

**PUBLIC HEALTH CODE (EXCERPT)**

**Act 368 of 1978**

**PART 185.**

**Social Work**

**333.18501 Definitions; scope.**

Sec. 18501. (1) As used in this part:

(a) "Health facility" means a health facility or agency licensed under article 17 or a hospital, psychiatric hospital, or psychiatric unit licensed under the mental health code, 1974 PA 258, MCL 330.1001 to 330.2106.

(b) "Licensed bachelor's social worker" means an individual licensed under this article to engage in the practice of social work at the bachelor's level.

(c) "Licensed master's social worker" means an individual licensed under this article to engage in the practice of social work at the master's level.

(d) "Practice of medicine" means that term as defined in section 17001.

(e) "Practice of osteopathic medicine and surgery" means that term as defined in section 17501.

(f) "Practice of social work at the bachelor's level" means, subject to subsections (2) and (4), all of the following applied within the scope of social work values, ethics, principles, and skills:

(i) The application of social work theory, knowledge, methods, and ethics to restore or enhance social, psychosocial, or biopsychosocial functioning of individuals, couples, families, groups, organizations, or communities, with particular attention to the person-in-environment configuration.

(ii) Social work case management and casework, including assessments, planning, referral, and intervention with individuals, families, couples, groups, communities, or organizations within the context of social work values, ethics, principles, and skills.

(iii) Helping communities, organizations, individuals, or groups improve their social or health services by utilizing social work practice skills.

(iv) The administration of assessment checklists that do not require special training and that do not require interpretation.

(g) "Practice of social work at the master's level" means, subject to subsection (5), all of the following applied within the scope of social work values, ethics, principles, and advanced skills:

(i) The advanced application of the knowledge of human development and behavior and social, economic, and cultural institutions.

(ii) The advanced application of macro social work processes and systems to improve the social or health services of communities, groups, or organizations through planned interventions.

(iii) 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. Treatment methods include the provision of advanced social work case management and casework and individual, couple, family, or group counseling and psychotherapy whether in private practice or other settings.

(h) "Social service technician" means an individual registered under this article who is specially trained to practice only under the supervision of a licensed master's social worker or a licensed bachelor's social worker.

(2) An individual who performs 1 or more of the functions described in subdivision (f)(i) through (iv) but not all of those functions is not considered engaged in the practice of social work at the bachelor's level.

(3) In addition to the definitions of this part, article 1 contains general definitions and principles of construction applicable to all articles in this code and part 161 contains definitions applicable to this part.

(4) The practice of social work at the bachelor's level does not include the practice of medicine or the practice of osteopathic medicine and surgery, including, but not limited to, the prescribing of drugs, the administration of electroconvulsive therapy, the practice of psychotherapy, and other advanced clinical skills pursuant to section 18501(g)(iii) or the administration or interpretation of psychological tests, except as otherwise provided in subdivision (f)(iv).

(5) The practice of social work at the master's level does not include the practice of medicine or the practice of osteopathic medicine and surgery, including, but not limited to, the prescribing of drugs or administration of electroconvulsive therapy.

**History:** Add. 2000, Act 11, Imd. Eff. Mar. 7, 2000;—Am. 2004, Act 61, Eff. July 1, 2005.

**Popular name:** Act 368

**333.18503 Representation or use of title; prohibition.**

Sec. 18503. (1) An individual shall not represent that he or she is a social service technician or use a title

including "social service technician" or an abbreviation of those terms or the letters "s.s.t." or similar words which would indicate that he or she is registered under this article unless the individual is registered in that capacity under this article.

(2) Only a licensed bachelor's social worker shall use the title "licensed bachelor's social worker", "social worker", or "l.b.s.w.". Only a licensed master's social worker shall use the title "licensed master's social worker", "social worker", or "l.m.s.w.".

**History:** Add. 2000, Act 11, Imd. Eff. Mar. 7, 2000;—Am. 2004, Act 61, Eff. July 1, 2005.

**Popular name:** Act 368

### **333.18504 License required.**

Sec. 18504. (1) An individual shall not engage in the practice of social work at the bachelor's or master's level or use a title described in section 18503 unless licensed or otherwise allowed under this part.

