (1) The applicant is of good moral character.

10 (2) The applicant has successfully met one of the  
11 following educational requirements:

12 (i) [Within five years after the board has  
13 promulgated final regulations,] On or before June 30,  
14 2008, has successfully completed a planned program of 60  
15 semester hours or 90 quarter hours of graduate coursework  
16 which is closely related to marriage and family therapy,  
17 including a master's degree in marriage and family  
18 therapy from an accredited educational institution or a  
19 master's degree in a field determined by the board by  
20 regulation to be closely related to the practice of  
21 marriage and family therapy from an accredited  
22 educational institution, with graduate level coursework  
23 in marriage and family therapy acceptable to the board  
24 from an accredited educational institution or from a  
25 program recognized by a national accrediting agency.

26 (ii) Has successfully completed a planned program of  
27 60 semester hours or 90 quarter hours of graduate  
28 coursework which is closely related to marriage and  
29 family therapy, including a 48-semester-hour or 72-  
30 quarter-hour master's degree in marriage and family

1 therapy from an accredited educational institution or a  
2 48-semester-hour or 72-quarter-hour master's degree in a  
3 field determined by the board by regulation to be closely  
4 related to the practice of marriage and family therapy  
5 from an accredited educational institution, with graduate  
6 level coursework in marriage and family therapy  
7 acceptable to the board from an accredited educational  
8 institution or from a program recognized by a national  
9 accrediting agency.

10 (iii) [holds] Holds a doctoral degree in marriage  
11 and family therapy from an accredited educational  
12 institution or holds a doctoral degree in a field  
13 determined by the board by regulation to be closely  
14 related to the practice of marriage and family therapy  
15 from an accredited educational institution with graduate  
16 level coursework in marriage and family therapy  
17 acceptable to the board from an accredited educational  
18 institution or from a program recognized by a national  
19 accrediting agency.

20 (3) The applicant has complied with the experience  
21 requirement as follows:

22 (i) An individual meeting the educational  
23 requirements of paragraph (2)(i) or (ii) must have  
24 completed at least [three years or] 3,600 hours of  
25 supervised clinical experience, acceptable to the board  
26 as determined by regulation, obtained after the  
27 completion of 48 semester hours or 72 quarter hours of  
28 graduate coursework.

29 (ii) An individual meeting the educational  
30 requirements of paragraph (2)(iii) must have completed at

1 least [two years or] 2,400 hours of supervised clinical  
2 experience, acceptable to the board as determined by  
3 regulation, [one year or] 1,200 hours of which was  
4 obtained subsequent to the granting of the doctoral  
5 degree.

6 (4) The applicant has passed an examination adopted by  
7 the board.

8 (5) The application has been accompanied by the  
9 application fee.

10 (6) The applicant has not been convicted of a felony  
11 under The Controlled Substance, Drug, Device and Cosmetic Act  
12 or of an offense under the laws of another jurisdiction which  
13 if committed in this Commonwealth would be a felony under the  
14 Controlled Substance, Drug, Device and Cosmetic Act unless:

15 (i) at least ten years have elapsed from the date of  
16 conviction;

17 (ii) the applicant satisfactorily demonstrates to  
18 the board that the applicant has made significant  
19 progress in personal rehabilitation since the conviction  
20 such that licensure of the applicant should not be  
21 expected to create a substantial risk of harm to the  
22 health and safety of clients or the public or a  
23 substantial risk of further criminal violation; and

24 (iii) the applicant otherwise satisfies the  
25 qualifications contained in or authorized by this act.

26 As used in this paragraph, the term "convicted" includes a  
27 judgment, an admission of guilt or a plea of nolo contendere.

28 (f) Professional counselors license.--An applicant is  
29 qualified for a license to hold oneself out as a licensed  
30 professional counselor if the applicant submits proof

1 satisfactory to the board that all of the following apply:

2 (1) The applicant is of good moral character.

3 (2) The applicant has successfully met one of the  
4 following educational requirements:

5 (i) [Within five years after the board has  
6 promulgated final regulations,] On or before June 30,  
7 2008, has successfully completed a planned program of 60  
8 semester hours or 90 quarter hours of graduate coursework  
9 in counseling or a field determined by the board by  
10 regulation to be closely related to the practice of  
11 professional counseling, including a master's degree in  
12 counseling or a field determined by the board by  
13 regulation to be closely related to the practice of  
14 professional counseling, from an accredited educational  
15 institution.

16 (ii) Has successfully completed a planned program of  
17 60 semester hours or 90 quarter hours of graduate  
18 coursework in counseling or a field determined by the  
19 board by regulation to be closely related to the practice  
20 of professional counseling, including a 48-semester-hour  
21 or 72-quarter-hour master's degree in counseling or a  
22 field determined by the board by regulation to be closely  
23 related to the practice of professional counseling, from  
24 an accredited educational institution.

25 (iii) Holds a doctoral degree in counseling from an  
26 accredited educational institution or holds a doctoral  
27 degree in a field determined by the board by regulation  
28 to be closely related to the practice of professional  
29 counseling from an accredited educational institution.

30 (3) The applicant has complied with the experience

1 requirements as follows:

2 (i) An individual meeting the educational  
3 requirements of paragraph (2)(i) or (ii) must have  
4 completed at least [three years or] 3,600 hours of  
5 supervised clinical experience, acceptable to the board  
6 as determined by regulation, obtained after the  
7 completion of 48 semester hours or 72 quarter hours of  
8 graduate coursework.

9 (ii) An individual meeting the educational  
10 requirements of paragraph (2)(iii) must have completed at  
11 least [two years or] 2,400 hours of supervised clinical  
12 experience, acceptable to the board as determined by  
13 regulation, [one year or] 1,200 hours of which was  
14 obtained subsequent to the granting of the doctoral  
15 degree.

16 (4) The applicant has passed an examination adopted by  
17 the board.

18 (5) The application has been accompanied by the  
19 application fee.

20 (6) The applicant has not been convicted of a felony  
21 under The Controlled Substance, Drug, Device and Cosmetic Act  
22 or of an offense under the laws of another jurisdiction which  
23 if committed in this Commonwealth would be a felony under the  
24 Controlled Substance, Drug, Device and Cosmetic Act unless:

25 (i) at least ten years have elapsed from the date of  
26 conviction;

27 (ii) the applicant satisfactorily demonstrates to  
28 the board that the applicant has made significant  
29 progress in personal rehabilitation since the conviction  
30 such that licensure of the applicant should not be

1 expected to create a substantial risk of harm to the  
2 health and safety of clients or the public or a  
3 substantial risk of further criminal violations; and  
4 (iii) the applicant otherwise satisfies the  
5 qualifications contained in or authorized by this act.  
6 As used in this paragraph, the term "convicted" includes a  
7 judgment, an admission of guilt or a plea of nolo contendere.  
8 Section 2. This act shall take effect in 60 days.