



Tennessee Social Work Licensure Rules and Regulations

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CEU's

- ▶ This workshop meets the requirements for
 - ▶ 1 hour of rules related training for all levels of licensure (1365-01-.09 (5) (c))
- ▶ Total CEU's for this training: 1

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- ▶ 1. Participants will receive an overview of the current TN Rules and Regulations of the TN Board of Social Worker Licensure.
 - ▶ 2. Participants will gain insight into the specific requirements for obtaining required continuing education units.
 - ▶ 3. Participants will gain understanding of the current TN rule definitions of clinical and advanced generalist social work practice.
 - ▶ 4. Participants will receive a brief overview of the licensure application process.

Learning Objectives

Disclaimer

- ▶ Information in this presentation is based on the presenter's experience with the Tennessee social work statute and rules and regulations.
- ▶ The presenter was the NASW-TN Chapter President and Multi-level Licensure Task Force Co-chair in 2008 when the law was passed and was the primary author of the scopes of practice included in the statute. The task force was asked by the newly constituted board to create a draft of the rules and regulations.
- ▶ Presenter is currently a consultant for the board for disciplinary reviews.
- ▶ This interpretation of the rules is based on years of experience and knowledge including participation in writing and revising the rules; however, **the presenter does not speak for the Tennessee Board of Social Worker Licensure.**
- ▶ The **presenter is not liable for contradictory interpretations** of the rules by the Tennessee Board of Social Worker Licensure.

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- ▶ All members of the Board are appointed by the Governor and serve five (5) year terms.
 - ▶ The eleven (11) member Board consists of:
 - ▶ three (3) clinical social workers (LCSW)
 - ▶ three (3) advanced practice social workers (LAPSW)
 - ▶ two (2) licensed masters social workers (LMSW)
 - ▶ two (2) baccalaureate social workers (LBSW)
 - ▶ one (1) consumer who is not directly or indirectly engaged in the social work profession.
 - ▶ The Board is supported and staffed by the administrative staff of the Division of Health-Related Boards, Tennessee Dept. of Health

About The Board

► Definitions (TN Rules & Regulations)

- **Clinical Experience** - The application of social work theory, knowledge, methods, principles, values, ethics, and the professional use of self to restore or enhance social, psychosocial or biopsychosocial functioning of individuals, couples, families, groups, or persons who are adversely affected by social or psychosocial stress or health impairment. The provision of clinical services requires the application of specialized clinical knowledge and advanced clinical skills in the areas of assessment, diagnosis and/or treatment of mental, emotional and behavioral disorders, conditions and/or addictions, including severe mental illness in adults and serious emotional disturbances in children. Treatment methods include the provision of individual, marital, couple, family, and group therapy, mediation, counseling, supportive counseling, advanced case management, direct private practice and psychotherapy. Clinical experience may also involve the provision of brief psychosocial and behavioral interventions, comprehensive crisis assessment, and treatment planning. **Clinical experience is designated as the actual time spent providing direct services to clients.** The practice of clinical social work is restricted to a Licensed Clinical Social Worker, or to a Licensed Master Social Worker or Licensed Advanced Practice Social Worker under supervision of a Licensed Clinical Social Worker meeting the standards set forth in T.C.A. §§ 63-23-101, et seq..

Rules Review



▶ Definitions (TN Rules & Regulations)

- ▶ **Nonclinical Advanced Practice Experience** – The application of generalist practice skills under the supervision of an L.C.S.W. or an L.A.P.S.W. in the areas of education, research, advocacy, community organization, mediation, consultation, public policy, legislative advocacy, healthcare, discharge planning, assessment, treatment planning, case management, counseling, supportive counseling, information and referral, and the development, implementation, evaluation and administration of policies, programs and activities. Nonclinical advanced practice experience is designated as the actual time spent in direct services to clients, client systems and/or organizations. Nonclinical advanced practice experience is not defined as solely face-to-face contact with individuals, couples, families and/or groups.

