

Regulatory Analysis Form

(Completed by Promulgating Agency)



SECTION I: PROFILE

(1) Agency: **Department of State, Bureau of Professional and Occupational Affairs, State Board of Social Workers, Marriage and Family Therapists and Professional Counselors**

(2) Agency Number: 16A

Identification Number: 6916

IRRC Number: 2831

INDEPENDENT REGULATORY
REVIEW COMMISSION

2010 APR - 8 AM 10: 01

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(3) Short Title:
Hours of Supervised Clinical Experience; Licensure by Endorsement

(4) PA Code Cite:
49 Pa. Code §§47.12c, 47.12d, 47.16, 48.17 and 49.18.

(5) Agency Contacts (List Telephone Number, Address, Fax Number and Email Address):

Primary Contact: **Cynthia Montgomery, Regulatory Counsel, Department of State, 2601 North Third Street, Harrisburg, PA 17105; Phone Number: (717) 783-7200; Fax Number: (717) 787-0251; E-mail address: cymontgome@state.pa.us**

Secondary Contact: **Joyce McKeever, Deputy Chief Counsel, Department of State, 2601 North Third Street, Harrisburg, PA 17105; Phone Number: (717) 783-7200; Fax Number: (717) 787-0251; E-mail address: jmckeever@state.pa.us**

(6) Primary Contact for Public Comments (List Telephone Number, Address, Fax Number and Email Address) – Complete if different from #5

(All Comments will appear on IRRC'S website)

(7) Type of Rulemaking (check applicable box):

- Proposed Regulation
- Final Regulation
- Final Omitted Regulation
- Emergency Certification Regulation;
 - Certification by the Governor
 - Certification by the Attorney General

Regulatory Analysis Form

(8) Briefly explain the regulation in clear and nontechnical language. (100 words or less)

Annex A contains amendments to existing regulations necessary to implement the statutory requirements of the Act of July 9, 2008 (P.L. 929 No. 68) (Act 68). Act 68 added section 10.1 to the Social Workers, Marriage and Family Therapists and Professional Counselors Act (act), (63 P.S. § 1910.1) authorizing endorsement of out of state licensed clinical social workers, marriage and family therapists and professional counselors.

Act 68 also reduced the number of hours of supervised clinical experience required as a condition of licensure from 3,600 to 3,000 as a licensed clinical social worker. The amendments to the regulations are necessary to conform to the recent amendments to the act.

(9) Include a schedule for review of the regulation including: (To be completed once a delivery date is determined.) **To be completed once a delivery date has been established.**

- A. The date by which the agency must receive public comments: **30 days after publication of the notice of proposed rulemaking.**
- B. The date or dates on which public meetings or hearings will be held: **The Board will consider public comments at a regularly scheduled public meeting. The Board meets on the following dates in 2009: April 14, 2009; May 12, 2009; June 9, 2009; July 14, 2009; September 9, 2009; October 6, 2009; November 10, 2009 and December 8, 2009.**
- C. The expected date of promulgation of the proposed regulation as a final-form regulation: **Section 4 of Act 68 of 2008 requires the Board to promulgate regulations to implement licensure by endorsement within 3 years of its effective date (or by September 7, 2011), however, the Board's goal is to promulgate them as soon as possible.**
- D. The expected effective date of the final-form regulation: **Upon publication as final-form rulemaking.**
- E. The date by which compliance with the final-form regulation will be required: **Upon publication as final-form rulemaking.**
- F. The date by which required permits, licenses or other approvals must be obtained: **Not applicable.**

(10) Provide the schedule for continual review of the regulation.

Section 6(2) of the Act (63 P.S. §1906(2)) authorizes the Board to adopt, and from time to time, revise, such rules and regulations as may be necessary to carry into effect the provisions of the Act. The Board continually monitors the effectiveness of its regulations.

Regulatory Analysis Form

SECTION II: STATEMENT OF NEED

(11) State the statutory authority for the regulation. Include specific statutory citation.

