

1 H BILL NO. 257 *Kenny*  
 2 INTRODUCED BY *Dussanet Ellis Dussel Long Marsha*  
 3 *O'Rannell Huesman Harper Killion League Barrett*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE *Enidly*

5 LICENSING AND THE REGULATION OF PERSONS IN MONTANA  
 6 REPRESENTING THEMSELVES AS CERTIFIED SOCIAL WORKERS, SOCIAL  
 7 WORKERS, AND SOCIAL WORK ASSOCIATES; CREATING A STATE BOARD  
 8 OF SOCIAL WORK EXAMINERS, PRESCRIBING ITS POWERS AND DUTIES;  
 9 ESTABLISHING GROUNDS AND PROCEDURES FOR DISCIPLINARY  
 10 PROCEEDINGS; ESTABLISHING A CONFIDENTIALITY PRIVILEGE AND  
 11 EXCEPTIONS; AND PROVIDING PENALTIES FOR VIOLATIONS AND  
 12 INJUNCTIVE RELIEF."

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 Section 1. Purpose. Since the profession of social  
 16 work profoundly affects the lives of the people of this  
 17 state, it is the purpose of this [act] to protect the public  
 18 by setting standards of qualification, education, training,  
 19 and experience for those who seek to engage in the practice  
 20 of social work and by promoting high standards of  
 21 professional performance for those engaged in the profession  
 22 of social work.

23 Section 2. Definitions. As used in this act the  
 24 following definitions apply:

25 (1) "Department" means the department of professional

1 and occupational licensing provided for in Title 82A,  
 2 chapter 16.

3 (2) "Board" means the board of social work examiners  
 4 provided for in [section 6 of this act].

5 (3) "Social work" means the profession that requires  
 6 specialized education to facilitate the provision,  
 7 organization, and delivery of services directed toward the  
 8 enhancement of the social functioning of people. It is the  
 9 professional activity which helps individuals, families,  
 10 groups, or communities enhance or restore their capacity for  
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 15 principles, and techniques to one or more of the following  
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14 (4) Licensure is not contingent upon membership in any  
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18 prevent physicians, psychiatrists, nurses, surgeons,  
19 psychologists, psychotherapists, attorneys, probation and  
20 parole officers, and other court officers, rehabilitation  
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22 counselors, school counselors, or members of the clergy from  
23 doing work within the standards and ethics of their  
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2 (2) A person who practices a profession licensed under  
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17 (2) No person may represent himself as a certified  
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19 July 1, 1977, by adding the letters "CSW", "SW", or "SWA",  
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23 (2) The board consists of seven members appointed by  
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20 (6) recommend to the department actions for injunctive  
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 23 shall publish annually a list of the names and addresses of  
 24 all persons who are licensed under this [act] as a certified  
 25 social worker, social worker, or social work associate and

1 all persons who may engage in the private, independent  
2 practice of social work.

3 Section 11. Standards for additional educational  
4 credits. The board shall adopt standards governing the  
5 earning of additional educational credits which are a  
6 prerequisite to licensure renewal. The standards shall  
7 include but are not limited to the number of additional  
8 credits needed for renewal in each license classification.  
9 They shall also include but are not limited to the standards  
10 of certification and the number of credits that will be  
11 allowed for seminars, workshops, clinics, forums, and  
12 educational studies that will qualify for the additional  
13 credits.

14 Section 12. Board to insure confidentiality. The board  
15 shall adopt procedures to insure the confidentiality of  
16 personal information submitted by applicants for licensure  
17 under this [act], letters of reference submitted in support  
18 of applications, and examinations and examination results.  
19 Procedures insuring confidentiality are subject to the laws  
20 governing the release of public information, the release of  
21 information through judicial order or subpoena, and the  
22 release of information by consent of the applicant.

23 Section 13. Requirements for licensure as certified  
24 social worker. The board shall issue a license as a  
25 certified social worker (CSW) to an applicant who:

1 (1) has a doctorate or a master's degree from an  
2 accredited school of social work;

3 (2) has passed an examination certified by the board  
4 for this purpose or is a member of the academy of certified  
5 social workers (ACSW); and

6 (3) has satisfied the board that he is a person of  
7 sound professional character who meets board requirements  
8 relating to professional standards and competence, which may  
9 include personal interviews and letters of reference or such  
10 other measures for the determination of professional  
11 competence and sound professional character as the board may  
12 require.