Rules Review

▶ Definitions (TN Rules & Regulations)

- ▶ Group supervision - The process of supervision of no more than four persons in a group setting provided by an L.C.S.W. or L.A.P.S.W. supervisor wherein practice problems are dealt with that are similar in nature and complexity to all supervisees in the group.
- ▶ Individual supervision - A live, face-to-face meeting with one (1) supervisor and one supervisee including the use of teleconferencing technologies, visual multi-media technology, or video conferencing technology.
- ▶ Clinical Private Practice – Practice in which practitioners, either on a full or part-time basis, establish their own conditions of exchange with their clients, receive direct fees, and are solely responsible for the services they provide to clients, without supervision, regardless of the organization structure. Only an L.C.S.W. may engage in clinical private practice.

Rules Review

▶ **Definitions (TN Rules & Regulations)**

- ▶ Independent Practice – Practice in which an individual receives direct compensation or remuneration of any kind from any person or third-party payer, including but not limited to insurance companies, health plans, and state and federal benefit programs for the provision of any services.

▶ **NECESSITY OF LICENSURE.**

- ▶ Unless an individual holds a current unrevoked or unsuspended Licensed Clinical Social Worker (L.C.S.W.) license in Tennessee, he or she may not engage in the private practice of clinical social work, as defined in the scope of practice requirements.

Rules Review



▶ Definitions (TN Rules & Regulations)

- ▶ **Supervision** - The ongoing, direct clinical review, and/or non-clinical review, for the purpose of training or teaching, by an L.C.S.W. or L.A.P.S.W. supervisor who monitors the performance of a person's interaction with a client and provides regular documented face-to-face contact, guidance and instructions with respect to the clinical and/or non-clinical skills and competencies of the person supervised. Supervision may include, without being limited to, the review of case presentations, audio tapes, video tapes, and direct supervision.

Rules Review



► Scope of Practice – LBSW

- application of social work theory, knowledge, methods, principles, values and ethics and the professional use of self
- basic generalist practice that includes interviewing, assessment, planning, intervention, evaluation, case management, mediation, supportive counseling, direct nonclinical practice, information and referral, problem solving, client education, advocacy, community organization, supervision of employees, and the development, implementation, and administration of policies, programs and activities
- A social worker at this level is not qualified to diagnose or treat mental illness nor provide psychotherapy services
- shall practice in or for an agency or organization and may not practice privately or independently.
- A social worker may not prescribe medication or interpret psychological tests.

Rules Review

► Scope of Practice – LMSW

- application of social work theory, knowledge, methods, principles, values and ethics and the professional use of self
- 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 of employees, consultation, education, research, advocacy, community organization and the development, implementation, and administration of policies, programs and activities.
- may include the practice of clinical social work under the supervision of a licensed clinical social worker as an avenue for licensure as a clinical social worker.
- A social worker at this level shall not provide services to clients in exchange for direct payment or third-party reimbursement.
- shall engage only in supervised practice in or for an agency or organization and may not practice privately or independently.
 - **Red Flag: Practicing as an independent contractor**
- A social worker may not prescribe medication or interpret psychological tests.

Rules Review

W2 vs 1099 for LMSWs

- ▶ LMSWs are not allowed to practice privately or independently
- ▶ An LMSW may work for a private practice as an employee
- ▶ This may be as a permanent or temporary employee (W2) or a contracted employee (1099)
- ▶ Insuring Compliance as a Contracted Employee:
 - ▶ The contract must be for a specified number of hours per week or PRN, not based on a per client rate
 - ▶ You must be paid for your hours regardless of client attendance
 - ▶ Primary liability insurance must be under the liability/malpractice insurance of the practice (personal liability insurance is always recommended in addition)
 - ▶ The LMSW may not bill the client or third-party payers directly
 - ▶ Remember that a contracted employee is responsible for paying their annual income taxes