Act 68 added Section 10.1 to the Social Workers, Marriage and Family Therapists and Professional Counselors Act (act) (63 P.S. §1910.1) to authorize licensure by endorsement for clinical social workers, marriage and family therapists and professional counselors. Section 4 of Act 68 directs the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors (Board) to promulgate regulations to implement the addition of Section 10.1 to the Act within three years of the effective date of Act 68.

The effective date of Act 68 was September 7, 2008.

Act 68 also amended section 7(d) of the Act, 63 P.S. § 1907(d) to reduce the number of hours of supervised clinical experience required as a condition of licensure as a licensed clinical social worker from 3,600 to 3,000. This rulemaking is required to conform the existing regulations with this amendment to the Act.

(12) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

Yes, the regulation is mandated by state law. Section 4 of Act 68 directs the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors (Board) to promulgate regulations to implement the addition of Section 10.1 to the Act within three years of the effective date of Act 68.

Section 1.1 of Act 68 amended section 7(d) of the Act, 63 P.S. § 1907(d), to reduce the number of hours of supervised clinical experience required as a condition of licensure as a licensed clinical social worker from 3,600 to 3,000. This rulemaking is required to conform the existing regulations with this amendment to the Act.

Act 68 also added section 10.1 to the Social Workers, Marriage and Family Therapists and Professional Counselors Act (Act) (63 P.S. §§1910.1) to authorize licensure by endorsement of clinical social workers, marriage and family therapists and professional counselors licensed by other states.

Regulatory Analysis Form

(13) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

The rulemaking is necessary to implement licensure by endorsement for clinical social workers, marriage and family therapists and professional counselors, as required by the General Assembly under Act 68. The regulation will provide notice to applicants of the requirements for licensure by endorsement.

Clinical social workers, marriage and family therapists and professional counselors licensed by other states and who are seeking Pennsylvania licensure by endorsement will benefit from the rulemaking which sets forth the specific requirements for licensure by endorsement.

Commonwealth residents seeking the services of clinical social workers, marriage and family therapists and professional counselors will benefit by having available a greater number of qualified licensees to provide services.

The Board has no way of being able to quantify the number of people in the general public that will benefit from the regulation; however, the Department anticipates that on an annual basis approximately 100 potential applicants will benefit by having this new form of licensure available to them.

The rulemaking is also necessary to amend existing regulations to conform with recent amendments to the Act reducing the hours of clinical social work required as a condition of licensure as a licensed clinical social worker.

(14) If scientific data, studies, references are used to justify this regulation, please submit material with the regulatory package. Please provide full citation and/or links to internet source.

N/A

(15) Describe who and how many will be adversely affected by the regulation. How are they affected?

It is not anticipated that anyone will be adversely affected by the regulation. Failure to amend promptly the existing regulations relating to reducing the hours of clinical social work required as a condition of licensure as a clinical social worker, however, may lead to confusion among the regulated community because the regulations do not comport with the Act.

Regulatory Analysis Form

(16) List the persons, groups or entities that will be required to comply with the regulation. Approximate the number of people who will be required to comply.

Applicants seeking a license as a licensed clinical social worker will be required to complete the number of hours of supervised clinical experience as a condition of licensure. The Board estimates that it receives an average of 300 applications each year from applicants seeking licensure as licensed clinical social workers.

Applicants for licensure by endorsement will be required to comply with the regulation. The Board estimates that 100 applicants will seek licensure by endorsement as clinical social workers, marriage and family therapists and professional counselors each year after the regulations are published.

SECTION III: COST AND IMPACT ANALYSIS

(17) Provide a specific estimate of the costs and/or savings to the **regulated community** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

Applicants for licensure by endorsement will pay an application fee required by Section 2 of Act 68. The application fee for licensure by endorsement will be \$45, the fee published in 49 Pa. Code § 47.4 (relating to licensure fees) for applicants seeking licensure as a licensed social worker, clinical social worker, marriage and family therapist or professional counselor. No other legal, accounting or consulting procedures are expected.

(18) Provide a specific estimate of the costs and/or savings to **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

Local governments will not be affected by the regulation.

