

**Chapter 18. Board of Social Work Examiners.**

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 18.112 is amended to read:

**12 AAC 18.112. Continued competency.** Proof of continued competency satisfactory to the board includes

(1) successful passage of the applicable examination in 12 AAC 18.105 within the two years immediately before [AND] the [TWO YEARS IMMEDIATELY AFTER] application;

or

(2) verification of completion within the five years immediately preceding application of

(A) 1,500 hours of work as a social worker while holding a license similar to that for which application has been made; and

(B) the continuing education requirements described in

12 AAC 18.210(a)(1) and (3). (Eff. 10/14/99, Register 152; am 8/29/2003, Register 167; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.95.030 AS 08.95.120

12 AAC 18.160 is amended to read:

**12 AAC 18.160. Standards of practice.** A social worker licensed in this state shall adhere to the standards of practice adopted by the board under this section. The board **hereby** adopts by reference the [*"STANDARDS OF PRACTICE/CODE OF CONDUCT", PARTS 1 - 10 OF THE*] *Model Social Work Practice Act Model Law Task Force, 1996 – 1997 with*

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*amendments, 1998 – 2012, with amendments 2013 – 2015, and the Model Regulatory Standards for Technology and Social Work Practice ASWB International Technology Task Force, 2013 – 2014* published by the Association of Social Work Boards, as the standards of practice for social workers licensed in this state. (Eff. 10/14/99, Register 152; am 8/29/2003, Register 167; am 11/4/2015, Register 216; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.95.030

**Editor's note:** A copy of the "Model Social Work Practice Act" and the "Model Regulatory Standards for Technology and Social Work Practice" ["STANDARDS OF PRACTICE/CODE OF CONDUCT"] adopted in 12 AAC 18.160 is available for inspection at the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, Juneau, Alaska, or may be obtained from the Association of Social Work Boards, 400 Southridge Parkway, Suite B, Culpeper, VA 22701-3791, phone: (800) 225-6880, fax: (540) 829-0562, or websites at [https://www.aswb.org/wp-content/uploads/2013/10/Model\\_law.pdf](https://www.aswb.org/wp-content/uploads/2013/10/Model_law.pdf) and <https://www.aswb.org/wp-content/uploads/2015/03/ASWB-Model-Regulatory-Standards-for-Technology-and-Social-Work-Practice.pdf>.

12 AAC 18.210 is amended to read:

**12 AAC 18.210. Continuing education requirement.** (a) For the first biennial renewal of a person's social worker license, an applicant for renewal shall document completion of 45 contact hours of continuing education activities acceptable to the board that were earned during the two years before the expiration date of the person's license that included a minimum of

- (1) six contact hours in substance abuse education;

(2) six contact hours in cross-cultural education relating to Alaska Natives; and

(3) three contact hours in professional ethics.

(b) After a person's first biennial renewal of a social worker license, an applicant for renewal shall document completion of 45 contact hours of continuing education activities acceptable to the board that were earned during that licensing period and included a minimum of

(1) six contact hours in substance abuse education;

(2) six contact hours in cross-cultural education, of which three hours include issues relating to Alaska Natives; and

(3) three contact hours in professional ethics.

(c) For purposes of this section,

(1) one "contact hour" equals a minimum of 50 minutes of classroom instruction between instructor and participant;

(2) one academic semester credit equals 15 contact hours; [AND]

(3) one academic quarter credit equals 10 contact hours; **and**

**(4) "relating to Alaska Natives" means a structured educational experience such as a course, lecture, workshop, or other organized training that focuses on the indigenous peoples of Alaska as it applies to social work practices.**

(d) Only hours of actual attendance during which instruction was given will be accepted as continuing education contact hours earned from an academic course that is audited by the licensee, and the total number of contact hours earned may not exceed the academic credit hours offered for that course.

(e) Not more than 12 contact hours of continuing education activities required under this section may be completed in one day.

**(f) If designated to provide teletherapy services, an applicant for renewal shall document completion of six contact hours in at least one of the teletherapy training topics under 12 AAC 18.300(a)(2)(A) – (F). The six contact hours in teletherapy training may be used to satisfy the 45 contact hours required under (a) and (b) of this section.**

**(g) An applicant for renewal under this section may receive up to three hours of professional ethics continuing education credit for attending up to six hours of a regularly scheduled board meeting once every biennial licensing period.**

(Eff. 9/26/91, Register 119; am 10/14/99, Register 152; am 11/4/2015, Register 216; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.95.030 AS 08.95.040

12 AAC 18 is amended by adding new sections to read:

**Article 3. Teletherapy Practice.**

**Section**

- 300. Requirements to practice teletherapy
- 310. Scope of teletherapy practice
- 320. Providing teletherapy
- 330. Safety and confidentiality of communications
- 340. Limitations on teletherapy practice

**12 AAC 18.300. Requirements to practice teletherapy.** (a) Before providing social work services or using social work principles and methods through audio, video, or data communications when physically separated from the client, a provider must

(1) be licensed under AS 08.95 and in good standing with the board;

(2) on a form provided by the department, submit certification of having completed at least 18 contact hours of training in the following topics specific to teletherapy; a minimum of three hours in each topic:

(A) teletherapy theory and practice;

(B) HIPAA compliance;

(C) legal and ethical issues related to teletherapy practice;

(D) handling online emergencies;

(E) informed consent;

(F) telephone and video conferencing.

