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**IDAPA 24
TITLE 14
CHAPTER 01**

24.14.01 - RULES OF THE STATE BOARD OF SOCIAL WORK EXAMINERS

000. LEGAL AUTHORITY (RULE 0).

These rules are hereby prescribed and established pursuant to the authority vested in the State Board of Social Work Examiners by the provisions of Section 54-3204, Idaho Code. (7-1-93)

001. TITLE AND SCOPE (RULE 1).

These rules shall be cited as IDAPA 24.14.01, "Rules of the State Board of Social Work Examiners." (7-1-93)

002. WRITTEN INTERPRETATIONS (RULE 2).

The board may have written statements which pertain to the interpretation of the rules of this chapter. Such interpretations, if any, are available for public inspection and copying at cost in the main office of the Bureau of Occupational Licenses. (7-1-93)

003. ADMINISTRATIVE APPEALS (RULE 3).

Administrative Appeals shall be governed by the Administrative Procedure Act, Title 67, Chapter 52, Idaho Code. (3-13-02)

004. INCORPORATION BY REFERENCE (RULE 4).

These rules do not incorporate by reference any document other than those sections of Idaho Code so referenced. (3-13-02)

005. ADDRESS OF THE STATE BOARD OF SOCIAL WORK EXAMINERS (RULE 5).

The office of the State Board of Social Work Examiners is located within the Bureau of Occupational Licenses, 700 W. State Street, Boise, Idaho 83702. The Bureau is open between the hours of 8:00 a.m. and 5:00 p.m. each day except Saturdays, Sundays and holidays. The telephone number of the Board is (208) 334-3233. The Board's fax number is (208) 334-3945. The Board's e-mail address is sw@ibol.idaho.gov. The Board's official website is <http://www.ibol.idaho.gov>. (4-11-06)

006. PUBLIC RECORDS (RULE 6).

The records associated with the State Board of Social Work Examiners are subject to the provisions of the Idaho Public Records Act. Title 9, Chapter 3, Idaho Code. (3-13-02)

007. -- 009. (RESERVED)

010. DEFINITIONS (RULE 10).

01. Board. The State Board of Social Work Examiners as prescribed in Section 54-3202, Idaho Code. (7-1-93)

02. Bureau. The Bureau means the Bureau of Occupational Licenses, as prescribed in Sections 54-3204 and 67-2602, Idaho Code. (3-13-02)

03. Psychotherapy. Treatment methods using a specialized, formal interaction between a Clinical Social Worker and an individual, couple, family, or group in which a therapeutic relationship is established, maintained, or sustained to understand unconscious processes, intrapersonal, interpersonal, and psychosocial dynamics, and the diagnosis and treatment of mental, emotional, and behavioral disorders, conditions, and addictions. (3-20-04)

04. Supportive Counseling. Supportive counseling by a social worker means a method used by social workers to assist individuals, couples, families, and groups in learning how to solve problems and make decisions about personal, health, social, educational, vocational, financial, and other interpersonal concerns. This help in the maintenance of adaptive patterns is done in the interview through reassurance, advice giving, information providing, and pointing out client strengths and resources. Supportive counseling does not seek to reach unconscious material.

(3-20-04)

011. -- 074. (RESERVED)

075. CREDENTIALS TO BE FILED BY ALL APPLICANTS (RULE 075).

01. Completed Application. An application shall be completed by all applicants for licensure upon a form prescribed by the State Board of Social Work Examiners. (3-30-07)

02. Official Documents. All applicants shall arrange for official documents including transcripts to be transmitted by the registrars of the educational institutions or official custodian of documents, directly to the board. (3-30-07)

03. Applications on File. Applications on file with the Board for a period in excess of two (2) years from the date of receipt by the Bureau shall be terminated unless good cause is demonstrated to the Board. (3-30-07)

076. -- 099. (RESERVED)