(19) Provide a specific estimate of the costs and/or savings to **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

The proposed regulations will have no fiscal impact on the Commonwealth or its political subdivisions because the costs associated with processing applications for licensure by endorsement will be born by the applicants. The current application fee for licensed social workers, clinical social workers, marriage and family therapists and professional counselors is \$45.

Regulatory Analysis Form

(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
SAVINGS:	N/A	N/A	N/A	N/A	N/A	N/A
Regulated Community						
Local Government						
State Government						
Total Savings						
COSTS:						
Regulated Community	\$0	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500
Local Government						
State Government						
Total Costs	\$0	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500
REVENUE LOSSES:	N/A	N/A	N/A	N/A	N/A	N/A
Regulated Community						
Local Government						
State Government						
Total Revenue Losses						

(20a) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY -3 05-06	FY -2 06-07	FY -1 07-08	Current FY 08-09
State Board of Social Workers, Marriage and Family Therapists and Professional Counselors	\$580,583	\$593,208	\$634,832	\$693,000

(21) Explain how the benefits of the regulation outweigh any cost and adverse effects.

The benefit of making licensure by endorsement available as a means of obtaining licensure outweighs the minimal costs of processing applications.

Regulatory Analysis Form

(22) Describe the communications with and input from the public and any advisory council/group in the development and drafting of the regulation. List the specific persons and/or groups who were involved.

On July 30, 2008, representatives of the Board met with representatives of the National Association of Social Workers – PA Chapter to discuss plans for the implementation of Act 68. In addition, the Board discussed the rulemaking in open session at a meeting on September 22, 2008; February 10, 2009; and March 10, 2009, at which time members of various stakeholder groups and other interested parties were present.

(23) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

An earlier version of the proposed rulemaking did not provide for the “grace period” included in § 47.12c(d). The Board determined that it would be more equitable to continue to credit up to 1800 hours for those applicants who were already pursuing their licensed clinical practice under existing regulations. Because applicants often have to pay for supervision, the revision was sought in order to permit them the “value” of those hours of supervision already paid for. Therefore, the Board believes the least burdensome acceptable alternative has been selected.

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

There are no federal licensure standards.

(25) How does this regulation compare with those of other states? How will this affect Pennsylvania's ability to compete with other states?

The regulation will not put Pennsylvania at a competitive disadvantage. A review of the law and regulations of the states surrounding Pennsylvania has indicated the following with regard to licensure by endorsement:

Delaware – Does not have licensure by endorsement, only by examination and by reciprocity.

Maryland – Provides for licensure by endorsement for those persons licensed in other jurisdictions who have passed the national examination.

New Jersey – Provides for licensure by endorsement for persons licensed in other jurisdictions who have passed a similar examination.

New York – Only allows for licensure by examination.

Ohio – Allows licensure by endorsement for those individuals who have passed a national examination.

West Virginia – Provides for licensure by examination only.

Virginia – Provides for licensure by endorsement for those individuals who have passed a national examination.

Regulatory Analysis Form

(26) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

No.

(27) Submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

The proposed rulemaking will require the Board to develop forms for licensure by endorsement; however, the proposed rulemaking will not change existing reporting recordkeeping or other paperwork requirements for the regulated community. The application form will be developed once the Board has drafted the final-form rulemaking.

(28) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

The Board has not identified any specific groups that need to be accommodated by special provisions.

FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU

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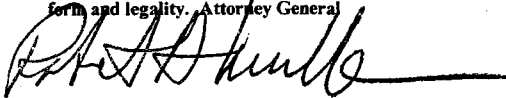
2010 APR -8 AM 10: 01

INDEPENDENT REGULATORY
REVIEW COMMISSION

(Pursuant to Commonwealth Documents Law)

DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to
form and legality. Attorney General



BY: _____
(DEPUTY ATTORNEY GENERAL)

MAR 29 2010

DATE OF APPROVAL

Copy below is hereby certified to be a true and correct
copy of a document issued, prescribed or promulgated by:

State Board of Social Workers, Marriage and Family
Therapists and Professional Counselors
(AGENCY)

DOCUMENT/FISCAL NOTE NO. 16A-6916

DATE OF ADOPTION: _____

BY: 
Donna A. Tonrey, LMFT

TITLE: Chairperson
(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

Copy below is approved as
to form and legality.
Executive or Independent
Agencies.