13 Section 14. Requirements for licensure as social  
14 worker. The board shall issue a license as a social worker  
15 (SW) to an applicant who:

16 (1) has a baccalaureate degree in a social work or  
17 social welfare program approved by the council of social  
18 work education or a baccalaureate degree in another field  
19 with 2 years' experience in a social work capacity under the  
20 direct supervision of a certified social worker or social  
21 worker licensed under this [act] and completion of courses  
22 approved by the board which are equivalent to a social work  
23 or social welfare program from an accredited college or  
24 university;

25 (2) has passed an examination certified by the board

1 for this purpose; and

2 (3) has satisfied the board that he is a person of  
3 sound professional character who meets board requirements  
4 relating to professional standards and competence, which may  
5 include personal interviews and letters of reference or such  
6 other measures for the determination of professional  
7 competence and sound professional character as the board may  
8 require.

9 Section 15. Requirements for licensure as social work  
10 associate. The board shall issue a license as a social work  
11 associate (SWA) to an applicant who:

12 (1) has a baccalaureate degree in a nonsocial work  
13 field or discipline or an associate degree in the human  
14 services in a program approved by the board from an  
15 accredited junior college, college, or university;

16 (2) has passed an examination certified by the board  
17 for this purpose; and

18 (3) has satisfied the board that he is a person of  
19 sound professional character who meets board requirements  
20 relating to professional standards and competence, which may  
21 include personal interviews and letters of reference or such  
22 other measures for the determination of professional  
23 competence and sound professional character as the board may  
24 require.

25 Section 16. License to be displayed. A license issued

1 under the provisions of this [act] shall be displayed in the  
2 place of practice.

3 Section 17. Exemption from requirements. (1) From July  
4 1, 1977, to July 1, 1978, an applicant is exempted from the  
5 requirement of taking an examination if he satisfies the  
6 board that he is or has been actually engaged, prior to July  
7 1, 1977, in the practice for which the examination would  
8 otherwise be required.

9 (2) An applicant is exempted from the requirement of  
10 taking an examination if:

11 (a) he satisfies the board that he is licensed or  
12 registered under the laws of a state or territory of the  
13 United States that imposes substantially the same  
14 requirements as this [act]; and

15 (b) pursuant to the laws of that state or territory,  
16 he has taken and passed an examination similar to that for  
17 which exemption is sought.

18 (3) From July 1, 1977, to July 1, 1978, an applicant  
19 is exempted from the academic qualifications required for  
20 licensure if he satisfies the board that he is and has been  
21 actually engaged for at least 2 years prior to July 1, 1977,  
22 in the practice for which the academic qualifications would  
23 otherwise be required or if he has a postbaccalaureate  
24 degree in a social work program approved by the board from  
25 an accredited college or university.

1 Section 18. Requirements for private, independent  
2 practice. After July 1, 1977, and unless otherwise provided,  
3 no person may engage in the private, independent practice of  
4 social work unless he:

5 (1) is licensed under this [act] as a certified social  
6 worker; and

7 (2) has had 2 years of experience under supervision  
8 considered appropriate by the board.

9 Section 19. Nonrenewal, suspension, and revocation of  
10 license. The board may refuse to approve renewal or may  
11 suspend or revoke a license issued under this [act] after  
12 notice and a hearing held under the applicable provisions of  
13 the Montana Administrative Procedure Act if it finds that  
14 the person:

15 (1) is guilty of conduct defined as a misdemeanor by  
16 this act;

17 (2) has been grossly negligent in the practice of  
18 social work;

19 (3) has failed to comply with the code of ethics for  
20 social work established by the board; or

21 (4) has violated one or more of the rules adopted by  
22 the board.

23 Section 20. Reinstatement of license. A license may be  
24 reinstated under this [act] after a hearing held under the  
25 applicab. provisions of the Montana Administrative

1 Procedure Act.

2 Section 21. Filing of complaint and hearing thereon.  
3 Any person may file a complaint with the board against a  
4 person licensed under this [act]. Upon receipt of a  
5 complaint, the board shall conduct an investigation to  
6 determine if probable cause for a hearing exists. If  
7 probable cause exists, a hearing shall be held by a  
8 three-member panel of the board, with decisions to be by  
9 majority vote. A stenographic record of the proceeding shall  
10 be maintained in all hearings held pursuant to this section.

