

**TITLE 185: COMMONWEALTH HEALTH CARE PROFESSIONS
LICENSING BOARD**

**SUBCHAPTER 185-10
COMMONWEALTH HEALTH CARE PROFESSIONS LICENSING BOARD REGULATIONS**

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Part 2300 - Licensed Baccalaureate Social Worker, Licensed Master’s Social Worker and the Licensed Clinical Social Worker

§ 185-10-2301 Definitions

- (a) “**ACSW**” is the Academy of Certified Social Workers.
- (b) “**ASWB**” is the Association of Social Work Boards.
- (c) “**CASSW**” is the Canadian Association of Schools of Social Work, which is the council that accredits the schools of social work in Canada.
- (d) “**CSWE**” is the Council on Social Work Education, which is the council that accredits baccalaureate and master’s degree programs in social work in the U.S.
- (e) “**L.B.S.W.**” means a “licensed baccalaureate social worker” who has been issued a license by this board to practice within their scope of practice and whose license is in good standing.
- (f) “**L.M.S.W.**” means a “licensed master’s social worker” who has been issued a license by this board to practice within their scope of practice and whose license is in good standing.
- (g) “**L.C.S.W.**” means a “licensed clinical social worker” who has been issued a license by this board to practice within their scope of practice and whose license is in good standing.
- (h) “**NASW**” is the National Association of Social Workers.
- (i) “**Practice of Baccalaureate Social Work**” is applying social work theory, knowledge, methods, ethics and the professional use of self to restore or enhance social, psychosocial, or bio-psychosocial functioning of individuals, couples, families, groups, organizations, and communities. Baccalaureate Social Work is generalist practice and may include interviewing, assessment, planning, intervention, evaluation, case management, mediation, counseling, supportive counseling, direct practice, information and referral, problem solving, supervision, consultation, education, advocacy, community organization, and policy and program development, implementation, and administration.
- (j) “**Practice of Clinical Social Work**” is the practice of social work that requires applying social work theory, knowledge, methods, ethics, and the professional use of self to restore or enhance social, psychosocial, or bio-psychosocial functioning of individuals, couples, families, groups, and/or persons who are adversely affected by social or psychosocial stress or health impairment. The practice of clinical social work requires applying specialized clinical knowledge and advanced clinical skills in assessment, diagnosis, and treatment of mental, emotional, and behavioral disorders, conditions and addictions, including severe mental illness and serious emotional disturbances in adults, adolescents, and children. The clinical social worker may engage in Baccalaureate Social Work practice and Master’s Social Work practice. Clinical treatment methods may include but are not limited to providing individual, marital, couple, family, and group therapy, mediation, counseling, supportive counseling, direct practice, and psychotherapy. Clinical social workers are qualified and authorized to use the

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Diagnostic and Statistical Manual of Mental Disorders (DSM), the International Classification of Diseases (ICD), Current Procedural Terminology (CPT) Codes, and other diagnostic classification systems in assessment, diagnosis, treatment, and other practice activities. An LCSW may provide any clinical or non-clinical social work service or supervision in either an employment or independent practice setting. An LCSW may work under contract, bill directly for services, and bill third parties for service reimbursements.

- (k) **“Practice of Master’s Social Work”** is applying 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. An LMSW may practice clinical social work in an agency employment setting under clinical supervision or under contract with an agency when under a clinical supervision plan. Master’s Social Work practice may include applying specialized knowledge and advanced practice skills in assessment, treatment, planning, implementation and evaluation, case management, mediation, counseling, supportive counseling, direct practice, information and referral, supervision, consultation, education, research, advocacy, community organization, and developing, implementing, and administering policies, programs, and activities. An LMSW may engage in Baccalaureate Social Work practice.
- (l) **“Private Practice of Social Work”** means that independent practice of a social worker on a self-employed basis.

§ 185-10-2305 Exemptions

Licensure shall not be required of:

- (a) Any licensed person doing work within the scope of practice or duties of the person’s profession that overlaps with the practice of social work; provided that the person does not hold him/herself out to be a social worker;
- (b) Any student enrolled in an educational institution in a recognized program of study leading toward attainment of a degree in social work; provided that the student’s activities and services are part of a prescribed course of study supervised by the educational institution, and the student is identified by an appropriate title such as “social work student”, or any other title which clearly indicates the student’s training status;
- (c) Any person in the practice of a religious ministry; provided that the person functions only within the person’s capacities as a member of a religious ministry; and provided further that the person does not hold him/herself out to be a social worker; or
- (d) Any person who is obtaining supervised clinical experience for licensure as a psychologist, marriage and family therapist, or as another licensed professional; provided that the person does not hold him/herself out to be a social worker.