Andrew C. Clark

MAR -3 2010

DATE OF APPROVAL

Deputy General Counsel,
Chief Counsel,
Independent Agency
(Strike inapplicable title)

- Check if applicable
Copy not approved.
Objections attached.
- Check if applicable.
No Attorney General approval
or objection within 30 day
after submission.

NOTICE OF PROPOSED RULEMAKING
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY
THERAPISTS AND PROFESSIONAL COUNSELORS
49 PA. CODE, CHAPTERS 47, 48 AND 49
§§ 47.12c, 47.12(d), 47.16, 48.17 AND 49.18

LICENSURE BY ENDORSEMENT; HOURS OF SUPERVISED
CLINICAL EXPERIENCE

The State Board of Social Workers, Marriage and Family Therapists and Professional Counselors (Board) hereby proposes to amend §§ 47.12c and 47.12d (relating to licensed clinical social worker; and standards for supervisors) and to adopt §§ 47.16, 48.17 and 49.18 (relating to licensure by endorsement), to read as set forth in Annex A.

Statutory authority

The act of July 9, 2008 (P.L. 929, No. 68) (Act 68) amended section 7(d) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act (act), 63 P.S. § 1907(d) to reduce the number of hours of supervised clinical experience required as a condition of licensure as a licensed clinical social worker from 3,600 to 3,000. Act 68 also added section 10.1 to the act, 63 P.S. § 1910.1, to establish licensure by endorsement for clinical social workers, marriage and family therapists and professional counselors. Section 4 of Act 68 directs the Board to promulgate regulations to implement the addition of section 10.1 of the act within 3 years of the effective date of the act. The effective date of the act was September 7, 2008. Section 6(2) of the act, 63 P.S. § 1906(2), authorizes the Board to adopt and, from time to time, revise such rules and regulations as may be necessary to carry into effect the provisions of the act.

Background and Purpose

The amendments are required to implement licensure by endorsement for clinical social workers, marriage and family therapists and professional counselors as required by section 10.1 of the act and to amend existing regulations to conform to the recent amendments to the act relating to the number of hours of supervised clinical experience required as a condition of licensure as a licensed clinical social worker.

Description of the Amendments

Hours of Supervised Clinical Experience

The Board proposes to amend § 47.12c(a) (relating to licensed clinical social worker) to reduce the number of hours of supervised clinical experience from 3,600 to 3,000 hours to conform to the recent amendment to the act. In addition, subsection (b)(2) is proposed to be amended to reduce the number of hours that must be supervised by a licensed clinical social worker or, if the supervision occurred prior to January 1, 2006, by a licensed social worker who practiced as a clinical social worker, from 1,800 hours to no less than 1,500 hours (half of the required hours). Subsection (b)(9) also proportionally reduces the number of hours such that no less than 500 hours and no more than 1,500 may be credited in any 12-month period. These amendments continue the current regulatory scheme, while implementing the reduction in the total number of hours of supervised clinical experience from 3,600 to 3,000 as mandated by the amendment to the act. The Board also proposes to amend subsection (c) to provide for consideration of

those applicants that have already completed more than 1,500 hours of supervised clinical experience within a 12-month period prior to the effective date of these regulations in final form. For those applicants, the Board will credit up to 1,800 hours. This will ensure there will be no adverse impact upon the applicant or loss of credit hours for those hours already completed in compliance with the requirements of the existing regulations.

Section 47.12d (relating to standards for supervisors) was likewise amended to reflect the decrease from 3,600 to 3,000 of supervised experience.

Licensure by Endorsement

The Board proposes to adopt § 47.16 to set forth requirements for licensure by endorsement for clinical social workers. To qualify for licensure by endorsement, a clinical social worker shall (1) satisfy the general requirements for licensure, (2) hold a master's degree in social work or social welfare or a doctoral degree in social work from an accredited school of social work, (3) have passed a clinical social work examination acceptable to the Board, (4) hold a clinical social work license that is in good standing from another state, and (5) have completed a minimum of 3,000 hours of supervised clinical experience that conforms to the requirements of the state in which the applicant is licensed.

