

**NOTICE OF INTENT TO ADOPT PROPOSED AMENDMENTS TO THE
GEORGIA COMPOSITE BOARD OF PROFESSIONAL COUNSELORS,
SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS
BOARD RULE CHAPTER 135, RULE 5-.03 MASTER SOCIAL WORKERS
AND NOTICE OF PUBLIC HEARING**

RULE 135-5-.03 Master Social Workers

TO ALL INTERESTED PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists (hereinafter “Board”) proposes an amendment to Rule 135-5-.03 Master Social Workers (herein after “proposed rule”).

This notice, an exact copy of the proposed rule, and a synopsis of the proposed rule are being sent to all persons who have requested, in writing, to be included on a notification list. This notice, an exact copy of the proposed rule, and a synopsis of the proposed rule may also be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. The documents will also be available for review on the Board’s website at <https://sos.ga.gov/board-professional-counselors-social-workers-and-marriage-family-therapists>. Copies may also be requested by contacting the Board office at (404) 424-9966.

The public will have an opportunity to comment upon and provide input into the proposed rule amendment at a public hearing to be held at **10:15 a.m., Friday, August 11, 2023** in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. If the Board office remains closed due to the public health emergency (COVID-19), the hearing will be held via teleconference. Please see the Board’s website for information on how to join the meeting via teleconference.

Interested parties affected by the rule may submit written comments to the Board no later than the close of business on **Friday, August 4, 2023**. Written comments must be legible, signed, contain contact information from the maker (address, telephone number, email address), and addressed to Gabriel Sterling, Interim Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists, 237 Coliseum Drive, Macon, Georgia 31217.

During the public hearing, anyone may present data, make a statement, comment, or offer a viewpoint or argument, whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements will be limited to five (5) minutes per person.

The Board voted to post this Notice of Intent at its meeting on **June 9, 2023**. The Board also voted that the formulation and adoption of this rule amendment does not impose an excessive regulatory cost on any licensee, and any cost to comply with the proposed rule amendment cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-25, 43-10A-3, 43-10A-5, 43-10A-6, 43-10A-8, and 43-10A-12.

Additionally, the Board voted that it was neither legal nor feasible in meeting the objectives of O.C.G.A. §§ 43-1-25, 43-10A-3, 43-10A-5, 43-10A-6, 43-10A-8, and 43-10A-12 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of Social Work.

According to the Department of Law of the State of Georgia, the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists has the authority to adopt proposed Rule 135-5-.03 pursuant to authority contained in O.C.G.A. §§ 43-1-25, 43-10A-3, 43-10A-5, 43-10A-6, 43-10A-8, and 43-10A-12.

For further information, contact the Board office at (404) 424-9966.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This the _____ day of _____, 2023.

Gabriel Sterling
Interim Division Director
Professional Licensing Boards Division

Posted: _____

**SYNOPSIS OF PROPOSED CHANGES TO THE
GEORGIA COMPOSITE BOARD OF PROFESSIONAL COUNSELORS, SOCIAL
WORKERS AND MARRIAGE AND FAMILY THERAPISTS
CHAPTER 135, RULE 5-.03 MASTER SOCIAL WORKER**

Purpose: The purpose of the proposed adoption is to amend the rule to read more fluently, require continuing education hours to re-take the national licensure exam a fourth or more time, define supervisor credentials.

Rule 135-5-.03. Master's Social Workers

(1) The Practice of Licensed Master's Social Workers.

(a) **The Practice of Licensed Master's Social Work.** A licensed Master's Social Worker may render or offer to render to individuals, marriages, couples, families, groups, organizations, governmental units, or the general public, service which is guided by knowledge of social resources, social systems, and human behavior. The licensee may provide evaluation, prevention and intervention services which include but are not restricted to community organization, counseling techniques, and supportive services such as administration, direction, supervision of bachelor's level social workers, consultation, research or education.

(b) **First Two Years of Practice.** The first two years of practice after the issuance of the Master of Social Work license shall be under direction and supervision.

(c) **Practice After Two Years of Experience.** After two years of Social Work practice under direction and supervision, the licensee may engage in private practice however, a master's licensee whose practice includes counseling or psychotherapeutic techniques may only engage in such practice under supervision and only for such period of time as is prescribed for qualification to take the clinical social work licensing examination.