(2) The department shall issue a license or registration under this part for a duration of 3 years.

**History:** Add. 2004, Act 61, Eff. July 1, 2005.

**Popular name:** Act 368

### **333.18505 Michigan board of social work; creation; membership; terms.**

Sec. 18505. (1) Subject to section 18515(2) and subsection (2), the Michigan board of social work is created in the department and consists of the following 9 voting members who meet the requirements of part 161:

(a) Until July 1, 2004, 4 certified social workers and 2 social workers who meet the requirements of section 16135(2). Beginning July 1, 2004, 6 individuals engaged primarily in the practice of social work.

(b) Three public members.

(2) For board members appointed on or after July 1, 2004, the 6 members appointed that are primarily engaged in the practice of social work shall be licensed under this part by July 1, 2008.

(3) The terms of office of the individual members of the board created under this section, except those appointed to fill vacancies, expire 4 years after appointment on December 31 of the year in which the term expires.

**History:** Add. 2000, Act 11, Imd. Eff. Mar. 7, 2000;—Am. 2004, Act 61, Imd. Eff. Apr. 12, 2004;—Am. 2006, Act 393, Imd. Eff. Sept. 27, 2006.

**Popular name:** Act 368

### **333.18506 Postdegree experience; limited license.**

Sec. 18506. An individual who is granted a limited license under section 18509(2) to engage in the 2-year postdegree experience in the practice of social work at the bachelor's or master's level shall practice under the supervision of a licensed master's social worker and confine his or her practice to an agency, a health facility, an institution, or another entity approved by the board.

**History:** Add. 2004, Act 61, Eff. July 1, 2005.

### **333.18506a Applicability of part.**

Sec. 18506a. (1) This part does not apply to any of the following:

(a) An individual who is engaged in a course of study leading to a degree in social work and participating in an internship or field placement supervised by a licensed master's social worker.

(b) An individual who is not licensed or otherwise authorized under this part to engage in the practice of social work at the bachelor's or master's level or registered as a social service technician who donates his or her services, other than psychotherapy services, to a charitable nonprofit organization so long as the individual does not hold himself or herself out to the public as a social worker licensed, registered, or otherwise authorized under this part.

(c) An ordained cleric or other religious practitioner if elements of section 18501(f) or (g) are incidental to his or her religious duties performed under the auspices or recognition of a church, denomination, religious association, or sect that has tax-exempt status pursuant to section 501(c)(3) of the internal revenue code of 1986, if he or she does not hold himself or herself out as a social worker licensed, registered, or otherwise authorized under this part.

(d) A certified, licensed, or otherwise statutorily recognized member of any other profession who practices his or her profession as authorized by law so long as the individual does not hold himself or herself out to the public as a social worker licensed, registered, or otherwise authorized under this part.

(e) An individual who is a participant in a self-help, peer counseling, or support services program provided by either a charitable or labor organization exempt from taxation under section 501(c)(3) or 501(c)(5) of the

internal revenue code of 1986, so long as the individual does not hold himself or herself out to the public as a social worker licensed, registered, or otherwise authorized under this part. The exemption for a participant in a program described under this subdivision does not otherwise provide an exemption from licensure or registration under this part for an employee of the charitable or labor organization not otherwise authorized to engage in activities or use a title regulated under this part.

(f) An individual whose duties may include some or all of the activities described in section 18501(1)(f) as long as he or she is trained and does not hold himself or herself out as an individual licensed or registered under this part or does not use a title regulated by this part, or both.

(2) This part does not prohibit an individual who holds a bachelor's, master's, or doctorate degree in social work from an accredited college or university from using a title including "social work" if the individual does not engage in the practice of social work at the bachelor's or master's level.

**History:** Add. 2004, Act 61, Eff. July 1, 2005.

**Popular name:** Act 368

### **333.18507 Social service technician; registration requirements; limited registration.**

Sec. 18507. (1) The board may grant registration under this article as a social service technician to an individual who meets all of the following requirements:

(a) Has had 1 year of social work experience acceptable to the board or has successfully completed 2 years of college that included some coursework relevant to human services areas.