100. APPROVED COLLEGES AND UNIVERSITIES (RULE 100).

Any college, university, or school of social work that is accredited or is a candidate for accreditation by the Northwest Commission on Colleges and Universities or any similar accrediting body, and that offers a social work program that is accredited by the Council on Social Work Education (CSWE) or that is otherwise approved by the Board. The social work program must be a recognizable, coherent organizational entity within the institution. (3-29-12)

101. -- 149. (RESERVED)

150. ADMINISTRATION AND ACCOUNTING (RULE 150).

The disposition of receipts and expenses for administering the terms and provisions of this Act shall be duly appropriated in the following manner: (7-1-93)

01. Board Shall Contract with the Bureau of Occupational Licenses. The board shall contract with the Bureau of Occupational Licenses for administrative, investigative, legal, fiscal and clerical responsibilities, for appropriation and accountability of all fees obtained under the terms and provisions of this Act, for issuing licenses to qualified applicants upon approval by the board and for any other duties so prescribed by the contract. (5-3-03)

02. Reimbursement of Board Members. Board members shall be entitled to reimbursement for actual expenses incurred as long as such expenses are deemed necessary and prudent and are approved by the Board. (5-3-03)

151. -- 199. (RESERVED)

200. LICENSING QUALIFICATIONS AND DEFINITION OF TERMS (RULE 200).

All applicants for licensing under the Social Work Licensing Act must meet the minimum qualifications as set forth by this act. (7-1-93)

01. Good Moral Character. "Good moral character" is defined by the board as that behavior exhibited on the part of an applicant which is in conformity with the Social Work Code of Professional Conduct and within the limits of state law. (5-3-03)

02. Application for Licensure. Application for licensure must be made to the Board of Social Work Examiners on forms provided by the Bureau of Occupational Licenses. (7-1-93)

03. Educational Requirements. Educational requirements must be verified by submission of official transcripts from the educational institution directly to the Bureau of Occupational Licenses. (5-3-03)

201. PRACTICE OF SOCIAL WORK (RULE 201).

01. Baccalaureate Social Work. The application of social work theory, knowledge, methods, and ethics to restore or enhance social or psychosocial functioning of individuals, couples, families, groups, organizations, and communities. Baccalaureate social work is a generalist practice that includes assessment, planning, intervention, evaluation, case management, information and referral, supportive counseling, supervision, and consultation with clients. Baccalaureate social work also includes advocacy, education, community organization, and the development, implementation and administration of policies, programs, and activities. Bachelor level social workers are prohibited from performing psychotherapy. (3-20-04)

02. Master's Social Work. 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 requires the application of specialized knowledge and advanced practice skills in the areas of assessment, treatment planning, implementation and evaluation, case management, information and referral, supportive counseling, supervision and consultation with clients, advocacy, teaching, research, community organization, and the development, implementation, and administration of policies, programs, and activities. Master level social workers who do not hold clinical licensure may provide psychotherapy only under the supervision of a licensed clinical social worker, psychologist, or psychiatrist and in accordance with an approved supervision plan. (3-20-04)

03. Clinical Social Work. The practice of clinical social work is a specialty within the practice of master's social work and 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. Clinical social work is based on knowledge and theory of psychosocial development, behavior, psychopathology, motivation, interpersonal relationships, environmental stress, social systems, and cultural diversity, with particular attention to person-in-environment. It shares with all social work practice the goal of enhancement and maintenance of psychosocial functioning of individuals, families, and small groups. Clinical social work includes, but is not limited to, individual, couples, family and group psychotherapy, and includes independent and private practice. (3-20-04)

04. Private Practice of Social Work. As defined in Section 54-3207, Idaho Code, is that independent practice in which an individual sets up and maintains responsibility for the contractual conditions of payment with clients, agencies, or institutions. (5-3-03)

