

**RULES
OF
THE TENNESSEE BOARD OF SOCIAL WORKER LICENSURE**

**CHAPTER 1365-01
GENERAL RULES AND REGULATIONS**

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1365-01-.01 DEFINITIONS.

- (1) Applicant – Any individual seeking licensure by the Board who has submitted an official application and paid the application fee.
- (2) Board – The Board of Social Worker Licensure.
- (3) Board administrative office or Board office – The office of the administrator assigned to the Board located at 665 Mainstream Drive, Nashville, TN 37243.
- (4) Board designee – Any person who has received a written delegation of authority from the Board to perform board functions subject to review and ratification by the full Board where provided by these rules.
- (5) Clinical Private Practice – Practice in which practitioners, either on a full- or part-time basis, establish their own conditions of exchange with their clients, receive direct fees, and are solely responsible for the services they provide to clients, without supervision, regardless of the organization structure. Only an L.C.S.W. may engage in clinical private practice.
- (6) Experience –
 - (a) Nonclinical Advanced Practice Experience – The application of generalist practice skills under the supervision of an L.C.S.W. or an L.A.P.S.W. in the areas of education, research, advocacy, community organization, mediation, consultation, public policy, legislative advocacy, healthcare, discharge planning, assessment, treatment planning, case management, counseling, supportive counseling, information and referral, and the development, implementation, evaluation and administration of policies, programs and activities. Nonclinical advanced practice experience is designated as the actual time spent in direct services to clients, client systems and/or organizations. Nonclinical advanced practice experience is not defined as solely face-to-face contact with individuals, couples, families and/or groups.
 - (b) Clinical Experience – The application of social work theory, knowledge, methods, principles, values, ethics, and the professional use of self to restore or enhance social, psychosocial or biopsychosocial functioning of individuals, couples, families, groups, or persons who are adversely affected by social or psychosocial stress or health

(Rule 1365-01-.01, continued)

impairment. The provision of clinical services requires the application of specialized clinical knowledge and advanced clinical skills in the areas of assessment, diagnosis and/or treatment of mental, emotional and behavioral disorders, conditions and/or addictions, including severe mental illness in adults and serious emotional disturbances in children. Treatment methods include the provision of individual, marital, couple, family, and group therapy, mediation, counseling, supportive counseling, advanced case management, direct private practice and psychotherapy. Clinical experience may also involve the provision of brief psychosocial and behavioral interventions, comprehensive crisis assessment, and treatment planning. Clinical experience is designated as the actual time spent providing direct services to clients. The practice of clinical social work is restricted to a Licensed Clinical Social Worker, or to a Licensed Master Social Worker or Licensed Advanced Practice Social Worker under supervision of a Licensed Clinical Social Worker meeting the standards set forth in T.C.A. §§ 63-23-101, et seq.

- (7) Fee splitting – The practice of paying commissions to colleagues out of fees received from rendering services to clients who have been referred by the colleague.
- (8) Group supervision – The process of supervision of no more than four persons in a group setting provided by an L.C.S.W. or L.A.P.S.W. supervisor wherein practice problems are dealt with that are similar in nature and complexity to all supervisees in the group.
- (9) Hours of Experience – The number of actual hours of supervised experience necessary for the advancement of an L.M.S.W. to a higher level of licensure as either an L.A.P.S.W. or an L.C.S.W.
- (10) Independent Practice – Practice in which an individual receives direct compensation or remuneration of any kind from any person or third party payer, including but not limited to insurance companies, health plans, and state and federal benefit programs for the provision of any services.
- (11) Individual Supervision – A live, face-to-face meeting with one (1) supervisor and one (1) supervisee, including the use of teleconferencing technologies, visual multi-media technology, or video conferencing technology.
- (12) L.A.P.S.W. or LAPSW – Licensed Advanced Practice Social Worker.
- (13) L.B.S.W. or LBSW – Licensed Baccalaureate Social Worker.
- (14) L.C.S.W. or LCSW – Licensed Clinical Social Worker.
- (15) L.M.S.W. or LMSW – Licensed Master Social Worker.
- (16) Person – Any individual, firm, corporation, partnership, organization, or body politic.
- (17) Private Practice – Practice in which practitioners, either on a full or part-time basis, establish their own conditions of exchange with their clients, receive direct fees, and are solely responsible for the services they provide to clients, without supervision, regardless of the organization structure. Only an L.C.S.W. or an L.A.P.S.W. may engage in private practice.
- (18) Supervision – The ongoing, direct clinical review, and/or non-clinical review, for the purpose of training or teaching, by an L.C.S.W. or L.A.P.S.W. supervisor who monitors the performance of a person's interaction with a client and provides regular documented face-to-face contact, guidance and instructions with respect to the clinical and/or non-clinical skills and competencies of the person supervised. Supervision may include, without being limited to, the review of case presentations, audio tapes, video tapes, and direct supervision.

