

March 10, 1969

SENATE FILE 396

Passed on File

Social Services 3-12

By O'MALLEY, BENDA, FREY

THORSEN and CONKLIN

(Pelton, Alt, Wolfe, Strand,

Tapscott and Cunningham)

Revised 1-13-70

Passed as amended 4-15

Passed Senate, Date..... Passed House, Date

Vote: Ayes Nays Vote: Ayes Nays

Approved

A BILL FOR

1 An Act relating to registration of social workers.

2 *Be It Enacted by the General Assembly of the State of Iowa:*

3 Section 1. In order to safeguard the welfare and health of
4 the people of the state of Iowa, it shall be unlawful for any
5 person to represent himself or practice as a registered social
6 worker or as a social work associate in this state, to use any
7 title, abbreviation, sign, card, or device to indicate that
8 such person is a registered social worker or a social work
9 associate unless such person has been duly registered as such
10 under the provisions of this Act.

11 Sec. 2. As used in this Act, unless the context otherwise
12 requires:

13 1. "Social worker" means any person who receives compensa-
14 tion, whether on a full or part-time basis, to render social
15 services to individuals, groups, or communities in any one or
16 more of the fields of social casework, social group work, com-
17 munity organization for social welfare, social work research,
18 social work education, or social work administration.

19 2. "Board" means the board of registration created by this
20 Act.

21 Sec. 3. There is hereby created a board of registration
22 consisting of five members appointed by the governor. All per-
23 sons so appointed shall be registered or shall be eligible to
24 be registered under the provisions of this Act.

25 Sec. 4. Members of the first board shall be appointed by

1 the governor, within ninety days of the effective date of this
2 Act, and shall be subject to the consent of the senate. The
3 first board shall be selected from persons who meet the basic
4 requirements of registration as a registered social worker as
5 provided in this Act. Upon taking office, the members of the
6 first board shall be issued appropriate certificates of regis-
7 tration, and they shall serve the following terms: one member
8 for one year, one member for two years, one member for three
9 years, one member for four years, and one member for five years.
10 Thereafter, at the expiration of the term of each member, the
11 governor shall appoint, subject to the consent of the senate,
12 a successor for a term of five years, the selection to be made
13 from persons who are registered social workers. Vacancies on
14 the board shall be filled in the same manner for the balance
15 of the unexpired term. Members of the board may be removed
16 from office for cause in the manner provided by chapter sixty-
17 six (66) of the Code.

18 Sec. 5. The board shall organize immediately after the
19 appointment and qualification of the members thereof. The board
20 shall elect annually from its membership a chairman, vice-
21 chairman, and secretary. Three members of the board shall con-
22 stitute a quorum. The board shall meet on the first Tuesday
23 of January and the first Tuesday of July of each year, and
24 upon the call of the chairman or the written request of three
25 members of the board.

26 Sec. 6. The board is authorized to adopt such rules and
27 regulations as might be necessary to enable it to carry into
28 effect the provisions of this Act. The board shall recommend
29 for registration only duly qualified applicants. The board
30 shall:

31 1. Review applications for registrations at least twice each
32 year.

33 2. Develop an examination to determine an applicant's quali-
34 fications as a social work associate and cause the examination
35 to be administered.

1 3. Adopt policies governing the renewal of registration of
2 duly qualified applicants.

3 4. Have the power to conduct hearings upon charges calling
4 for revocation or suspension of a registration.

5 5. Cause the prosecution of all persons violating this Act.

6 6. Keep a record of all its proceedings.

7 The board may utilize such other persons as may be necessary
8 to carry on the work of the board.

9 Sec. 7. The members of the board shall serve without com-
10 pensation, but shall be entitled to receive reimbursements from
11 the state of Iowa for all necessary and actual expenses incurred
12 in the performance of their duties.

13 Sec. 8. The Iowa state department of social services shall
14 keep a current register open to public inspection of the names
15 of qualified registered social workers and social work associ-
16 ates designated by the board of registration. The Iowa state
17 department of social services shall, at least annually, make
18 available a current copy of the list of registered social work-
19 ers and social work associates to the county departments of
20 social welfare and other related offices of each county.

21 Sec. 9. Any applicant for registration as a registered
22 social worker shall submit to the board written evidence on
23 forms furnished by the board verifying that such applicant has
24 graduated and received a masters or higher degree from a school
25 of social work, accredited by the council on social work educa-
26 tion or its predecessor organization.

27 Any applicant for registration as a social work associate
28 shall submit to the board written evidence on forms furnished
29 by the board verifying that said applicant has a baccalaureate
30 degree from a four-year college or university, two-years post-
31 graduate experience in one of the fields of social work, and
32 is currently employed in one of the fields of social work. The
33 applicant for registration as a social work associate must pass
34 the examination required under this Act.