05. Employment of a Social Worker. A social worker employed directly by a physician, psychologist or other social worker, or by a public or private agency, institution, hospital, nursing home, rehabilitation center, or any similar facility, is not to be considered within the definition of an independent practitioner. Furthermore, a social worker who contracts with an agency or institution that assumes full responsibility for and supervises the services provided to clients is not considered to be a private practitioner. (5-3-03)

06. Supervision. Supervised experience shall be required for both independent practice status and clinical licensure. Consultative-teaching supervision is directed toward enhancement and improvement of the individual's social work values, knowledge, methods, and techniques. A total of three thousand (3,000) hours of supervised social work experience accumulated in not less than two (2) years is required. Actual supervisor contact shall be face-to-face and provided by a qualified and experienced professional working in the same area of practice and must occur on a regular and on-going basis and consist of a minimum of one hundred hours (100) hours. Ratio of supervisor/supervisee shall not exceed two (2) social workers to one (1) supervisor per hour of supervision. Group supervision totaling no more than fifty (50) hours will be allowed for groups of no more than six (6) persons and the allowable credit shall be prorated at the two to one (2 to 1) ratio (total session minutes divided by total supervisees multiplied by two (2) equals maximum allowable credit per supervisee for the session. i.e. an individual attending a one (1) hour group supervisory session consisting of six (6) supervisees shall be allowed twenty (20) minutes of group supervision credit). Supervisors must hold a degree in social work and a current license in good standing, except as noted in Subsection 201.06.c. (4-2-08)

a. Supervision of baccalaureate social workers pursuing licensure as independent practitioners must be provided by a licensed social worker approved to provide independent practice at the baccalaureate, masters, or clinical level. (3-20-04)

b. Supervision of masters social workers pursuing licensure as independent practitioners must be

provided by a licensed social worker approved to provide independent practice at the masters or clinical level. (5-3-03)

c. Supervision of master level social workers pursuing licensure as clinical level practitioners must be provided by either a licensed clinical social worker who is registered as a supervisor, a licensed clinical psychologist, a person licensed to practice medicine and surgery who practices in the area of psychiatry, a licensed clinical professional counselor registered as a supervisor by the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists or a licensed marriage and family therapist registered as a supervisor by the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists and must focus on clinical social work as defined. No less than fifty percent (50%) of supervised experience must be provided by a licensed clinical social worker registered as a supervisor. A master level social worker pursuing licensure at the clinical level must document three thousand (3000) hours of supervised practice as follows: (4-7-11)

i. One thousand seven hundred fifty (1,750) hours of direct client contact involving treatment in clinical social work as defined; and (4-7-11)

ii. One thousand two hundred fifty (1,250) hours involving assessment, diagnosis, and other clinical social work as defined. (4-7-11)

d. Supervision reports shall be submitted from each supervisor directly to the Board within thirty (30) days following each six (6) month period. Failure of the supervisor to submit the required reports in a timely manner may result in the supervisor being restricted by the Board from providing further supervision. (3-20-04)

07. Supervised Practice Required. To be eligible for licensure as an independent practitioner a candidate must: (5-3-03)

a. Meet the requirements set forth in Subsection 201.06; (4-2-08)

b. Develop a plan for supervision that must be approved by the Board prior to commencement of supervision. Prior to a change in supervisors, the supervisee must notify the Board and the change must be approved by the Board prior to the commencement of supervision by the new supervisor; and (5-3-03)

c. Not have more than two (2) supervisors at any given time. (5-3-03)

08. Out-of-State Supervised Experience. The Board may consider supervised experience obtained outside the state of Idaho submitted for Idaho license purposes. Supervised experience must be provided by a licensed clinical social worker, licensed marriage and family therapist, licensed clinical psychologist, or a person licensed to practice medicine and surgery who practices in the area of psychiatry. No less than fifty percent (50%) of supervised experience must be provided by a licensed clinical social worker. The applicant must meet the other requirements of supervised practice as set forth in these rules. (4-2-08)

