



Legislative Background Brief

for the
Economic Affairs Interim Committee

June 2013

Board of Social Work Examiners and Professional Counselors

Prepared by Pat Murdo, Legislative Research Analyst, with help from the Business Standards Division

Board = 7 members (term expiration in parentheses)

<p>Social Workers = 3 Vonnie Brown, Great Falls (1/1/2017) Kimberly Gardner, Helena (1/1/2017) Henry Pretty On Top, Lodge Grass (1/1/2017)</p>	<p>Professional Counselors = 3 Carol Staben Burroughs, Bozeman (1/1/2015) Peter Degel, Helena (11/1/2015) John Lynn, Missoula (1/1/2017)</p>
<p>Public member = 1 B.A. Tweedy, Helena (1/1/2015)</p>	

Number of Licensees	FY 2009	FY 2010	FY 2011	FY2012
- Total	1,651	1,664	1,802	1,881

Licensing Fees (since 2012) All fees same for Social Workers, Professional Counselors, and Marriage and Family Therapists

Application fee \$200	Inactive license fee \$ 88
Annual renewal fee..... \$175	

Revenues FY2009-FY2012 and Expenditures for FY 2009-2012

	Revenues		Expenditures	
	Licensing	Other	Personal Services	Operating
FY 2009	\$159,469		\$213,402	
FY 2010	\$181,893		\$191,295	
FY 2011	\$197,398		\$223,676	
FY 2012	\$210,111		\$268,963	
FY 2015 biennium*	--		\$532,111	

*Appropriation Authority In House Bill 2

Expenditures, FY 2012	Direct	Indirect			
		Admin	Div. IT/Bureau	Compliance	Bureau
Personal Services, incl. per diem	\$80,235	\$15,715	\$8,174	\$23,369	\$5,733

Operating Expenses	<i>Direct</i>	<i>Indirect</i>
Consulting, Printing, IT, Other	\$15,882	\$5,699
Supplies, incl. Computer	\$2,710	\$1,931
Postage, mailing, IT network, voice srv	\$4,937	\$2,169
Travel/Per Diem for Board Members	\$13,068	
Rent and other expenses*	\$15,437	\$17,186
Legal and hearings	\$56,718	
Total	\$188,987	\$79,976

*Includes computer and office equipment repair of \$219, dues, education & training, plus fee collection expense of \$8,317 and rent of \$6,902 for direct expenses. DLI OIT expense of \$7,216, meeting rooms and repair/maintenance contracts of \$38, and indirect agency, training IT, freight & express, etc. of \$9,932 for indirect expenses.

Number of Complaints

FY 09	42
FY 10	25
FY 11	43
FY 12	54

Disciplinary Action (may be from other years)

Dismissed 28, Other Sanctions 15, Investigations 26
 Revoked 2, Dismissed 23, Other Sanctions 10,
 Investigations 21
 Suspended 4, Dismissed 25, Other Sanctions 6,
 Investigations 21
 Dismissed 35, Other Sanctions 9, Closed 10

Scope of Practice

The practice of social work, as defined in 37-22-102, MCA, is "the professional practice directed toward helping people achieve more adequate, satisfying, and productive social adjustments. The practice of social work involves special knowledge of social resources, human capabilities, and the roles that individual motivation and social influences play in determining behavior and involves diagnoses and the application of social work techniques, including: (a) counseling and using psychotherapy with individuals, families, or groups; (b) providing information and referral services; (c) providing, arranging, or supervising the provision of social services; (d) explaining and interpreting the psychosocial aspects in the situations of individuals, families, or groups; (e) helping communities to organize to provide or improve social and health services; (f) research or teaching related to social work; and (g) administering, evaluating, and assessing tests if the licensee is qualified to administer the test and make the evaluation and assessment".

The practice of professional counseling, as defined in 37-23-102, MCA, means "engaging in methods and techniques that include: (a) counseling, which means the therapeutic process of: (i) conducting assessments and diagnoses for the purpose of establishing treatment goals and objectives; or (ii) planning, implementing, and evaluating treatment plans that use treatment interventions to facilitate human development and to identify and remediate mental, emotional, or behavioral disorders and associated distresses that interfere with mental health; (b) assessment, which means selecting, administering, scoring, and interpreting instruments, including psychological tests, evaluations, and assessments, designed to assess an individual's aptitudes, attitudes, abilities, achievement, interests, and personal characteristics and using nonstandardized methods and techniques for understanding human behavior in relation to coping with, adapting to, or

changing life situations; (c) counseling treatment intervention, which means those cognitive, affective, behavioral, and systemic counseling strategies, techniques, and methods common to the behavioral sciences that are specifically implemented in the context of a therapeutic relationship. Other treatment interventions include developmental counseling, guidance, and consulting to facilitate normal growth and development, including educational and career development. (d) referral, which means evaluating information to identify needs or problems of an individual and to determine the advisability of referral to other specialists, informing the individual of the judgment, and communicating as requested or considered appropriate with the referral sources".

The practice of "marriage and family therapy" as defined in 37-37-102, MCA, means the "diagnosis and treatment of mental and emotional disorders within the context of interpersonal relationships, including marriage and family systems. Marriage and family therapy involves the professional application of psychotherapeutic and family system theories and techniques, counseling, consultation, treatment planning, and supervision in the delivery of services to individuals, couples, and families ... singly or in groups, for a fee, monetary or otherwise, either directly or through public or private organizations".

2013 Legislation Impacting Board or Profession

- HB 133, which did not have a Senate vote on a conference committee amendment and thus died, would have changed the board name to include Marriage and Family Therapists and would have created a new definition of registered candidate for all the professions licensed by the board. A registered candidate was to have been an applicant for licensure registered to obtain postdegree supervised work experience.

Summary of Responses from Survey as made through June 3, 2013:

of Responses from Board of Social Work Examiners and Professional Counselors (and Marriage and Family Therapists) licensees -- 150
Comments summarized separately.