(b) The 18 contact hours of training required under (a)(2) of this section is for the initial teletherapy designation; and may be used to satisfy the 45 contact hours required for license renewal under 12 AAC 18.210(a) and (b). (Eff. \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.95.030 AS 08.95.050

**12 AAC 18.310. Scope of teletherapy practice.** The practice of teletherapy does not include functions or practices that are not within the training required for licensure under AS 08.95 and this chapter. (Eff. \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.95.030 AS 08.95.050

**12 AAC 18.320. Providing teletherapy.** (a) Before providing teletherapy, a licensee must determine that the client is intellectually, emotionally, and physically capable of using the technology and that the technology is appropriate for the needs of the client.

(b) If a licensee or client determines teletherapy is not appropriate, the licensee must offer to refer the client to a clinician local to the client for in-person services. If the client refuses referral, the licensee must document the reasons for continuing to provide teletherapy.

(c) For each teletherapy session, a licensee must verify the client's identity and record it in the client's file. (Eff. \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.95.030 AS 08.95.050

**12 AAC 18.330. Safety and confidentiality of communications.** (a) **Email:** Licensees must advise clients about the risks of exchanging emails. Licensees must include a disclaimer when sending emails. Email transmissions are part of the client record; copies must be kept in a file maintained by the licensee.

(b) **Text messages:** Texting of personal information must be discouraged. Licensees must include a disclaimer about the risks when exchanging text messages. Text messages are considered a part of the client record; copies must be kept in a file maintained by the licensee.

(c) **Online scheduling and billing:** All online scheduling and billing software must be encrypted and secure.

(d) **Synchronous teletherapy:** A licensee must avoid unwanted interruptions during teletherapy sessions. (Eff. \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.95.030 AS 08.95.050

**12 AAC 18.340. Limitations on teletherapy practice.** (a) A baccalaureate social worker or master social worker licensed under AS 08.95 shall not practice teletherapy unless

(1) under the supervision of a licensed clinical social worker, licensed

psychologist, or licensed psychiatrist who holds an unrestricted license to practice that profession in this state or other licensing jurisdiction; or

(2) has been granted an exemption from the board under (c) of this section.

(b) The supervisor under (a)(1) of this section must complete at least 18 contact hours of training specific to teletherapy as required under 12 AAC 18.300(a)(2).

(c) The board may grant an exemption if

(1) the applicant demonstrates to the satisfaction of the board that the applicant is unable to satisfy the requirement of (a)(1) of this section; and

(2) the supervisor has completed at least 18 contact hours of training specific to teletherapy as required under 12 AAC 18.300(a)(2). (Eff. \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.95.030 AS 08.95.050

The article heading for Article 3 is amended to read:

**Article 4 [3]. General Provisions.**

12 AAC 18 is amended by adding a new section to read:

**12 AAC 18.940. Board member absences.** (a) The board may recommend to the governor that a member be removed from the board if that member has had three or more unexcused absences from regularly scheduled board meeting during the member's term on the board.

(b) Before the close of each regularly scheduled board meeting from which a member has been absent, the board will determine on the record whether the member's absence from that meeting was excused or unexcused. An absence will be excused if it was approved by the

chairperson of the board 30 days prior to the scheduled meeting date or was due to an emergency.

(Eff. \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.01.020 AS 08.95.030

12 AAC 18.990(7) is amended to read:

(7) "substance abuse education" means a structured educational experience such as a course, lecture, workshop, or other organized training that focuses on **an overindulgence in or dependence on psychoactive substances, such as alcohol, marijuana, prescription drugs, pharmaceuticals, or illicit drugs,** [SUBSTANCE ABUSE] as it applies to social work practices;

**(A) "psychoactive substance" is identified as a chemical substance that changes brain function and results in alterations in perception, mood, consciousness, cognition, or behavior;**

**(B) "behavior addiction" is identified as a behavior that produces short-term reward that may create persistent behavior despite knowledge of adverse consequences and diminished control over the behavior;**

12 AAC 18.990 is amended by adding new paragraphs to read:

(9) "synchronous" means an interaction with the client occurring at exactly the same time during which the client and licensee are able to communicate using real-time;

(10) "teletherapy" means the use of audio, video, or data communications to perform functions or practices within the training required for licensure under AS 08.95 and this chapter. (Eff. 9/26/91, Register 119; am 10/15/99, Register 152; am 5/11/2012, Register 202; am

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**Authority:** AS 08.95.030 AS 08.95.050 AS 08.95.100

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