202. SOCIAL WORK SUPERVISOR REGISTRATION (RULE 202).

Effective January 1, 2007, Idaho licensed social workers shall be registered with the Board in order to provide postgraduate supervision for those individuals pursuing licensure in Idaho as a clinical social worker. (4-11-06)

01. Requirements for Registration. (3-14-05)

a. Document at least two (2) years experience as a licensed clinical social worker. (4-11-06)

b. Have not been the subject of any disciplinary action for five (5) years prior to application for registration. (3-14-05)

c. Document fifteen (15) contact hours of education in clinical supervisor training as approved by the Board. (4-2-08)

02. Registration. A supervisor applicant shall submit to the Bureau a completed application form as approved by the board. (3-14-05)

a. Upon receipt of a completed application verifying compliance with the requirements for registration as a supervisor, the applicant shall be registered as a supervisor. (3-14-05)

b. A supervisor's registration shall be valid only so long as the individual's clinical social worker license remains current and in good standing. (3-14-05)

203. -- 224. (RESERVED)

225. INACTIVE STATUS (RULE 225).

01. Request for Inactive Status. Each person requesting an inactive status during the renewal of their active license must submit a written request and pay the established fee. (4-9-09)

02. Inactive License Status. (4-9-09)

a. All continuing education requirements will be waived for any year or portion thereof that a licensee maintains an inactive license and is not actively practicing or supervising in Idaho (4-9-09)

b. Inactive license renewal notices and licenses will be marked "Inactive." (4-9-09)

c. When the licensee desires active status, he must show acceptable fulfillment of continuing education requirements for the previous twelve (12) months and submit a fee equivalent to the difference between the inactive and active renewal fee. (4-9-09)

d. Licensees shall not practice in Idaho while on inactive status. (4-9-09)

226. -- 249. (RESERVED)

250. REINSTATEMENT REQUIREMENTS (RULE 250).

The Bureau shall cancel all licenses that have expired for failure to renew. The Bureau of Occupational Licenses may reinstate said licenses in accordance with the requirements of Section 67-2614, Idaho Code. (5-3-03)

251. -- 299. (RESERVED)

300. FEES (RULE 300).

To administer and carry out the provisions of this Act, the following fees are established: (7-1-93)

01. Application and Original License Fee. Application and Original License Fee for licensed clinical social worker or licensed masters social worker or licensed social worker - sixty dollars (\$60). (4-9-09)

02. Examination Fee. Examination fee will be set by the Board in concordance with the testing service fees. (7-1-93)

03. Endorsement and License Fee. Endorsement and License Fee for licensed clinical social worker or licensed masters social worker or licensed social worker - sixty dollars (\$60). (4-9-09)

04. Renewal Fee. Renewal Fee: (7-1-93)

a. Licensed Clinical Social Worker -- Seventy dollars (\$70). (4-9-09)

b. Licensed Masters Social Worker -- Sixty dollars (\$60). (4-9-09)

c. Licensed Social Worker -- Sixty dollars (\$60). (4-9-09)

d. Inactive Licensed Clinical Social Worker -- Thirty-five dollars (\$35). (4-9-09)

- e. Inactive Licensed Masters Social Worker -- Thirty dollars (\$30). (4-9-09)
- f. Inactive Licensed Social Worker -- Thirty dollars (\$30). (4-9-09)
- 05. **Reinstatement Fee.** Reinstatement fees in accordance with Section 67-2614, Idaho Code. (7-1-93)
- 06. **All Fees Under This Act Are Non-Refundable.** All fees under this Act are non-refundable. (7-1-93)

301. -- 349. (RESERVED)

350. EXAMINATIONS, ENDORSEMENT, AND BOARD MEETINGS (RULE 350).

Examinations will be conducted by the board for qualified applicants for social work licensing and board meetings will be held to conduct other business. Applications for examination may be reviewed and approved by a designated Board member upon determination that the applicant meets the qualifications for examination. Approval to sit for examination does not obligate the Board to issue a license if it is later determined that the applicant does not meet the requirements for licensure. (3-20-04)