▶ Scope of Practice – LAPSW

- ▶ advanced practice skills in the areas of education, research, advocacy, community organization, mediation, consultation, assessment, treatment planning, implementation and evaluation, case management, counseling, supportive counseling, direct practice, information and referral, supervision, and the development, implementation, and administration of policies, programs and activities
- ▶ may occur independently outside the jurisdiction of an agency or organizational setting
- ▶ May practice in exchange for direct payment or third-party reimbursement.
- ▶ May provide supervision for licensed or temporarily licensed master's social workers seeking to become LAPSW's

Rules Review



▶ Scope of Practice – LCSW

- ▶ advanced clinical skills in the areas of assessment, diagnosis and treatment of mental, emotional and behavioral disorders, conditions and addictions
- ▶ 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, treatment planning
- ▶ may occur outside the jurisdiction of an agency or organizational setting
- ▶ may engage in both independent clinical and agency-based, nonclinical, macro social work practice

Rules Review



▶ LBSW Requirements

- ▶ Degree from a CSWE accredited Social Work Program
- ▶ Successfully pass the ASWB bachelor's licensing exam

▶ LMSW Requirements

- ▶ Degree from a CSWE accredited Social Work Program
- ▶ Successfully pass the ASWB master's licensing exam

Rules Review

▶ LAPSW Requirements

- ▶ Practiced for no less than two (2) years after the date of application as a LMSW or temporarily LMSW under the supervision of a LAPSW or LCSW.
- ▶ The accrual period must not exceed 8 years from the start of practice hours accrual.
- ▶ At least 3000 hours of non-clinical experience, that may include administrative and direct client-social worker contact;
- ▶ At least 100 supervision hours in addition to the 3000 practice hours
- ▶ Not less than 60 of the 100 supervisor contact hours must be one-to-one supervision between the supervisor and supervisee; no more than 40 hours may be in a group setting with no more than 4 supervisees.
- ▶ Supervision **MUST** be concurrent with the accrual of practice hours

Rules Review



▶ LCSW Requirements

- ▶ Practiced for not less than 2 years after the date of application as a LMSW or temporarily LMSW under the supervision of a LCSW only.
- ▶ The accrual period must not exceed 8 years from the start of practice hours accrual.
- ▶ At least 3000 hours of clinical experience, meaning client- social worker contact;
- ▶ At least 100 supervision hours in addition to the 3000 practice hours;
- ▶ Not less than 60 of the 100 supervisor contact hours must be one-to-one supervision between the supervisor and supervisee; no more than 40 hours may be in a group with no more than four (4) supervisees
- ▶ Supervision **MUST** be concurrent with the accrual of practice hours

Rules Review



▶ Application Process

- ▶ Complete and submit to the Board of Social Worker Licensure
- ▶ Application reviewed, applicant notified of decision or pending decision
- ▶ If incomplete, the applicant has 30 days to complete
- ▶ Once approved, applicant has 12 months to pass the examination

Rules Review

▶ Applying for the LBSW/LMSW

- ▶ Complete and sign the application
- ▶ Application & License Fee - Credit card, check or money order payable to the Board of Social Work Licensure (LBSW - \$75.00; LMSW - \$125.00)
- ▶ Include a passport size photo taken within the past 12 months (\$10 - \$14)
- ▶ Complete and include the Declaration of Citizenship form
- ▶ Request transcript be sent directly to the board (\$ varies)
- ▶ Complete the mandatory practitioner profile questionnaire
- ▶ Criminal background check/finger-printing (\$37.15)
- ▶ Submit application and receive approval to take the exam
- ▶ Take the exam, results sent directly to the board (\$230.00)
- ▶ Total Cost: Approximately \$370 - \$420.00