Section 48.17 would set forth similar requirements for licensure by endorsement of marriage and family therapists. To qualify for licensure by endorsement, a marriage and family therapist shall (1) satisfy the general requirements for licensure, (2) meet the educational requirements set forth in the act and regulations, (3) hold a marriage and family therapy license in good standing from another state, (4) have completed a minimum of 3,000 hours of supervised clinical experience that conforms to the requirements of the state in which the applicant is licensed, and (5) have been actively engaged in the practice of marriage and family therapy for 5 of the last 7 years immediately preceding the filing of the application for licensure by endorsement.

Finally, § 49.18 would set forth the requirements for licensure by endorsement for professional counselors. To qualify for licensure by endorsement, a professional counselor shall (1) satisfy the general requirement for licensure, (2) meet the educational requirements set forth in the act and regulations, (3) hold a professional counselor license in good standing from another state, (4) have completed a minimum of 3,000 hours of supervised clinical experience that conforms to the requirements of the state in which the applicant is licensed, and (5) have been engaged in the practice of professional counseling for 5 of the last 7 years immediately preceding the filing of the application for licensure by endorsement.

Fiscal impact and Paperwork Requirements

The proposed regulation will require the Board to create new application forms for licensure by endorsement; however, the proposed regulation should not create additional paperwork for the private sector with the exception of those individuals who

apply for licensure by endorsement. The proposal should not result in any additional legal, accounting or reporting requirements for the Commonwealth or the regulated community.

Sunset Date

The Board continuously monitors the effectiveness of its regulations on a fiscal year and biennial basis. Therefore, no sunset date has been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on April 8, 2010, the Board submitted a copy of this proposed regulation and a copy of a Regulatory Analysis form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. Comments, recommendations or objections shall specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly, and the Governor of comments, recommendations or objections raised.

Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Cynthia K. Montgomery, Regulatory Counsel, State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, P. O. Box 2649, Harrisburg, PA 17105-2649, within 30 days of publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Please reference No. 16A-6916, Licensure by Endorsement; House of Supervised Clinical Experience, when submitting comments.

Donna A. Tonrey, LMFT
Chairperson

ANNEX A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 47. STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND
FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS

* * * * *

LICENSURE

§ 47.12c. Licensed clinical social worker.

(a) *Conditions for licensure.* To be issued a license to hold oneself out as a licensed clinical social worker, an applicant shall provide proof satisfactory to the Board, that the applicant has met the following conditions:

* * * * *

(5) Completed at least [3 years or 3,600] 3,000 hours of supervised clinical experience meeting the criteria in subsection (b) after completion of the master's degree in social work. Supervision for the clinical experience shall be provided by a supervisor as defined in §§ 47.1 and 47.1a (relating to definitions; and qualifications for supervisors).

(b) *Supervised clinical experience.* Experience acceptable to the Board means experience as a supervisee in a setting that is organized to prepare the applicant for the practice of clinical social work consistent with the applicant's education and training, and conforms to the following:

* * * * *

(2) Supervision for the clinical experience shall be provided by a supervisor as defined in §§ 47.1 and 47.1a. However, [1,800] no less than 1,500 hours shall be supervised by a supervisor meeting the qualifications in § 47.1a(1) and (3).

* * * * *

(9) The supervised clinical experience shall be completed in no less than 2 years and no more than 6 years, except that no less than [600] 500 hours and no more than [1,800] 1,500 hours may be credited in any 12-month period.

(c) [*Supervised clinical experience obtained within 5 years prior to March 2, 2002.*

(1) For hours of supervised clinical experience obtained within 5 years prior to March 2, 2002, the applicant shall present evidence of having acquired at least one-half of those hours under the supervision of a clinical social worker. The applicant shall also have acquired hours of supervision at a ratio of 2 hours of supervision per 40 hours of supervised clinical experience, one-half of which may be in group supervision and at least one-half of which shall be provided by a clinical social worker.