01. Board Meetings. Board meetings will be held at least three (3) times each year at such times and places as the board deems necessary. (5-3-03)

02. Exam Utilized. The Board utilizes the uniform, nationally standardized examination of the Association of Social Work Boards (ASWB). (5-3-03)

- a. Bachelor level candidates shall be required to successfully pass the bachelor's examination. (4-2-08)
- b. Masters level candidates shall be required to successfully pass the master's examination. (4-2-08)
- c. Clinical level candidates shall be required to successfully pass the clinical examination. (5-3-03)

03. Dates of Exams. Examination at all levels of social work licensing will be conducted on dates established for national administration. (7-1-93)

04. Graduation Date to Qualify for Exam. Candidates for examination who can satisfy the board that they will be graduating at the end of the spring, summer or fall terms of any given year, may qualify for examination at the established testing period immediately preceding the date of graduation. (5-24-95)

05. Exemption from Exam. An applicant who has been tested for licensure utilizing an acceptable examination will be exempt from the Idaho examination if the applicant received a converted score of seventy (70) based upon a criterion reference examination. (7-1-93)

06. Endorsement. The Board may grant a license to any person who submits a completed application on a form approved by the Board together with the required fees and who: (5-3-03)

a. Holds a current, active social work license, at the level for which a license is being sought, issued by the authorized regulatory entity in another state or country, the certification of which must be received directly by the Board from the issuing agency; and (3-20-04)

b. Has not been disciplined within the last five (5) years, had a license revoked, suspended, restricted, or otherwise sanctioned by any regulatory entity and has never voluntarily surrendered a license; and (5-3-03)

c. Is of good moral character and has not been convicted, found guilty, or received a withheld judgment or suspended sentence for any felony; and (5-3-03)

d. Has successfully passed an examination, as referenced in Subsection 350.02, or an examination provided by the Professional Examination Service (PES) at the clinical social worker and social worker level or the

Education Testing Service (ETS) examination; and (5-3-03)

e. Has certified under oath to abide by the laws and rules governing the practice of social work in Idaho and the code of professional conduct. (5-3-03)

351. CONTINUING EDUCATION (RULE 351).

01. Continuing Education Requirements. (7-1-95)

a. Continuing education is required for renewal at all levels of social work licensure in Idaho. The board may, upon application, waive the requirements of this rule in cases involving illness or unusual circumstances interfering with the licensee's ability to practice or inability to conform to the rules. (3-20-04)

b. The completion of a minimum of twenty (20) continuing education (CE) hours annually is required to renew each licensure level. (5-3-03)

c. Compliance with the continuing education (CE) requirements for licensees shall be reported annually. A continuing education course taken in any renewal year, but not claimed for CE credit in that year, may be utilized for credit in the following renewal year. (5-3-03)

d. Each licensed social worker shall complete and return to the Bureau a Board approved continuing education report form as part of the annual renewal of licenses. (5-3-03)

e. Licensees will maintain documentation verifying CE attendance and curriculum for a period of four (4) years. This documentation will be subject to audit by the board. (5-3-03)

f. Licensees shall not be required to comply with this requirement during the first year in which they become licensed under the social work act. (5-3-03)

g. One (1) continuing education hour shall equal one (1) clock hour. (7-1-95)

h. Courses that are part of the curriculum of a university, college or other educational institution shall be allotted CE credit at the rate of fifteen (15) CE hours for each semester hour or ten (10) CE hours for each quarter hour of school credit awarded. (7-1-95)

i. No more than ten (10) continuing education hours may be obtained from category II. (7-1-95)

j. As part of the required hours of continuing education, all licensees must complete at least one (1) hour of training every year in professional ethics. (3-20-04)

k. Applications for reinstatement of a cancelled license shall include documented proof of meeting the continuing education requirements for the previous twelve (12) months. The requirement for professional ethics training shall continue during any period of cancellation. (3-20-04)