(d) **Private Practice by a Licensed Master Social Worker After Qualifying for Clinical Social Work Licensure.** In order to continue in the private practice of social work that includes counseling or psychotherapy, a licensed master's social worker must apply for a Clinical Social Work license within 60 days of meeting the experience and supervision requirements for that license. The licensee must then take the first scheduled examination for which he/she qualifies, unless good cause is shown for postponement, in which case the licensee shall take the next scheduled examination. Upon receipt of notification that the licensee has passed the Clinical Social Work licensing examination and after meeting all requirements as prescribed in O.C.G.A. 43-10A-8 and 43-10A-12, the Board will issue a Clinical Social Work license. If the Licensee fails the examination, the Board shall require that the licensee's work remain supervised until the applicant has taken and passed the examination- subject to the following: ~~The exam must be taken at the next scheduled exam date unless the Board, in its sole discretion, approves the postponement for good cause. The exam may be taken a total of three times. If the licensee fails the examination three~~

~~times the licensee shall not engage in the private practice of counseling or psychotherapy in the State of Georgia until such time as he/she has taken and passed the examination, absent a statutory exemption.~~

1. The exam must be passed within the one-year approval period by the Board. If the examination has not been passed within the one-year period, in order to obtain approval to test again, a new application, fee and all supporting documents including the documentation of current, ongoing supervision and direction must be submitted.

2. If the applicant fails the examination three or more times, the applicant shall not engage in private practice of counseling or psychotherapeutic techniques in the State of Georgia until such time as the applicant has taken and passed the master social work examination.

3. To take the master social work exam a fourth or more time, an ASWB approved licensure examination preparation course, or other license preparation course approved by the Board, is required for each subsequent exam. Verification of completion of course must be submitted to the Board for approval prior to registering for a subsequent exam.

~~(2) Licensure Process (Please refer to the section entitled "Definitions" for clarification of terms).~~ **Requirements for Licensure as a Master Social Worker.**

(a) **Education.** An applicant for licensure as a Master's Social Worker must have earned a master's degree in Social Work from a program accredited by the Council on Social Work Education. Candidacy, conditional or accreditation status must have been in effect at the school when the degree was awarded.

~~(b) Practice while Preparing to Take the Licensing Examination. Persons who have obtained a master's degree from a program accredited by the Council on Social Work Education and who are practicing social work under direction and supervision while preparing to take the master's social work licensing examination, may practice for a period of up to one year following the granting of such degree.~~

~~(c) Examination. Within one year of graduating from a social work graduate program the individual practicing social work in the State of Georgia must apply to take the licensing examination. If the applicant fails the exam the first time it is taken, then the applicant is required to take the examination at the next scheduled exam date, unless good cause is shown for postponement. The applicant may sit for the examination a total of three times. An applicant who fails the examination three times, shall not continue to engage in the practice of social work in the state of Georgia, until such time as the applicant has taken and passed the exam absent of statutory exemption. [Certain exemptions may apply, these are designated in O.C.G.A. 43-10A-7(b)].~~

(b) Examination. Applicants shall be required to pass the exam approved by the Board.

(3) Definitions.

(a) **Social work** means that specialty which helps individuals, marriages, families, couples, groups, or communities to enhance or restore their capacity for functioning: by assisting in the obtaining or improving of tangible social and health services; by providing psychosocial evaluations, in-depth analyses and diagnoses of the nature and status of emotional, cognitive, mental, behavioral, and interpersonal problems or conditions; and by counseling and psychotherapeutic techniques, casework, social work advocacy, psychotherapy, and treatment in a variety of settings which include but are not limited to mental and physical health facilities, child and family service agencies, or private practice.

(a ~~b~~) **Direction** means the ongoing administrative oversight by a ~~director of the work~~ an employer or superior of a social worker. The person providing direction shall be responsible for assuring the quality of the services rendered by the practitioner and shall ensure that qualified supervision or intervention occurs in situations which require expertise beyond that of the practitioner.

(~~b~~ ~~c~~) **Director** means the person who provides direction and/or administrative supervision, and who is either the employer of the person who receives direction or is the superior in the employment chain of command to the person who receives direction.

1. Directors shall **not** provide direction to family members. In addition, directors shall **not** provide direction to any practitioner when that practitioner or any of that practitioner's family members have an ownership interest in, operate, or manage the business entity where the director is employed or where the practitioner provides professional social work services.

2. Family member means a member of a person's immediate or extended family, by direct descent or by marriage, including intimate or cohabitation relationships.