35 An applicant who is registered as a registered social worker

1 or as a social work associate in another state, territory of
2 the United States, or a Canadian province which has substan-
3 tially identical requirements as this Act and which provides
4 for similar registration without examination for persons issued
5 certificates under this Act, shall be considered qualified for
6 appropriate registration as registered social worker or social
7 work associate in this state.

8 Sec. 10. The board shall develop an examination to deter-
9 mine an applicant's qualifications for registration as a social
10 work associate. The examination shall be administered at least
11 twice during each calendar year. The examination shall include
12 an oral interview and a written examination. The questions in
13 the written examination shall be designed to measure the appli-
14 cant's knowledge of Iowa statutes, rules, and regulations in
15 regard to child welfare, public assistance, family welfare, re-
16 habilitation, and mental health; historical and technical lit-
17 erature in the field of social welfare; basic scientific infor-
18 mation, skills, and techniques pertaining to social welfare;
19 and current events and developments affecting social welfare.

20 Sec. 11. The applicant shall receive a certificate of regis-
21 tration as a registered social worker or social work associate
22 when the board has determined that the applicant meets the quali-
23 fications required and shall then be so listed by the Iowa state
24 department of social services.

25 Sec. 12. The initial biennial fee for registration shall be
26 ten dollars. Subsequent registration fees shall require a fee
27 of not exceeding ten dollars to be set at the discretion of the
28 board. The board shall also establish rules for reinstatement
29 of a lapsed registration, and the fee shall not exceed twenty
30 dollars as established at the discretion of the board. All fees
31 collected under the provisions of this Act shall be remitted
32 to the state treasurer for deposit in the general fund of the
33 state.

34 Sec. 13. Any person who has received the certificate of
35 registration as a registered social worker shall have the right

1 to use the title and abbreviation, registered social worker,
2 (R.S.W.). Any person receiving the certificate of registration
3 as a social work associate shall have the right to use the title
4 and abbreviation, social work associate, (S.W.A.). No other
5 person shall use such title or abbreviation, or any other word
6 or letters, signs, figures, or devices to indicate that the
7 person using the same is a registered social worker or a social
8 work associate.

9 Sec. 14. The certificate of each person registered under
10 the provisions of this Act shall expire on the first day of
11 August of each two-year period. The board shall verify current
12 lists of the registered social workers and social work associ-
13 ates and shall mail, at least one month prior to the expiration
14 date, application for the renewal of registration to each per-
15 son to whom a registration has been issued during the current
16 two-year period. Each person so registered, who desires to re-
17 new his registration, shall, on or before the first day of
18 August of every two-year period, file with the board such re-
19 newal application duly executed and accompanied with the renewal
20 fee. Upon receipt of such application and payment of the fee,
21 the accuracy of the application shall be verified, and the Iowa
22 state department of social services shall issue a renewal cer-
23 tificate of registration as a registered social worker or as
24 a social work associate.

25 Sec. 15. The registration of any registered social worker
26 or social work associate may be suspended or revoked by the
27 board of registration upon proof that such registered social
28 worker or social work associate:

29 1. Has been found guilty of fraud or deceit in connection
30 with services rendered as a registered social worker or social
31 work associate or in establishing qualifications under this
32 article.

33 2. Has aided or abetted a person, not a duly registered
34 social worker or social work associate, in representing him-
35 self as a registered social worker or as a social work associ-

1 ate in the state of Iowa.

2 3. Has failed to register and continues to represent him-
3 self as a registered social worker or as a social work associ-
4 ate beyond the expiration date of his prior registration.

5 4. Has been found guilty of unprofessional conduct pursuant
6 to the rules established by the board.

7 When a sworn complaint is filed with the board charging a
8 person with any of the prohibited actions specified in this
9 Act, the board of registration shall immediately investigate
10 such charges, or the board after investigation may institute
11 charges. If such investigation shall reveal reasonable grounds
12 for believing that the person is guilty of the charges, the
13 board shall fix a time and place for hearing thereof and shall
14 cause a copy of the charges together with a notice of the time
15 and place fixed for hearing to be served by registered mail
16 upon such person at least thirty days prior to the time fixed
17 for the hearing. At the hearing the accused shall have the
18 right to appear personally, or by counsel, or both, to produce
19 witnesses and evidence on his behalf, to cross-examine wit-
20 nesses, and to have subpoenas issued by the board. The atten-
21 dance of witnesses and the production of books, documents, and
22 papers at the hearing may be compelled by subpoena issued by
23 the board. At the hearing the chairman of the board shall
24 administer such oaths as may be necessary for the proper conduct
25 of the hearing. The board shall not be bound by strict rules,
26 or procedure, or by the laws of evidence in the conduct of its
27 proceedings, but the determination shall be based upon suffi-
28 cient legal evidence. If the accused is found guilty of the
29 charges, the board may refuse to issue a registration to the
30 applicant, revoke or suspend the registration, or otherwise
31 discipline such person.