11 Section 22. Rights of licensee in disciplinary  
12 proceeding. The person charged in a disciplinary proceeding  
13 under this [act] has the right:

14 (1) to have reasonable notice of the charges served on  
15 him personally or by certified mail at least 20 working days  
16 prior to the date set for hearing;

17 (2) to be represented by counsel;

18 (3) to cross-examine witnesses;

19 (4) to call witnesses in his behalf;

20 (5) to subpoena witnesses and documents; and

21 (6) to judicial review of the board's determination as  
22 provided in the Montana Administrative Procedure Act.

23 Section 23. Effective date and expiration date of  
24 license. A license is effective on the day of issuance by  
25 the board and expires on the last day of the month that is

1 exactly 2 years from the month in which the license was  
2 issued.

3 Section 24. Application for renewal of license. (1) If  
4 an application for renewal of an existing license is made  
5 within 90 days after the date of expiration of the license  
6 the application is timely and the practice of the licensee  
7 during the period while the board is acting upon the  
8 application for renewal is not a violation of this [act].

9 (2) An application for renewal shall be made on a form  
10 prescribed by the board and shall be accompanied by the  
11 renewal fee established by the board.

12 (3) Each applicant for renewal of a license shall  
13 satisfy board requirements relating to the earning of  
14 additional educational credits before his license may be  
15 renewed.

16 Section 25. Fees. (1) Application, renewal,  
17 reciprocity, and examination fees shall be established by  
18 the board, the exact fee for each purpose to be determined  
19 by the board each year based upon actual costs and predicted  
20 expenditures. If a particular fee is to be increased, the  
21 board shall provide for public notice and comment and may,  
22 after considering the comments, increase the fee only upon a  
23 two-thirds vote of the board.

24 (2) Fees collected under this [act] are nonrefundable  
25 and shall be deposited in the state treasury to the credit

1 of the earmarked revenue fund for use of the board.

2 (3) For purposes of initial application for licensure  
3 under this [act], the application fee may not exceed \$35.  
4 Each person who makes application for licensure and pays the  
5 fee established by the board for that purpose within the  
6 first year of the operation of this [act] is entitled to a  
7 credit against the fee for the first renewal of his license  
8 in the amount of the difference between the initial  
9 application fee and the amount subsequently determined by  
10 the board to constitute the actual cost for the initial  
11 application fee if the cost is less than the rate  
12 established for the initial application fee.

13 Section 26. Information acquired in licensee — client  
14 relationship privileged and confidential — exceptions. No  
15 person licensed under this [act] may disclose any  
16 information he has acquired from persons consulting him in  
17 his professional capacity except in the following cases:

18 (1) Information may be disclosed with the written  
19 consent of the client or, in the case of the client's death  
20 or incompetence, his personal representative or guardian.

21 (2) Information may be disclosed when it reveals the  
22 contemplation of a crime or a harmful act.

23 (3) When the client is a minor under the laws of this  
24 state and the information acquired by the licensee indicates  
25 that the client was the victim or subject of a crime, the

1 licensee may be required to testify fully in relation  
2 thereto upon any examination, trial, or other proceeding in  
3 which the commission of the crime is the subject of inquiry.

4 (4) When the client or his personal representative or  
5 guardian brings an action against a licensee for a claim  
6 arising out of the licensee-client relationship, the client  
7 waives any confidential privilege.

8 Section 27. Violation of [act] -- penalties. (1) A  
9 person commits an offense under this [act] if he:

10 (a) violates any of the provisions of this [act];

11 (b) obtains or attempts to obtain a license or renewal  
12 thereof by bribery or fraudulent representations;

13 (c) knowingly makes a false statement in connection  
14 with any application under this [act]; or

15 (d) knowingly makes a false statement on any form  
16 adopted by the board in accordance with this [act].

17 (2) A person convicted of an offense under this [act]  
18 is guilty of a misdemeanor and shall be fined no more than  
19 \$500 or be imprisoned in the county jail for any term not to  
20 exceed 6 months, or both. A person convicted of an offense  
21 under this [act] a second time shall be punished by both  
22 such fine and imprisonment.

23 Section 28. Injunction authorized. Upon recommendation  
24 of the board, the department shall file an action in  
25 district court to enjoin a person from engaging in the

1 practice of social work unless licensed or exempt from  
2 licensure under this [act].