(c) ~~Supervision means the direct clinical review, for the purpose of training or teaching, by a supervisor of a Social Worker's interaction with clients. The purpose of supervision shall be to promote the development of the practitioner's clinical skills. Supervision may include, without being limited to, the review of case presentations, audiotapes, videotapes and direct observation. For supervision to enable the applicant to qualify for Clinical Social Work licensure, it must comply with requirements specified in Rule 135-5-.04.~~

(d) **Supervision** means an interactive professional relationship between an approved supervisor and a social worker whereby an approved supervisor provides clinical evaluation and direction over the social worker's practice of social work and promotes continued development of the social workers knowledge, skills, and abilities to engage in the practice of social work in an ethical and competent manner. Supervision may include, without being limited to, the clinical review of case

presentations, audiotapes, videotapes and direct observation. For supervision to enable the applicant to qualify for Clinical Social Work licensure, it must comply with requirements specified in Rule 135-5-.04.

1. Individual Supervision means one supervisor meeting with a maximum of two supervisees.

2. Group Supervision means one supervisor meeting with a maximum of six supervisees.

~~(d) Supervisor means an individual who promotes the development of the Social Worker's clinical skills and who is a licensed Clinical Social Worker, Professional Counselor, Marriage and Family Therapist, Psychologist or Psychiatrist and has met the requirements to be considered a supervisor in their particular discipline. Supervision provided for an individual seeking licensure as a clinical social worker must be in compliance with Rule 135-5-04. A supervisor of a bachelor level social worker must meet the requirements specified in O.C.G.A. 43-10A-7(b)(14).~~

(e) An approved **Supervisor** means the individual who promotes the development of the social worker's clinical skills. While providing a supervisee with support, education, and administrative assistance in developing clinical competence, a supervisor must maintain paramount focus on the quality of services that clients are receiving from licensees. Clinical Social Workers providing supervision must have practiced in their specialty for at least 2000 clock hours over a minimum of 2 years following licensure. **Effective October 1, 2024 Clinical Social Workers providing supervision must have practiced in their specialty for at least 3000 clock hours over a minimum of 3 years following licensure.** A supervisor may also be a licensed professional counselor, marriage and family therapist, psychologist, or psychiatrist who has met the requirements to be considered a supervisor in their particular discipline.

1. Supervisors shall not provide supervision to family members. In addition, supervisors shall not provide supervision to any practitioner when that practitioner, or any of that practitioner's family members have, an ownership interest in, operate, or manage the business entity in which the supervisor is employed or where the practitioner provides professional social work services.

2. Family member means a member of a person's immediate or extended family, by direct descent or by marriage, including intimate or cohabitation relationships.

~~(e) For Experience acquired prior to 7/1/96, one year means 800 hours acquired in no less than 12 months and no more than 36 months.~~

~~(f) For Experience acquired on or after 7/1/96, one year means 1000 hours acquired in no less than 12 months and no more than 36 months.~~

(f) **Private Practice** means the provision of social work services by a licensed Social Worker who assumes responsibility and accountability for the nature and quality of services provided to the client in exchange for direct payment or third-party reimbursement.

(g) **Independent Practice** means practice of social work outside of an organized setting, such as a social, medical, or governmental agency, in which the social worker assumes responsibility and accountability for services provided.

Statutory Authority for the Board's proposed amendments to Rule 135-5-.03 is found in O.C.G.A. §§ 43-1-25, 43-10A-3, 43-10A-5, 43-10A-6, 43-10A-8, and 43-10A-12.

RULES
OF
THE GEORGIA COMPOSITE BOARD OF PROFESSIONAL COUNSELORS,
SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS
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Rule 135-5-.03 Masters Social Workers

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1. The exam must be passed within the one-year approval period by the Board. If the examination has not been passed within the one-year period, in order to obtain approval to test again, a new application, fee and all supporting documents including the documentation of current, ongoing supervision and direction must be submitted.

2. If the applicant fails the examination three or more times, the applicant shall not engage in private practice of counseling or psychotherapeutic techniques in the State of Georgia until such time as the applicant has taken and passed the master social work examination.

3. To take the master social work exam a fourth or more time, an ASWB approved licensure examination preparation course, or other license preparation course approved by the Board, is required for each subsequent exam. Verification of completion of course must be submitted to the Board for approval prior to registering for a subsequent exam.

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