(b) Is employed in the practice of social work and applies social work values, ethics, principles, and skills. This subdivision is waived if the individual has the equivalent of 2,000 hours of service in social work with an agency recognized by the board or has received an associate degree in social work at a college approved by the board that includes supervised instructional field experience.

(2) The board may grant registration under this article as a limited social service technician to an individual who has successfully completed 2 years of college and is employed in the practice of social work, or has been made an offer of employment in the practice of social work, with an agency recognized by the board, applies social work values, ethics, principles, and skills under the supervision of a licensee under this part, and is seeking to obtain the experience for registration as a social service technician. A limited registration under this subsection is renewable for not more than 1 year.

**History:** Add. 2000, Act 11, Imd. Eff. Mar. 7, 2000;—Am. 2004, Act 61, Eff. July 1, 2005.

**Popular name:** Act 368

### **333.18509 License requirements; limited license.**

Sec. 18509. (1) Except as otherwise provided in section 18515, an individual granted a license under this part shall meet the following requirements:

(a) A licensed bachelor's social worker shall have been awarded a bachelor's degree in social work from a college or university social work program approved by the board and shall have completed at least 2 years of full-time postbachelor's degree experience, or the equivalent in part-time hours, in the practice of social work at the bachelor's level under the supervision of a licensed master's social worker. Until July 1, 2008, the required experience in the practice of social work at the bachelor's level shall be performed under the supervision of a person who has been awarded a master's or doctoral degree in social work from a college or university school of social work.

(b) A licensed master's social worker shall have been awarded a master's or doctoral degree in the field of social work from a college or university social work program approved by the board and shall have completed at least 2 years of full-time postmaster's or postdoctoral degree experience, or the equivalent in part-time hours, in the practice of social work at the master's level under the supervision of a licensed master's social worker. Until July 1, 2008, the required experience in the practice of social work at the master's level shall be performed under the supervision of a person who has been awarded a master's or doctoral degree in the field of social work from a college or university school of social work and has engaged in the practice of social work for not less than 2 years. In addition to the requirements set forth in this subdivision, a licensed master's social worker employed by a school district shall meet the requirements for employment as a school social worker contained in the revised school code, 1976 PA 451, MCL 380.1 to 380.1852, and the rules promulgated under that act.

(2) The board may grant a limited license to engage in the 2-year postdegree experience required under subsection (1) to an individual who has completed all the educational requirements for licensure as a bachelor's social worker or a master's social worker. A limited license granted under this subsection is renewable for not more than 6 years.

**History:** Add. 2000, Act 11, Imd. Eff. Mar. 7, 2000;—Am. 2004, Act 61, Eff. July 1, 2005.

**Popular name:** Act 368

### **333.18511 Practice of social work; requirements.**

Sec. 18511. A licensee shall not perform an act, task, or function within the practice of social work unless he or she is trained to perform the act, task, or function and the performance of the act, task, or function is consistent with the code of ethics for social workers.

**History:** Add. 2000, Act 11, Imd. Eff. Mar. 7, 2000;—Am. 2004, Act 61, Eff. July 1, 2005.

**Popular name:** Act 368

### **333.18513 Confidentiality of communication.**

Sec. 18513. (1) An individual registered or licensed under this part or an employee or officer of an organization that employs the registrant or licensee is not required to disclose a communication or a portion of a communication made by a client to the individual or advice given in the course of professional employment.

(2) Except as otherwise provided in this section, a communication between a registrant or licensee or an organization with which the registrant or licensee has an agency relationship and a client is a confidential communication. A confidential communication shall not be disclosed, except under either or both of the following circumstances:

(a) The disclosure is part of a required supervisory process within the organization that employs or otherwise has an agency relationship with the registrant or licensee.

(b) The privilege is waived by the client or a person authorized to act in the client's behalf.

(3) If requested by the court for a court action, a registrant or licensee shall submit to an appropriate court a written evaluation of the prospect or prognosis of a particular client without disclosing a privileged fact or a privileged communication. An attorney representing a client who is the subject of an evaluation described in this subsection has the right to receive a copy of the evaluation. If required for the exercise of a public purpose by a legislative committee, a registrant or licensee or agency representative may make available statistical and program information without violating the privilege established under subsection (2).