(2) Supervised clinical experience obtained under this subsection is not subject to § 47.12d (relating to standards for supervisors).] *Supervised clinical experience obtained within any 12-month period prior to (Editor's Note: Insert the effective date of the final-form rulemaking). An applicant having completed more than 1,500 hours, but not more than 1,800 hours, of supervised clinical experience in a 12-month period prior to (Editor's Note: Insert the effective date of the final-form rulemaking), will be given credit for up to 1,800 hours of supervised clinical experience actually completed during that 12-month period.*

* * * * *

§ 47.12d. Standards for supervisors.

Supervisors, and those to whom supervisory responsibilities are delegated, under § 47.12c(a)(5) (relating to licensed clinical social worker) shall comply with the standards in this section. Supervisors will be asked to attest to compliance on the verification of experience form which shall accompany the supervisee's application for licensure. The Board reserves the right to require a supervisor by documentation or otherwise to establish to the Board's satisfaction that compliance occurred.

* * * * *

(6) The supervisor shall be empowered to recommend the interruption or termination of the supervisee's activities in providing services to a client/patient and, if necessary, to terminate the supervisory relationship. Any hours accumulated for activities not approved by the supervisor will not count toward satisfying the [3,600] 3,000 hours of supervised experience.

* * * * *

§ 47.16. Licensure by endorsement.

To be issued a license by endorsement without examination as a licensed clinical social worker, an applicant must provide proof satisfactory to the Board, that the applicant has met the following conditions:

(a) Satisfied the general requirements for licensure of § 47.12 (relating to qualifications for licensure).

(b) Holds a master's degree in social work or social welfare or a doctoral degree in social work from a school accredited by the Council on Social Work Education. An applicant who is a graduate of a foreign school shall submit to the Board an evaluation of foreign credentials performed by the Council on Social Work Education, which assesses the foreign credentials to be the equivalent of the curriculum policy of an accredited graduate school during the same time period, that is, as meeting the requirements of having earned a master's degree in social work or social welfare from an accredited school.

(c) Passed a clinical social work examination acceptable to the Board. The Board will accept an applicant's examination grades taken in another jurisdiction, as furnished through the professional examination reporting service or from the jurisdiction that administered the examination. The applicant shall demonstrate that the examination taken in the other jurisdiction is similar to the one offered by the Commonwealth, and that the applicant passed the examination with a grade at least equal to the passing grade set by the Commonwealth.

(d) Holds a clinical social work license that is in good standing from another state. The applicant shall provide a letter from the other jurisdiction's licensing authority where the clinical social worker is licensed certifying licensure and reporting any disciplinary history.

(e) Demonstrates to the Board's satisfaction that the applicant has completed a minimum of 3,000 hours of supervised clinical experience that conforms to the requirements of the state in which the applicant is currently licensed.

* * * * *

**CHAPTER 48. STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND
FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS – LICENSURE
OF MARRIAGE AND FAMILY THERAPISTS**

* * * * *

LICENSURE

* * * * *

§ 48.17. Licensure by endorsement.

To be issued a license by endorsement without examination as a marriage and family therapist, an applicant must provide proof satisfactory to the Board, that the applicant has met the following conditions:

(a) Satisfied the general requirements for licensure of § 48.12 (relating to general qualifications for licensure).

(b) Meet the educational requirements as set forth in section 7(e)(2) of the act, 63 P.S. § 1907(e)(2), and 49 Pa. Code § 48.13(a)(3) (relating to licensed MFT).

(c) Holds a marriage and family therapy license that is in good standing from another state. The applicant shall provide a letter from the other jurisdiction's licensing authority where the marriage and family therapist is licensed certifying licensure and reporting any disciplinary history.

(d) Demonstrates to the Board's satisfaction that the applicant has completed a minimum of 3,000 hours of supervised clinical experience that conforms to the licensure requirements of the state in which the applicant is currently licensed.

(e) Demonstrates to the Board's satisfaction that the applicant has, at a minimum, been actively engaged in the practice of marriage and family therapy for 5 of the last 7 years immediately preceding the filing of the application for licensure by endorsement with the Board.

* * * * *

**CHAPTER 49. STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND
FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS – LICENSURE
OF PROFESSIONAL COUNSELORS**

* * * * *

LICENSE

* * * * *

§ 49.18. Licensure by endorsement.