Rules Review

▶ Applying for the LAPSW or the LCSW

- ▶ Complete and sign the application
- ▶ Credit card, check or money order payable to the Board of Social Work Licensure (\$225.00)
- ▶ Include a passport size photo taken within the past 12 months (\$10 - \$14)
- ▶ Complete and include the Declaration of Citizenship
- ▶ Include LMSW renewal card
- ▶ Professional reference from your supervisor/Verification of supervision
- ▶ Supervisor's verification of supervisor's 12 supervision CEU's
- ▶ Detailed supervision logs
- ▶ Request transcript be sent directly to the board (\$ varies)
- ▶ Criminal background check (\$37.15)
- ▶ Complete the mandatory practitioner profile questionnaire
- ▶ Submit application and receive approval to take the exam
- ▶ Take the exam, results sent directly to the board (\$260.00)
- ▶ Total Cost: Approximately \$540.00

Rules Review

Supervision

- ▶ Supervision as the term is used in T.C.A. § 63-23-101 et seq. is considered to include the following:
- ▶ (a) Individual or group supervision, which shall focus on:
 - ▶ 1. Data from the supervisee's clinical or non-clinical work made available to the supervisor by oral and written clinical or non-clinical reports, direct observation, and/or audio recordings.
 - ▶ 2. Mutually establishing goals and objectives for the promotion of learning.
- ▶ (b) Review of supervisee's specific cases and evaluating his or her skill development by the supervisor.
- ▶ (c) Supervision may occur via visual multi-media technology. Supervision may NOT be completed via email, instant messaging, texting or any format that does not allow for visual contact.
- ▶ (d) A supervisor must be secured prior to the accumulation of hours of experience.
- ▶ (e) Supervision must occur at reasonable intervals and must continue at reasonable intervals until the completion of the necessary hours of experience and a license has been granted.

Rules Review

► Supervision – LCSW & LAPSW

- 1 supervisor-supervisee hour for every 30 clinical contact hours for a total of 100 supervisor contact hours (supervisor-supervisee) over not less than 2 years and no more than 8 years.
- At least 60 of the 100 supervisor contact hours must be one-to-one supervisor-supervisee; and no more than 40 hours may be in a group setting.
- Individual and group supervision for an LCSW may only be provided by an LCSW. An LAPSW candidate may be supervised by either an LCSW or LAPSW.
- Supervisor must have been licensed as an LAPSW or LCSW for a least 3 years prior to beginning supervision.
- 100% of supervision hours may be obtained through synchronis video conferencing technology.
- **Supervision MUST be concurrent with the accrual of practice hours**
- The above supervision time shall be in addition to:
 - Any overall administrative supervision, and
 - Any group seminar or group consultation which is deemed appropriate

Rules Review

Continuing Education

- ▶ 18 hours LBSW, 24 hours LMSW, 30 hours LAPSW & LCSW every 2 calendar years
- ▶ 6 must be an ethics topic
- ▶ Beginning January 2020, 2 hours must be pre-approved suicide prevention (once every four years)
- ▶ 1 must be related to SW rules and regulations
- ▶ 1/3 must be in-person or synchronis learning
- ▶ 2/3 of the hours may be done via asynchronis multimedia
- ▶ Hours may cross requirements
 - ▶ This training would potentially count for 3 of the required areas but only for a total of 3 CEU's

Rules Review

Continuing Education

- ▶ Preplanned/formalized activities with written learning objectives
- ▶ Directed at developing and enhancing knowledge base and service delivery skills
- ▶ Documentation of completion kept for four (4) years
- ▶ CEU's are not submitted for license renewals
- ▶ Audits are randomly conducted
- ▶ Waivers are possible on individual basis
- ▶ CE Broker - online tool that assists with documenting CEU's

Rules Review

CEU 2 year Periods

- ▶ The 2-year cycle is always the two years prior to your year of renewal
- ▶ Your license will renew every 2 years based on the year and month of your birth^{*}
 - ▶ Even birth year = Even year renewal
 - ▶ Odd birth year = odd year renewal
- ▶ Always renews in the month of your birth
- ▶ Example: Your license renews in September 2024
 - ▶ Your 2-year CEU period is January 2022 – December 2023