02. Categories of Continuing Education. (7-1-95)

a. Category I. Category I includes formally organized learning events, ideally involving face-to-face interaction with a teacher for the purpose of accomplishing specific learning objectives. Courses, workshops, conferences, practice oriented seminars, staff development and training activities coordinated and/or taught by approved and recognized educators also are included in this category. Because of our geographic location and sparse population, closed circuit T.V., video and audio tapes, internet based courses, and correspondence courses may be substituted for face-to-face contact if the course is interactive or requires an examination. (3-14-05)

b. Category II. Category II consists of a variety of self-directed professional study activities and growth experiences. Examples include making an initial presentation on professional issues or programs, teaching a course for the first time, presenting a lecture or conducting a workshop for the first time, editing or writing professional books or articles, and conducting professional research. (3-20-04)

c. The subject matter of all approved continuing education shall be germane to the practice of social work as defined in Section 54-3202, Idaho Code, and may include the specialties of Marriage and Family Therapy, Psychiatry, Psychiatric Nursing, or Psychology. (3-14-05)

03. Continuing Education Sources. (7-1-95)

a. Continuing education course providers shall include: (5-3-03)

i. Professional Associations. Continuing education hours may be obtained by participating in activities sponsored by or approved by professional associations including but not limited to the Idaho Chapter of the National Association of Social Workers, Idaho Society for Clinical Social Workers. The professional association shall certify the number of clock hours of educational content in each sponsored or approved activity. (5-3-03)

ii. Educational Institutions. Continuing education hours may be obtained by completing coursework not below your level of licensing or by participating in continuing education programs sponsored by or approved by educational institutions accredited by a regional body recognized by the Council on Post Secondary Accreditation. The educational institution shall certify the number of clock hours of educational content in each sponsored or approved program. (7-1-95)

iii. Government Agencies, Schools and Hospitals. Continuing education hours may be obtained by participating in in-service training, courses or workshops sponsored by federal, state, or local government agencies, public school systems and licensed hospitals. The provider shall certify the number of clock hours of educational content in each approved activity. (7-1-95)

iv. Private social service agencies and other entities. Continuing education hours may be obtained by participating in continuing education programs sponsored by agencies or entities who regularly provide social work services. The provider shall certify the number of clock hours of educational content in each approved activity. (3-20-04)

b. All continuing education hours must be relevant to the profession of social work at the individual's particular level of social work licensure. The presenter's level of education must be at the licensee's level or above. Continuing education for clinical licensees must be clinical in nature except that five (5) hours each year may be non-clinical but shall be germane to the practice of social work. Final approval of acceptable programs rests with the Board. (3-20-04)

04. Documentation. (7-1-95)

a. Each licensee shall maintain documentation verifying CE attendance and curriculum for a period of four (4) years from the date of completion. This documentation will be subject to audit by the Board. (5-3-03)

b. Licensees shall attest, on their annual license renewal application, that they have satisfied the continuing education requirements. False attestation of satisfaction of the continuing education requirements on a renewal application shall subject the licensee to disciplinary action, including revocation. (5-3-03)

c. Category I documents must be in the form of a certificate of attendance, a statement signed by the provider verifying participation in the activity, or an official transcript. (5-3-03)

d. In the event a licensee fails to provide the Board with acceptable documentation of the hours attested to on the renewal application, the license will not be renewed. (7-1-95)

e. Documented proof of meeting the continuing education requirement shall be in the form of a certificate or letter from the sponsoring entity that includes the title of the activity, the subject material covered, the dates and number of hours credited, and the presenter's full name and professional credentials. (5-3-03)

352. -- 399. (RESERVED)

400. UNPROFESSIONAL CONDUCT (RULE 400).

“Unprofessional conduct” is further defined as any violation of the Social Work Code of Professional Conduct. (7-1-93)