§ 185-10-2310 Application for License by Examination

- (a) No applicant may sit for the examination until the Board has determined that the applicant has

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met all the requirements for licensure except passage of the examination.

- (b) The Board utilizes the national uniform examinations of the Association of Social Work Boards (ASWB) and candidates shall be required to successfully pass the following examinations:
 - (1) Bachelors level candidates shall be required to successfully pass the Bachelors Examination;
 - (2) Masters level candidates shall be required to successfully pass the Masters Examination; and
 - (3) Clinical social workers level shall be required to successfully pass the Clinical Examination.
- (c) An applicant for examination shall submit an application as required on § 185-10-2330 accompanied with all the required information and documentation necessary to establish that the applicant possesses the qualifications for licensure other than the passage of the appropriate examination.
- (d) After the applicant received notification from the Board that he/she may take the examination, he/she must register with ASWB at www.aswb.org and pay the required exam fee. All candidates should download a copy of the ASWB Candidate Handbook which will guide them through the registration process. ASWB has practice tests or detailed study guides that the candidate can use for a fee. Examinations are administered by appointment at Pearson Professional Center on Saipan and registered candidates can schedule a time to take the test at the center.
- (e) For disability accommodations, the candidate can download the application from the ASWB website and submit the completed form to ASWB. ASWB will then review the application and forward it to the Board for consideration. After the Board reviews the application and responds to ASWB with their decision, ASWB will notify the candidate of the Board's decision and any approved accommodations. Disability accommodation must be approved before the candidate registers for the examination.
- (f) For candidates with English as a second language, you may request for the English as a Second Language (ESL) Special Arrangements form from the Board. The candidate will fill out the form and submit it to the Board for approval and the Board will then forward the form to ASWB to make arrangements for the candidate (see ASWB Policy Manual Section 2.8 on the ASWB website).
- (g) Once an application for examination is approved by the Board, the candidate must sit for the examination within one year from the date of board approval. For good cause shown, the Board will, in its discretion, grant one written request from the candidate for an extension of time to sit for the examination.
- (h) The candidate has one year to obtain a passing score on the examination. In the event of failure to pass the examination, the candidate may retake the examination every ninety days during the year. If the candidate did not pass the examination within the year, he/she must reapply, including

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approval of the Board, application and applicable fee, prior to retaking the examination.

§ 185-10-2315 Requirements for Licensure

- (a) An applicant to practice as a social worker must be at least twenty-one years of age, be a U.S. citizen or a foreign national lawfully entitled to remain and work in the Commonwealth, and meets the following requirements:
- (1) Licensed Baccalaureate Social Worker (L.B.S.W.):
 - (i) Holds a Bachelor's degree in social work from a college or university accredited by or deemed to be equivalent to an accredited program by the Council on Social Work Education, or the Canadian Association of Schools of Social Work or from a college or university accredited by an accrediting organization recognized by the Board, or a social work education program approved by the Board; and
 - (ii) Has passed the Bachelors examination administered by the Association of Social Work Boards, or an examination in social work approved by the Board.
 - (2) Licensed Master's Social Worker (L.M.S.W.):
 - (i) Holds a Master's degree in social work from a college or university accredited by or deemed to be equivalent to an accredited program by the Council on Social Work Education, or the Canadian Association of Schools of Social Work or from a college or university accredited by an accrediting organization recognized by the Board, or a social work education program approved by the Board; and
 - (ii) Has passed the Masters examination administered by the Association of Social Work Boards, or an examination in social work approved by the Board.
 - (3) Licensed Clinical Social Worker (L.C.S.W.):
 - (i) Holds a master's or doctoral degree in social work from a college or university accredited by or deemed to be equivalent to an accredited program by the Council on Social Work Education, or the Canadian Association of Schools of Social Work or from a college or university accredited by an accrediting organization recognized by the Board, or a social work education program approved by the Board;
 - (ii) Has passed the clinical examination administered by the Association of Social Work Boards, or an examination in social work approved by the Board; and
 - (iii) Has provided evidence of successful completion of at least two years of continuous full- time employment in postgraduate clinical social work under the supervision of a licensed clinical social worker, a licensed physician or a licensed osteopathic physician who has completed a residency in psychiatry, a licensed clinical mental health counselor, a diplomate in clinical social work, a designated member of the ACSW, a licensed psychiatrist, or a licensed psychologist.