3 Section 29. Severability. If a part of this act is  
4 invalid, all valid parts that are severable from the invalid  
5 part remain in effect. If a part of this act is invalid in  
6 one or more of its applications, the part remains in effect  
7 in all valid applications that are severable from the  
8 invalid applications.

-End-



## STATE OF MONTANA

REQUEST NO. 115-77

## FISCAL NOTE

Form BD-15

In compliance with a written request received January 20, 19 77, there is hereby submitted a Fiscal Note for House Bill 257 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

## DESCRIPTION OF PROPOSED LEGISLATION:

An act creating a State Board of Social Work Examiners and providing for licensing and regulation of persons in Montana representing themselves as social workers.

## ASSUMPTIONS:

1. There will be 1,000 licensees in 1978, with an additional 100 in FY 79.
2. The initial license fee will cost \$35, with annual renewal fees of \$10.
3. There will be four (4) board meetings per year at a cost of \$500 per meeting.
4. The Board will require an additional .40 FTE in FY 78 and .35 FTE in FY 79.
5. APA rule hearings are anticipated in FY 78.

## FISCAL IMPACT:

	<u>FY 78</u>	<u>FY 79</u>	<u>TOTAL</u>
Department of Professional & Occupational Licensing			
Estimated increased revenues	<u>\$35,000</u>	<u>\$13,500</u>	<u>\$48,500</u>
Estimated increased expenditures	<u>\$10,968</u>	<u>\$10,959</u>	<u>\$21,927</u>
Department of Social and Rehabilitation Services			

While it is not possible to provide an accurate dollar estimate of the effects of House Bill 257 on the Department of Social and Rehabilitation Services, it is reasonable to assume that an increase in cost would result. The basis for this assumption is threefold:

1. Since the filling of positions would be limited primarily to persons with social work degrees, the available labor pool is reduced and increased salaries could be required to attract qualifying individuals.
2. The license requirement could result in a change in the current social worker grade in the State's classification system.
3. The bill creates three levels of nonsupervisory social work personnel. Changes in the grading structure may be necessary to accommodate the three levels.

## TECHNICAL NOTE:

It would seem that Board member compensation of \$25 per day while at board meetings or on board business should be included in bill.

*Richard L. Tracy*  
BUDGET DIRECTOR  
Office of Budget and Program Planning  
Date: 1-26-77

Committee on Public Health, Welfare  
& Safety

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 23 shall publish annually a list of the names and addresses of  
 24 all persons who are licensed under this [act] as a certified  
 25 social worker, social worker, or social work associate and

1 all persons who may engage in the private, independent  
2 practice of social work.

3 Section 11. Standards for additional educational  
4 credits. The board shall adopt standards governing the  
5 earning of additional educational credits which are a  
6 prerequisite to licensure renewal. The standards shall  
7 include but are not limited to the number of additional  
8 credits needed for renewal in each license classification.  
9 They shall also include but are not limited to the standards  
10 of certification and the number of credits that will be  
11 allowed for seminars, workshops, clinics, forums, and  
12 educational studies that will qualify for the additional  
13 credits.

14 Section 12. Board to insure confidentiality. The board  
15 shall adopt procedures to insure the confidentiality of  
16 personal information submitted by applicants for licensure  
17 under this [act], letters of reference submitted in support  
18 of applications, and examinations and examination results.  
19 Procedures insuring confidentiality are subject to the laws  
20 governing the release of public information, the release of  
21 information through judicial order or subpoena, and the  
22 release of information by consent of the applicant.

23 Section 13. Requirements for licensure as certified  
24 social worker. The board shall issue a license as a  
25 certified social worker (CSW) to an applicant who:

1 (1) has a doctorate or a master's degree from an  
2 accredited school of social work;

3 (2) has passed an examination certified by the board  
4 for this purpose or is a member of the academy of certified  
5 social workers (ACSW); and

6 (3) has satisfied the board that he is a person of  
7 sound professional character who meets board requirements  
8 relating to professional standards and competence, which may  
9 include personal interviews and letters of reference or such  
10 other measures for the determination of professional  
11 competence and sound professional character as the board may  
12 require.