401. -- 449. (RESERVED)

450. STATEMENT OF PUBLIC POLICY AND CODE OF PROFESSIONAL CONDUCT (RULE 450).

The profession of social work is dedicated to serving people; the professional relationship between social workers and clients thus shall be governed by the highest moral and ethical values. The client is in a vulnerable role that extends beyond the time frame of actual services. In both social and professional interactions, this vulnerability shall be taken into consideration whether the person is currently or has been a client. Following is the Code of Professional Conduct: (5-24-95)

01. The Social Worker's Ethical Responsibility to Clients. (7-1-93)

a. For the purpose of this Code of Professional Conduct, a client is anyone for whom the social worker provides social work services directly or indirectly through consultations, staffings, or supervision with other professionals. (7-1-93)

b. The social worker shall not commit fraud nor misrepresent services performed. (7-1-93)

c. The social worker shall not solicit the clients of an agency for which they provide services for his private practice. (7-1-93)

d. The social worker shall not divide a fee or accept or give anything of value for receiving or making a referral. (7-1-93)

e. The social worker shall provide clients with accurate and complete information regarding the extent and nature of the services available to them. (7-1-93)

f. The social worker shall terminate service to clients, and professional relationships with them, when such service and relationships are no longer required or in which a conflict of interest arises. (7-1-93)

g. A social worker shall not violate a position of trust by knowingly committing any act detrimental to a client. (7-1-93)

h. A social worker shall not exploit their professional relationships with clients (or former clients), supervisees, supervisors, students, employees, or research participants, sexually or otherwise. Social workers shall not condone or engage in sexual harassment. Sexual harassment is defined as deliberate or repeated comments, gestures, or physical contacts of a sexual nature that are unwelcomed by the recipient. (7-1-93)

i. A social worker shall not engage in sexual acts with a client or with a person who has been a client within the past three (3) years. A social worker shall not provide social work services to a person with whom he/she has had a sexual relationship. (7-1-93)

02. The Social Worker's Conduct and Comportment as a Social Worker. (7-1-93)

a. In providing services, a social worker shall not discriminate on the basis of age, gender, race, color, religion, national origin, mental status, physical disability, social or economic status, political belief, or any other preference or personal characteristic, condition or status. (4-2-08)

b. Social workers shall not undertake any activity in which their personal problems are likely to lead to inadequate performance or harm to a client, colleague, student, or research participant. If engaged in such activity when they become aware of their personal problems, they shall seek competent professional assistance to determine whether they should suspend, terminate, or limit the scope of their professional activities. (7-1-93)

c. A social worker shall not practice while impaired by medication, alcohol, drugs, or other

chemicals. A social worker shall not practice under a mental or physical condition that impairs the ability to practice safely. (4-2-08)

- d.** A social worker shall not repeatedly fail to keep scheduled appointments. (7-1-93)
- e.** The social worker who anticipates the termination or interruption of service to clients shall notify clients promptly and seek the transfer, referral, or continuation of services in relation to the clients' needs and preferences. (7-1-93)
- f.** The social worker shall attempt to make appropriate referrals as indicated by the client's need for services. (7-1-93)
- g.** A social worker shall obtain the client's or legal guardian's informed written consent when a client is to be involved in any research project. A social worker shall explain the research, including any implications. (7-1-93)
- h.** The social worker shall obtain informed consent of clients before taping, recording, or permitting third party observation of their activities. (7-1-93)
- i.** A social worker shall safeguard information given by clients in providing client services. Except when required by law or judicial order, a social worker shall obtain the client's informed written consent before releasing confidential information from the setting or facility except for compelling reasons defined as but not limited to: (7-1-93)
 - i.** Consultation with another professional on behalf of the client thought to be dangerous to self or others; (7-1-93)
 - ii.** Duty to warn pursuant to Chapter 19, Title 6, Idaho Code; (5-24-95)
 - iii.** Child abuse and sexual molestation pursuant to Chapter 16, Title 16, Idaho Code; and (5-24-95)
 - iv.** Any other situation in accordance with statutory requirements. (7-1-93)
- j.** A social worker shall report any violation of the law or rules, including Code of Professional Conduct, by a person certified under Chapter 32, Title 54, Idaho Code. (7-1-93)