To be issued a license by endorsement without examination as a professional counselor, an applicant must provide proof satisfactory to the Board, that the applicant has met the following conditions:

(a) Satisfied the general requirements for licensure of § 49.12 (relating to general qualifications for licensure).

(b) Meets the educational requirements as set forth in section 7(f)(2) of the act, 63 P.S. § 1907(f)(2), and 49 Pa. Code § 49.13(a)(3) (relating to licensed professional counselor).

(c) Holds a professional counselor license that is in good standing from another state. The applicant shall provide a letter from the other jurisdiction's licensing

authority where the professional counselor is licensed certifying licensure and reporting any disciplinary history.

(d) Demonstrate to the Board's satisfaction that the applicant has completed a minimum of 3,000 hours of supervised clinical experience that conforms to the requirements of the state in which the applicant is currently licensed.

(e) Demonstrates to the Board's satisfaction that the applicant has, at a minimum, been actively engaged in the practice of professional counseling for 5 of the last 7 years immediately preceding the filing of the application for licensure by endorsement with the Board.

* * * * *



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND
FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS
Post Office Box 2649
Harrisburg, Pennsylvania 17105-2649
(717) -783-1389

April 8, 2010

The Honorable Arthur Coccodrilli, Chairman
INDEPENDENT REGULATORY REVIEW COMMISSION
14th Floor, Harristown 2, 333 Market Street
Harrisburg, Pennsylvania 17101

Re: Proposed Regulation
State Board of Social Workers, Marriage and Family Therapists and
Professional Counselors
16A-6916

Dear Chairman Coccodrilli:

Enclosed is a copy of a proposed rulemaking package of the State Board of Social Workers, Marriage and Family Therapists and professional Counselors pertaining to Licensure by Endorsement, Hours of Supervised Clinical Experience.

The Board will be pleased to provide whatever information the Commission may require during the course of its review of the rulemaking.

Sincerely,

Donna A. Tonrey, Chairperson
State Board of Social Workers, Marriage and
Family Therapists and Professional Counselors

DAT/CKM:pah

Enclosure

cc: Basil L. Merenda, Commissioner
Bureau of Professional and Occupational Affairs
Steven V. Turner, Chief Counsel
Department of State
Joyce McKeever, Deputy Chief Counsel
Department of State
Cynthia Montgomery, Regulatory Counsel
Department of State
Beth Micholivitz, Counsel
State Board of Social Workers, Marriage and Family Therapists
and Professional Counselors
State Board of Social Workers, Marriage and Family Therapists
and Professional Counselors

TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT

I.D. NUMBER: 16A-6916
SUBJECT: LICENSURE BY ENDORSEMENT; HOURS OF SUPERVISED CLINICAL EXPERIENCE
AGENCY: DEPARTMENT OF STATE
STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS
AND PROFESSIONAL COUNSELORS

TYPE OF REGULATION

- X Proposed Regulation
Final Regulation
Final Regulation with Notice of Proposed Rulemaking Omitted
120-day Emergency Certification of the Attorney General
120-day Emergency Certification of the Governor
Delivery of Tolled Regulation
a. With Revisions b. Without Revisions

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INDEPENDENT REGULATORY
REVIEW COMMISSION

FILING OF REGULATION

DATE	SIGNATURE	DESIGNATION
4/8/10	<i>Blanche D. Nichols</i>	HOUSE COMMITTEE ON PROFESSIONAL LICENSURE MAJORITY CHAIRMAN <u>Michael P. McGeehan</u>
4/8/10	<i>Mary Walmer</i>	SENATE COMMITTEE ON CONSUMER PROTECTION & PROFESSIONAL LICENSURE MAJORITY CHAIRMAN <u>Robert M. Tomlinson</u>
4/8/10	<i>K. Cooper</i>	INDEPENDENT REGULATORY REVIEW COMMISSION ATTORNEY GENERAL (for Final Omitted only)
4/8/10	<i>M. Lattin</i>	LEGISLATIVE REFERENCE BUREAU (for Proposed only)