13 Section 14. Requirements for licensure as social  
14 worker. The board shall issue a license as a social worker  
15 (SW) to an applicant who:

16 (1) has a baccalaureate degree in a social work or  
17 social welfare program approved by the council of social  
18 work education or a baccalaureate degree in another field  
19 with 2 years' experience in a social work capacity under the  
20 direct supervision of a certified social worker or social  
21 worker licensed under this [act] and completion of courses  
22 approved by the board which are equivalent to a social work  
23 or social welfare program from an accredited college or  
24 university;

25 (2) has passed an examination certified by the board

1 for this purpose; and

2 (3) has satisfied the board that he is a person of  
3 sound professional character who meets board requirements  
4 relating to professional standards and competence, which may  
5 include personal interviews and letters of reference or such  
6 other measures for the determination of professional  
7 competence and sound professional character as the board may  
8 require.

9 Section 15. Requirements for licensure as social work  
10 associate. The board shall issue a license as a social work  
11 associate (SWA) to an applicant who:

12 (1) has a baccalaureate degree in a nonsocial work  
13 field or discipline or an associate degree in the human  
14 services in a program approved by the board from an  
15 accredited junior college, college, or university;

16 (2) has passed an examination certified by the board  
17 for this purpose; and

18 (3) has satisfied the board that he is a person of  
19 sound professional character who meets board requirements  
20 relating to professional standards and competence, which may  
21 include personal interviews and letters of reference or such  
22 other measures for the determination of professional  
23 competence and sound professional character as the board may  
24 require.

25 Section 16. License to be displayed. A license issued

1 under the provisions of this [act] shall be displayed in the  
2 place of practice.

3 Section 17. Exemption from requirements. (1) From July  
4 1, 1977, to July 1, 1978, an applicant is exempted from the  
5 requirement of taking an examination if he satisfies the  
6 board that he is or has been actually engaged, prior to July  
7 1, 1977, in the practice for which the examination would  
8 otherwise be required.

9 (2) An applicant is exempted from the requirement of  
10 taking an examination if:

11 (a) he satisfies the board that he is licensed or  
12 registered under the laws of a state or territory of the  
13 United States that imposes substantially the same  
14 requirements as this [act]; and

15 (b) pursuant to the laws of that state or territory,  
16 he has taken and passed an examination similar to that for  
17 which exemption is sought.

18 (3) From July 1, 1977, to July 1, 1978, an applicant  
19 is exempted from the academic qualifications required for  
20 licensure if he satisfies the board that he is and has been  
21 actually engaged for at least 2 years prior to July 1, 1977,  
22 in the practice for which the academic qualifications would  
23 otherwise be required or if he has a postbaccalaureate  
24 degree in a social work program approved by the board from  
25 an accredited college or university.

1 Section 18. Requirements for private, independent  
2 practice. After July 1, 1977, and unless otherwise provided,  
3 no person may engage in the private, independent practice of  
4 social work unless he:

5 (1) is licensed under this [act] as a certified social  
6 worker; and

7 (2) has had 2 years of experience under supervision  
8 considered appropriate by the board.

9 Section 19. Nonrenewal, suspension, and revocation of  
10 license. The board may refuse to approve renewal or may  
11 suspend or revoke a license issued under this [act] after  
12 notice and a hearing held under the applicable provisions of  
13 the Montana Administrative Procedure Act if it finds that  
14 the person:

15 (1) is guilty of conduct defined as a misdemeanor by  
16 this act;

17 (2) has been grossly negligent in the practice of  
18 social work;

19 (3) has failed to comply with the code of ethics for  
20 social work established by the board; or

21 (4) has violated one or more of the rules adopted by  
22 the board.

23 Section 20. Reinstatement of license. A license may be  
24 reinstated under this [act] after a hearing held under the  
25 applicable provisions of the Montana Administrative

1 Procedure Act.

2 Section 21. Filing of complaint and hearing thereon.  
3 Any person may file a complaint with the board against a  
4 person licensed under this [act]. Upon receipt of a  
5 complaint, the board shall conduct an investigation to  
6 determine if probable cause for a hearing exists. If  
7 probable cause exists, a hearing shall be held by a  
8 three-member panel of the board, with decisions to be by  
9 majority vote. A stenographic record of the proceeding shall  
10 be maintained in all hearings held pursuant to this section.