03. Competent Practice for Social Workers. All social workers shall practice in a competent manner consistent with their level of education, training and experience. (3-20-04)

- a.** A social worker shall only represent himself and practice within the boundaries of his education, training, licensure level, supervision, and other relevant professional experience. (3-20-04)
- b.** A social worker shall only practice within new areas or use new intervention techniques or approaches after engaging in appropriate study, training, consultation, or supervision. (3-20-04)
- c.** A social worker shall exercise careful judgment, when generally recognized standards do not exist with respect to an emerging area of practice, and take responsible steps to ensure the competence of his practice. (3-20-04)

04. The Advertising Rules for Social Workers. No social worker shall disseminate or cause the dissemination of any advertisement or advertising which is any way fraudulent, false, deceptive or misleading. Any advertisement or advertising shall be deemed by the board to be fraudulent, false, deceptive, or misleading if it: (7-1-93)

- a.** Contains a misrepresentation of fact; or (7-1-93)
- b.** Is misleading or deceptive because in its content or in the context in which it is presented it makes

only a partial disclosure of relevant facts. More specifically, it is misleading and deceptive for a social worker to advertise free services or services for a specific charge when in fact the social worker is transmitting a higher charge for the advertised services to a third party payor for payment or charges the patient or a third party. It is misleading and deceptive for a social worker or a group of social workers to advertise a social work referral service or bureau unless the advertisement specifically names each of the individual social workers who are participating in the referral service or bureau. (7-1-93)

- c.** Creates false or unjustified expectations of beneficial treatment or successful outcomes; or (7-1-93)
- d.** Fails to identify conspicuously the social worker or social workers referred to in the advertising as a social worker or social workers; or (7-1-93)
- e.** Contains any representation or claims, as to which the social worker, referred to in the advertising, fails to perform; or (7-1-93)
- f.** Contains any representation which identifies the social worker practice being advertised by a name which does not include the terms "social worker," "social work," or some easily recognizable derivation thereof; or (7-1-93)
- g.** Contains any representation that the practitioner has received any license or recognition by the state of Idaho or its authorized agents, which is superior to the license and recognition granted to any social worker who successfully meets the licensing requirements of Chapter 32, Title 54, Idaho Code; or (7-1-93)
- h.** Appears in any classified directory, listing, or compendium under a heading, which when considered together with the advertisement, has the capacity or tendency to be deceptive or misleading with respect to the profession or professional status of the social worker; or (7-1-93)
- i.** Contains any other representation, statement, or claim which is misleading or deceptive. (7-1-93)

451. -- 474. (RESERVED)

475. DISCIPLINE (RULE 475).

01. Civil Fine. The Board may impose a civil fine not to exceed one thousand dollars (\$1,000) upon a licensed social worker for each violation of Section 54-3211, Idaho Code. (3-18-99)

02. Costs and Fees. The Board may order a licensed social worker to pay the costs and fees incurred by the Board in the investigation or prosecution of the licensee for violation of Section 54-3211, Idaho Code. (3-18-99)

476. -- 499. (RESERVED)

500. RULEMAKING HISTORY PRIOR TO JULY, 1993 (RULE 500).

Adopted January 30, 1980
Re-adopted October 11, 1983
Revised December 15, 1983
Rule C.4. and E.1.c. Adopted Emergency
Re-adopted February 23, 1985
Re-adopted November 25, 1985
Re-adopted February 16, 1988
Re-adopted January 22, 1990

(7-1-93)

501. -- 999. (RESERVED)

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