

**H. B. 2948**

(By Delegates Ashley, O'Neal and Cowles)

[By request of the Department of Health and Human Resources]

[Introduced February 24, 2015; referred to the

Committee on Government Organization.]

A BILL to amend and reenact §30-30-18 of the Code of West Virginia, 1931, as amended, relating to exemptions from the Social Work Licensing requirements of this article.

*Be it enacted by the Legislature of West Virginia:*

That §30-30-18 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 30. SOCIAL WORKERS.**

**§30-30-18. Exemptions from this article.**

The following persons are exempt from licensure, unless specifically stated in writing by the employer:

(1) A person employed as the director or administrative head of a social service agency or division, or applicants for such employment; ~~to be licensed;~~

(2) Licensed or qualified members of other professions, such as physicians, psychologists, lawyers, counselors, clergy, or educators;

1           ~~(3) or the general public~~ Members of other professions not specified in subsection (2) of this  
2 section engaged in social work-like activities, from doing social work consistent with their training  
3 if they do not hold themselves out to the public by a title or description incorporating the words  
4 "licensed social worker" or "licensed clinical social worker" or a variation thereof;

5           (4) Employees of the West Virginia Department of Health and Human Resources engaged  
6 in social work-like activities from doing social work consistent with their training: *Provided, That*  
7 prior to engaging in these activities, employees demonstrate sufficient standards of qualification,  
8 education, training and experience by completing a rigorous training program designed by the  
9 Department of Health and Human Resources to ensure the protection of the health, welfare, and  
10 safety of the public;

11           ~~(3)~~ (5) An employer from performing social work-like activities performed solely for the  
12 benefit of employees;

13           ~~(4)~~ (6) Activities and services of a student, intern, or resident in social work pursuing a  
14 course of study at an accredited university or college or working in a generally recognized training  
15 center if the activities and services constitute a part of the supervised course of study; and

16           ~~(5)~~ (7) Pending disposition of the application for a license, activities and services by a person  
17 who has recently become a resident of this state, has applied for a license within ninety days of  
18 taking up residency in this state, and is licensed to perform the activities and services in the state of  
19 former residence.

NOTE: The purpose of this bill is to clarify the exemptions provided by statute for Social Work Licensing.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.