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- (b) Notwithstanding the above licensure requirements, the Board may license an individual that holds at least a master's degree in social work from a school accredited by the Council of Social Work Education, and has been practicing as a professional social worker in the Commonwealth of the Northern Mariana Islands for at least two years prior to July 1, 2016.

§ 185-10-2320 Supervisor; Supervision Report

- (a) A supervisor shall be a licensed clinical social worker, a licensed physician or a licensed osteopathic physician who has completed a residency in psychiatry, a licensed clinical mental health counselor, and a diplomate in clinical social work, a designated member of the ACSW, a licensed psychiatrist, or a licensed psychologist.
- (b) Supervision shall have occurred in an agency setting that provides clinical diagnosis and psychotherapy and, supervisor and applicant shall have met at least one hour each week to discuss client cases and treatment procedures.
- (c) Supervision reports shall contain sufficient detail to evaluate an applicant's supervised practice, including:
- (1) The applicant's name;
 - (2) The supervisor's name, signature, address, license number, state where granted, date when granted, and area of specialization;
 - (3) The name and nature of the practice setting and a description of the client population served;
 - (4) Specific dates of practice covered in the report;
 - (5) Number of practice hours during this period (to include all duties);
 - (6) The applicant's specific duties;
 - (7) Number of one-to-one supervisory hours;
 - (8) Detailed assessment of the applicant's performance;
 - (9) The clinical skills supervised; and
 - (10) The ethical practices reviewed.
- (d) Supervision of a LMSW pursuing licensure as an independent practitioner (non-clinical) must be provided by a licensed LMSW or LCSW approved to provide independent practice.

§ 185-10-2325 Licensure by Endorsement

- (a) The Board may grant a license to a person to practice as a Baccalaureate, Master's or Clinical

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social worker without examination if:

- (1) The person holds a valid, active license to practice as a Baccalaureate, Master's, or Clinical social worker in another U.S. state or territory; and
 - (2) The person substantially complies with the appropriate requirements for licensure in § 185-10-2315; and
 - (3) The requirements in the jurisdiction of licensure are at least as stringent as those under these regulations.
- (b) The Board may deny a license by endorsement to a person to practice as a Baccalaureate, Master's or Clinical social worker if the person has been the subject of an adverse action in which his/her license was suspended, revoked, placed on probation, conditioned, or renewal denied.

§ 185-10-2330 Application

An application for a license to practice as a Baccalaureate, Master's, or Clinical social worker shall be made on a form to be provided by the Board accompanied with the following information and documentations as are necessary to establish that the applicant possesses the qualifications as required in these regulations:

- (a) The applicant's full name and all aliases or other names ever used, current address, date and place of birth, and Social Security number;
- (b) Applicant's 2x2 photograph taken within six months from date of application; and
- (c) Applicant must pay the appropriate fees, including the application fee which shall not be refunded;
- (d) Applicant to provide originals of all documents and credentials, or notarized or certified copies acceptable to the Board of such documents and credentials, including but not limited to;
 - (1) Diploma or certificate showing successful completion of the appropriate degree in social work from the required educational school or program;
 - (2) Documents showing satisfactory proof that applicant has taken and passed the appropriate required examination;
 - (3) For the L.C.S.W., documents showing proof that applicant has satisfactorily completed the clinical training required under § 185-10-2315(a)(3)(iii); or
 - (4) Documents showing proof that applicant holds a valid, active license to practice as a Baccalaureate, Master's, or Clinical social worker in another jurisdiction and substantially complies with the appropriate requirements for licensure under § 185-10-2315; and
- (e) Applicant to provide a list of all jurisdictions, U.S. or foreign, in which the applicant is licensed or has applied for a license to practice as a Baccalaureate, Master's, or Clinical social worker;

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- (f) Applicant to provide a detailed educational history, including places, institutions, dates, and program descriptions of all his or her education beginning with secondary schooling and including all college and/or training programs;
- (g) Applicant to provide a list of all jurisdictions, U.S. or foreign, in which the applicant has been denied licensure or voluntarily surrendered a license to practice as a Baccalaureate, Master's, or Clinical social worker; and
- (h) Applicant to provide a list of all jurisdictions, U.S. or foreign, of all sanctions, judgments, awards, settlements, or convictions against the applicant that would constitute grounds for disciplinary action under the Act or these regulations.