11 Section 22. Rights of licensee in disciplinary  
12 proceeding. The person charged in a disciplinary proceeding  
13 under this [act] has the right:

14 (1) to have reasonable notice of the charges served on  
15 him personally or by certified mail at least 20 working days  
16 prior to the date set for hearing;

17 (2) to be represented by counsel;

18 (3) to cross-examine witnesses;

19 (4) to call witnesses in his behalf;

20 (5) to subpoena witnesses and documents; and

21 (6) to judicial review of the board's determination as  
22 provided in the Montana Administrative Procedure Act.

23 Section 23. Effective date and expiration date of  
24 license. A license is effective on the day of issuance by  
25 the board and expires on the last day of the month that is

1 exactly 2 years from the month in which the license was  
2 issued.

3 Section 24. Application for renewal of license. (1) If  
4 an application for renewal of an existing license is made  
5 within 90 days after the date of expiration of the license  
6 the application is timely and the practice of the licensee  
7 during the period while the board is acting upon the  
8 application for renewal is not a violation of this [act].

9 (2) An application for renewal shall be made on a form  
10 prescribed by the board and shall be accompanied by the  
11 renewal fee established by the board.

12 (3) Each applicant for renewal of a license shall  
13 satisfy board requirements relating to the earning of  
14 additional educational credits before his license may be  
15 renewed.

16 Section 25. Fees. (1) Application, renewal,  
17 reciprocity, and examination fees shall be established by  
18 the board, the exact fee for each purpose to be determined  
19 by the board each year based upon actual costs and predicted  
20 expenditures. If a particular fee is to be increased, the  
21 board shall provide for public notice and comment and may,  
22 after considering the comments, increase the fee only upon a  
23 two-thirds vote of the board.

24 (2) Fees collected under this [act] are nonrefundable  
25 and shall be deposited in the state treasury to the credit

1 of the earmarked revenue fund for use of the board.

2 (3) For purposes of initial application for licensure  
3 under this [act], the application fee may not exceed \$35.  
4 Each person who makes application for licensure and pays the  
5 fee established by the board for that purpose within the  
6 first year of the operation of this [act] is entitled to a  
7 credit against the fee for the first renewal of his license  
8 in the amount of the difference between the initial  
9 application fee and the amount subsequently determined by  
10 the board to constitute the actual cost for the initial  
11 application fee if the cost is less than the rate  
12 established for the initial application fee.

13 Section 26. Information acquired in licensee — client  
14 relationship privileged and confidential — exceptions. No  
15 person licensed under this [act] may disclose any  
16 information he has acquired from persons consulting him in  
17 his professional capacity except in the following cases:

18 (1) Information may be disclosed with the written  
19 consent of the client or, in the case of the client's death  
20 or incompetence, his personal representative or guardian.

21 (2) Information may be disclosed when it reveals the  
22 contemplation of a crime or a harmful act.

23 (3) When the client is a minor under the laws of this  
24 state and the information acquired by the licensee indicates  
25 that the client was the victim or subject of a crime, the



1 licensee may be required to testify fully in relation  
2 thereto upon any examination, trial, or other proceeding in  
3 which the commission of the crime is the subject of inquiry.

4 (4) When the client or his personal representative or  
5 guardian brings an action against a licensee for a claim  
6 arising out of the licensee-client relationship, the client  
7 waives any confidential privilege.

8 Section 27. Violation of [act] — penalties. (1) A  
9 person commits an offense under this [act] if he:

10 (a) violates any of the provisions of this [act];

11 (b) obtains or attempts to obtain a license or renewal  
12 thereof by bribery or fraudulent representations;

13 (c) knowingly makes a false statement in connection  
14 with any application under this [act]; or

15 (d) knowingly makes a false statement on any form  
16 adopted by the board in accordance with this [act].

17 (2) A person convicted of an offense under this [act]  
18 is guilty of a misdemeanor and shall be fined no more than  
19 \$500 or be imprisoned in the county jail for any term not to  
20 exceed 6 months, or both. A person convicted of an offense  
21 under this [act] a second time shall be punished by both  
22 such fine and imprisonment.

23 Section 28. Injunction authorized. Upon recommendation  
24 of the board, the department shall file an action in  
25 district court to enjoin a person from engaging in the

1 practice of social work unless licensed or exempt from  
2 licensure under this [act].

3 Section 29. Severability. If a part of this act is  
4 invalid, all valid parts that are severable from the invalid  
5 part remain in effect. If a part of this act is invalid in  
6 one or more of its applications, the part remains in effect  
7 in all valid applications that are severable from the  
8 invalid applications.

-End-