32 A revoked or suspended registration may be reviewed at the
33 discretion of the board.

34 Sec. 16. An appeal for rehearing before the board from any
35 decision or order from the board may be made by the aggrieved

1 party within thirty days from time such decision or order is
2 made. Thereafter, proceedings for judicial review may be com-
3 menced in the district court of Polk county. Nothing in this
4 Act shall be construed to limit or otherwise infringe upon the
5 right of the individual to seek due process of law.

6 Sec. 17. After July 1, 1970, any person, not duly regis-
7 tered as a registered social worker or social work associate
8 in the state of Iowa, or having had his registration suspended
9 or revoked, who shall continue to represent himself as a regis-
10 tered social worker or as a social work associate shall be
11 guilty of a misdemeanor and punished according to the provi-
12 sions of section six hundred eighty-seven point seven (687.7)
13 of the Code.

14 Sec. 18. When it appears to the board that any person is
15 violating any of the provisions of this Act, it may cause to
16 be instituted an action, commenced in the name of the board,
17 to enjoin such violation in a court of competent jurisdiction,
18 and the court may enjoin any person from violating any of the
19 provisions of this Act without regard to whether proceedings
20 have been or may be instituted under the provisions of this
21 Act.

22 Sec. 19. The board shall enforce the provisions of this
23 Act and it shall be exempt from providing surety for the cost
24 of commencement of any legal proceedings under this Act.

25 Sec. 20. Nothing in this Act shall be construed to limit
26 the activities, services, and the use of official title on the
27 part of any person, provided that no title shall be used which
28 includes the term "registered social worker" or "social work
29 associate" or the abbreviations "R.S.W." or "S.W.A." by any
30 person not qualified to do so.

31 Sec. 21. A person duly registered as a registered social
32 worker or social work associate under the provisions of this
33 Act shall not be required to disclose a communication made by
34 his client to him or his advice given thereon, in the course
35 of his professional employment, nor shall any clerk, stenog-

1 rapher, or other person working for the same employer as a
 2 registered social worker or social work associate, or for the
 3 registered social worker or social work associate, be allowed
 4 to disclose any such communication or advice given thereon,
 5 except:

6 1. That a registered social worker or social work associate
 7 may disclose such information as the client may authorize.

8 2. That a registered social worker or social work associate
 9 shall not be required to treat as confidential a communication
 10 by a client which reveals the contemplation of a crime or a
 11 harmful act.

12 3. Where the client is a child, under the age of sixteen,
 13 and the information acquired by the registered social worker
 14 or social work associate indicates that the client has been
 15 the victim or subject of a crime or harmful act, the registered
 16 social worker or social work associate may be required to tes-
 17 tify in relation thereto upon any examination, trial, or the
 18 proceeding in which the commission of such crime or harmful
 19 act is a subject of inquiry.

EXPLANATION OF SENATE FILE 396

With the increase of social problems in our society, the people in need of accurate advice and the numbers of people engaged in social work, the social workers themselves are recommending that for the protection of those persons asking for social service advice, it has become necessary to set standards for social workers. This act has to do with the registration of social workers, creating a board of registration, setting standards and qualifications for registered social workers, and providing for enforcement

FISCAL NOTE

SENATE FILE 396

Date prepared April 7, 1969

Requested by Senator Kosek.

Prepared in regard to Senate File 396, a bill for an act relating to registration of social workers.

Following is the fiscal effect in dollars of the legislative proposal as required by Rule 47:

ESTIMATED ANNUAL COST OF AN ACT RELATING TO THE REGISTRATION OF SOCIAL WORKERS*

1st Year	\$30,000
2nd Year	30,000
3rd Year	30,000
4th Year	30,000
5th Year	30,000

*It is estimated that most of this expense will be covered by dues.

Filed
April 7, 1969

GERRY D. RANKIN
Legislative Fiscal Director

1 Amend Senate File 396 as follows:

2 1. By striking from page 1, line 22 and line 23, the words "All
3 persons" and inserting in lieu thereof the words, "Three members of
4 board".

5 2. By inserting after line 24, page 1, the following new sentence:
6 "Two members shall represent the general public."

7 3. By striking from page 2, lines 3 through 13, inclusive, and
8 inserting in lieu thereof the following: "first board shall be appointed
9 with
10 one member to serve for one year, one member to serve for two years,
11 one member to serve for three years, one member to serve for four
12 years,
13 and one member to serve for five years. As each of the foregoing
14 terms
15 expires, the governor shall appoint, subject to the consent of the
16 senate,
a successor for a term of five years having the same qualifications as
the
member whose term expired. Upon taking office the members of the
first
board eligible to be registered under the provisions of this Act shall be
issued appropriate certificates of registration. Vacancies on".

Filed

April 15, 1969

By COMMITTEE ON SOCIAL SERVICES