§ 185-10-2335 Scope of Practice

- (a) Licensed Baccalaureate Social Worker (L.B.S.W.): A LBSW may:
 - (1) Engage in psychosocial evaluation, excluding the diagnosis and treatment of mental illness, and conduct basic data gathering or records and specific life issues of individuals, groups, and families, assess this data, and formulate and implement a plan to achieve specific goals related to specific life issues;
 - (2) Serve as an advocate for clients or groups of clients for the purpose of achieving specific goals relating to specific life issues;
 - (3) Refer clients to other professional services;
 - (4) Plan, manage, direct, or coordinate social services; and
 - (5) Participate in training and education of social work students and supervise other LBSW.
- (b) A LBSW may not engage in the private practice of social work, diagnose mental illness and emotional disorders, or provide psychotherapy.
- (c) Licensed Master's Social Worker (L.M.S.W.): A LMSW may:
 - (1) Engage in administration, research, consultation, social planning, and teaching of social work;
 - (2) Perform all the functions of a LBSW;
 - (3) Engage in a non-clinical private practice; and
 - (4) Engage in the consultation of a LBSW for the purpose of preparing the LBSW for eventual LMSW's status. This includes responsibility for ongoing training and evaluation. The LMSW has an obligation to assess the LBSW's competence and ethics and may share this assessment with the Board at the time the LBSW applies for the LMSW license.

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- (d) Licensed Clinical Social Worker (L.C.S.W.): A LCSW may:
- (1) Practice social work in a clinical setting without consultation;
 - (2) Engage in psychosocial evaluation, including diagnosis and treatment of mental illness and emotional disorders;
 - (3) Engage in clinical private practice of social work;
 - (4) Perform all the functions of a LMSW; and
 - (5) Engage in the clinical consultation of a LMSW for the purpose of preparing the LMSW for eventual LCSW's status. This includes responsibility for ongoing training and evaluation. The LCSW has an obligation to assess the LMSW's competence and ethics and may share this assessment with the Board at the time the LMSW applies for the LCSW license.

§ 185-10-2340 Employment of 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.

§ 185-10-2345 [Reserved]

§ 185-10-2350 Continuing Education (CE)

- (a) All L.B.S.W., L.M.S.W., or L.C.S.W. licensed to practice in the CNMI are required to complete the following CE hours as a prerequisite to the renewal of their biennial license:
- (1) L.B.S.W. - 20 hours;
 - (2) L.M.S.W. - 25 hours;
 - (3) L.C.S.W. - 30 hours.
- (b) One CE unit or credit equals to one clock hour.
- (c) Approved continuing education activities includes but is not limited to the following:
- (1) Courses, workshops, programs, or online CE approved by the National Association of Social Workers and its affiliates, the Association of Social Work Boards and its affiliates, or other programs approved by the Board;
 - (2) Seminars, courses, conferences, or workshops sponsored by national, regional, state, or local social work professional organizations or state boards in the related specialties of

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marriage, family and group counseling, psychiatry, psychology, pastoral counseling;

- (3) Postgraduate training programs (e.g., intern, residency, or fellowship programs) or completion of social work-related courses that are part of the curriculum of a college, university, or graduate school of social work;
 - (4) Teaching or presenting the activities described in subsections (c)(2) and (c)(3);
 - (5) Writing a published work or presenting work applicable to the profession of social work;
or
 - (6) Providing supervision to a social worker participating in a social work education program approved by the Board.
- (d) If a licensee fails to meet the CE requirements for renewal of license because of illness, military service, medical or religious activity, residence in a foreign country, or other extenuating circumstances, the Board upon appropriate written request from the applicant may grant an extension of time to complete same, on an individual basis.
- (e) It shall be the responsibility of the licensee to obtain documentation, satisfactory to the Board, from the organization or institution of his or her participation in the continuing education, and the number of course/credit hours.
- (f) Licensure renewal shall be denied to any licensee who fails to provide satisfactory evidence of completion of CE requirements, or who falsely certifies attendance at and/or completion of the CE as required herein.