^{*} Your initial license may renew in less than two years if it was issued in a year that does not coincide with the year of your birth

▶ Ethical Behavior - **1365-01-.10**

- ▶ Comply with NASW Code of Ethics
- ▶ False advertising
- ▶ Sexual activity
- ▶ Addiction issues that interfere with duties
- ▶ Disclosure of confidential information
- ▶ Failure to provide information regarding limits of confidentiality
- ▶ Conflicts of interest
- ▶ Dual relationships

Rules Review

Accrual of Clinical Hours

- ▶ **3000 total Clinical Hours**
 - ▶ **2250 – direct, clinical assessment, diagnosis, and treatment of mental, emotional, and behavioral conditions and/or addictions - the provision of brief psychosocial therapeutic and behavioral interventions, comprehensive crisis assessment, and treatment planning for clients who are adversely affected by social or psychosocial stress, health or mental impairment.**
 - ▶ **750 - other clinical social work methods and activities including but not limited to advanced clinical case management, clinical case consultations, indirect assessment and treatment planning, and/or prevention of psychosocial dysfunction or impairment of mental, emotional, and behavioral conditions and/or addictions**

▶ Supervision Logs

▶ Examples found on the website

- ▶ [LCSW-Supervision-Log.pdf \(tn.gov\)](#)
- ▶ [LAPSW-Supervision-Log8.pdf \(tn.gov\)](#)

▶ Brief description of content of supervision and practice hours

▶ Should be reviewed on an ongoing basis

▶ Document actual contact hours/practice hours

▶ Staff meetings, agency specific policy meetings any job related routine administrative activities cannot be counted

Documentation of Hours

▶ Supervisor Responsibilities

- ▶ Insuring LMSW is providing appropriate services/care
- ▶ Provides teaching and learning direction for supervisee
- ▶ Certifies that the application in regard to the number of hours logged is accurate
- ▶ Ethically and legally responsible for the quality of work provided by the supervisee
- ▶ Supervision must occur at reasonable intervals and must continue at reasonable intervals until the completion of the necessary hours of experience and a license has been granted.
- ▶ Supervision **MUST** be concurrent with the accrual of practice hours

Supervision

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- ▶ A supervisor must be secured prior to the accumulation of hours of experience.
 - ▶ Supervisor must have been continually licensed for three (3) years prior to beginning supervision
 - ▶ Must have or gain within the first year of supervision, twelve (12) CEU's related to the provision of social work supervision
(Beginning January 2023)
 - ▶ Three (3) of the twelve (12) must be related to TN licensing rules
 - ▶ Certification of CEU's must be submitted with application
 - ▶ Supervision contract highly recommended whether or not the supervisor is internal or external to the organization

Supervision

Social Work Licensure Compact

- ▶ SB2134 – Passed and signed into law as of May 28, 2024
- ▶ legal contract between two or more states/territories enabling practitioners (in this case, social workers) to practice in each other's jurisdiction
- ▶ eliminates barriers to practice and increases access to care
- ▶ Facilitating interstate/territory tele-mental health
- ▶ Improving continuity of care when clients travel or relocate
- ▶ Encouraging cooperation among compact member states/territories in regulating the practice of social work
- ▶ Preserving and strengthening state licensure systems
- ▶ a compact Commission which will govern the compact and ensure coordination between the participating states
- ▶ Anticipate 1-2 years before the process is created



▶ All information obtained from:

▶ **RULES OF TENNESSEE BOARD OF SOCIAL WORKER
CERTIFICATION AND LICENSURE CHAPTER 1365-01**

▶ **GENERAL RULES AND REGULATIONS**

▶ <https://publications.tnsosfiles.com/rules/1365/1365-01.20220302.pdf>

▶ Presenter Contact: Paula D. Foster, LCSW - paulafosterlcsw@yahoo.com

Reference