(4) A registrant or licensee may disclose a communication or a portion of a communication made by a client pursuant to section 946 of the mental health code, 1974 PA 258, MCL 330.1946, in order to comply with the duty set forth in that section.

**History:** Add. 2000, Act 11, Imd. Eff. Mar. 7, 2000;—Am. 2004, Act 61, Eff. July 1, 2005.

### **333.18515 Registration issued under former act; term of member of board of examiners of social workers; continuation of rules; full licensure upon renewal application.**

Sec. 18515. (1) An individual who holds a registration issued under former article 16 of the occupational code, 1980 PA 299, on March 7, 2000 is registered under this part until that registration expires and may renew his or her registration pursuant to part 161.

(2) The members of the board of examiners of social workers created under former section 1602 of the occupational code, 1980 PA 299, shall serve as the initial members of the Michigan board of social work until their successors are appointed under this article or until the expiration of their respective terms, whichever occurs first. However, if the term of a member of the board of examiners of social workers has not expired on March 7, 2000, that term expires on June 30 of the year in which the term will expire.

(3) Rules promulgated by the board of examiners of social workers or the director under former article 16 of the occupational code, 1980 PA 299, and in effect on March 7, 2000 continue in effect to the extent that they do not conflict with this article and shall continue to be enforced. The rules may be amended or rescinded by the director.

(4) The board shall grant a full license as a licensed bachelor's social worker to an individual who holds a certificate of registration as a social worker issued before the effective date of this subsection upon the next renewal application for registration.

(5) The board shall grant a full license as a licensed master's social worker to an individual who holds a registration as a certified social worker issued before the effective date of this subsection upon the next renewal application for registration.

**History:** Add. 2000, Act 11, Imd. Eff. Mar. 7, 2000;—Am. 2004, Act 61, Eff. July 1, 2005.

**Popular name:** Act 368

### **333.18516 Continuing education; rules.**

Sec. 18516. (1) Beginning the license renewal cycle after the effective date of the rules promulgated under this section, an individual licensed under this part shall meet the continuing education requirements of this

section when renewing his or her license.

(2) The department, in consultation with the board, shall promulgate rules to require a licensee seeking renewal to furnish evidence that during the 3 years immediately preceding application for renewal, the licensee attended continuing education courses or programs related to the practice of social work and designed to further educate licensees.

(3) The department, in consultation with the board, shall establish by rule the total number of course or program clock hours at a minimum of 45 clock hours in any 3-year license renewal cycle. A portion of those clock hours must be in social work ethics.

(4) The department shall ensure that all approved continuing education courses include defined measurements of preknowledge and postknowledge or skill improvements, or both, as a result of the continuing education program.

**History:** Add. 2004, Act 61, Eff. July 1, 2005.

**Popular name:** Act 368

### **333.18517 Third party reimbursement or worker's compensation benefits.**

Sec. 18517. This part does not require new or additional third party reimbursement or mandated worker's compensation benefits for services by an individual licensed as a social worker or registered as a social service technician under this article.

**History:** Add. 2004, Act 61, Eff. July 1, 2005.

**Popular name:** Act 368

### **333.18518 Training requirements; rules.**

Sec. 18518. (1) The department shall promulgate rules regarding the minimum training requirements for the practice of social work at the bachelor's level and for the practice of social work at the master's level.

(2) The rules regarding the practice of social work at the master's level shall distinguish between the training, education, and experience requirements relative to the social work applications described in section 18501(g)(ii) and (iii). The training, education, and experience requirements for the applications described in section 18501(g)(iii) shall include at least the following:

(a) Possession of a master's degree in social work.

(b) Completion of course work in normal human development and diagnosis, assessment, and treatment of individuals, couples, families, and groups, using a variety of psychotherapeutic methods or techniques.

(c) Completion of not less than 2 years of supervised post-master's degree clinical experience.

**History:** Add. 2004, Act 61, Eff. July 1, 2005.

**Popular name:** Act 368