§ 185-10-2355 Retention of Client Records; Disposition of Client Records in Case of Death or Incapacity of Licensee

- (a) In this section, “client record” means information maintained in a written or electronic form regarding treatment of* billing of a client.
- (b) A social worker who serves clients outside of an agency setting shall ensure that a client record is maintained for each such client and that all client records are legible and are kept in a secure, safe, and retrievable condition.
- (c) The social worker shall retain a client record for seven years from the date of the last session with the client.
- (d) The social worker in private practice shall make necessary arrangements for the maintenance of and access to client records that ensure the clients’ right to confidentiality in the event of the death or incapacity of the licensee.
- (e) The social worker shall name a qualified person to intercede for client welfare and to make necessary referrals, when appropriate.

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* So, in original.

§ 185-10-2360 Code of Ethics

The Board recognizes the Code of Ethics of the National Association of Social Workers (and any amendments thereof to the Code) as its model code, to the extent that it does not conflict with CNMI laws, rules, or regulations or Board Position Statements. A copy of the NASW Code of Ethics may be obtained at www.nasw.org.

§ 185-10-2365 Standards for Clinical Social Work in Social Work Practice

The Board recognizes the National Association of Social Workers Standards for Clinical Social Work in Social Work Practice (and any amendments thereof to the standards) as its model standards, to the extent that it does not conflict with CNMI laws, rules, or regulations or Board Position Statements. A copy of the standards may be obtained at www.nasw.org.

§ 185-10-2370 Renewal

- (a) All licenses, except temporary or limited licenses issued by the Board, expire every two years following issuance or renewal and become invalid after that date.
- (b) Each licensee shall be responsible for submitting a completed renewal application at least sixty days before the expiration date. The Board shall send, by mail or email, a notice to every person licensed hereunder giving the date of expiration, the fee, and any additional requirement for the renewal thereof.
- (c) All licensees must submit satisfactory evidence of completion of CE requirements, as required under § 185-10-2350.
- (d) A late fee of \$25.00 will be charged every 1st of the month after the expiration date.
- (e) Licenses which have expired for failure to renew on or before the date required may be reinstated within one year of the expiration date upon payment of the renewal and late fees for each calendar month until the renewal fee is paid. Each licensee whose license has expired and lapsed for more than one year by failure to renew must file a new application, meet current requirements for licensure, and receive Board approval.
- (f) A licensee whose license has been revoked, suspended, or placed on probation by the licensing authority of another U.S. or foreign jurisdiction, or who has voluntarily or involuntarily surrendered his or her license in consideration of the dismissal or discontinuance of pending or threatened administrative or criminal charges, following the expiration date of his or her CNMI license, may be deemed ineligible for renewal of his or her license to practice as a social worker in the CNMI. This will not, however, prevent the Board from considering a new application.

§ 185-10-2375 Disciplinary Action

The Board shall have the power to impose administrative penalty and/or reprimand; revoke or suspend;

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refuse to issue, restore or renew, the license of any person who is found guilty of one or more of the violations pursuant to 3 CMC § 2224 and parts 900 through 1300 of the regulations, including but is not limited to the following:

- (a) Revealing facts, data, or information relating to a client or examinee, except as allowed by the law or rules and regulations;
- (b) Making gross or deliberate misrepresentations or misleading claims as to his/her professional qualifications or of the efficacy or value of his/her treatments or remedies, or those of another practitioner;
- (c) Directly or indirectly giving to or receiving from any person, firm, or corporation any fee, commission, rebate, or other form of compensation for any professional services not actually rendered. Social workers shall not participate in fee-splitting arrangements, nor shall they give or accept kickbacks for referrals;
- (d) The commission of any act or sexual misconduct, sexual abuse, or sexual relations with one's client, patient, student supervisee, or with an ex-client or patient within 24 months after termination of treatment;
- (e) Putting an intern or trainee under the social worker's supervision to perform, or to pretend to be competent to perform, professional services beyond the trainee's or intern's level of training;
- (f) Submission of fraudulent claims for services to any person or entity including, but not limited to, health insurance companies or health service plans or third-party payers; and
- (g) Failing to ensure that all records and written data are stored using security measures that prevent access to records by unauthorized persons. Social workers are responsible for ensuring that the content and disposition of all records are in compliance with all relevant law and rules and regulations.