(Rule 1365-01-.01, continued)

- (19) Supervisor – A licensed clinical social worker or licensed advanced practice social worker who meets the requirements established by the Board of Social Worker Licensure, pursuant to rule 1365-01-.08, and who provides supervision for a prospective applicant for licensure.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-23-101, 63-23-102, 63-23-103, 63-23-104, 63-23-105, 63-23-108, and 63-23-110 and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed January 22, 1986; effective February 21, 1986. Amendment filed December 20, 1988; effective February 3, 1989. Amendment filed August 17, 1990; effective October 1, 1990. Repeal and new rule filed April 6, 1994; effective June 20, 1994. Amendment filed December 19, 1998; effective March 4, 1998. Amendment filed March 9, 2001; effective May 23, 2001. Amendment filed August 16, 2002; effective October 30, 2002. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing and replacing rule filed April 30, 2010; effective July 29, 2010. Amendments filed December 2, 2021; effective March 2, 2022.

1365-01-.02 SCOPE OF PRACTICE.

- (1) Baccalaureate Social Worker, as defined in T.C.A. § 63-23-102(a), means a person who practices the professional application of social work theory, knowledge, methods, principles, values and ethics and the professional use of self to restore or enhance social, psychosocial or biopsychosocial functioning of individuals, couples, families, groups, organizations and communities. The practice of baccalaureate social work is basic generalist practice that includes interviewing, assessment, planning, intervention, evaluation, case management, mediation, supportive counseling, direct nonclinical practice, information and referral, problem solving, client education, advocacy, community organization, supervision of employees, and the development, implementation, and administration of policies, programs and activities. Baccalaureate social workers are neither qualified to diagnose or treat mental illness nor provide psychotherapy services. A social worker at this level shall not provide services to clients in exchange for direct payment or third-party reimbursement. A social worker at this level shall work in or for an agency or organization and may not practice privately or independently. Licensed baccalaureate social workers shall not engage in advanced social work practice or in clinical social work practice or hold themselves out as a licensed master's social worker, a licensed advance practice social worker or a licensed clinical social worker. A social worker may not prescribe medication or interpret psychological tests.
- (2) Master's Social Worker, as defined in T.C.A. § 63-23-103(a), means a person who practices the professional application of social work theory, knowledge, methods, principles, values and ethics and the professional use of self to restore or enhance social, psychosocial or biopsychosocial functioning of individuals, couples, families, groups, organizations and communities. The practice of master's social work requires the application of specialized knowledge and advanced practice skills in the areas of assessment, treatment planning, implementation and evaluation, case management, mediation, counseling, supportive counseling, direct practice, information and referral, supervision of employees, consultation, education, research, advocacy, community organization and the development, implementation, and administration of policies, programs and activities. The practice of master's social work may include the practice activities of a licensed baccalaureate social worker. The practice of master's social work may include the practice of clinical social work under the supervision of a licensed clinical social worker as an avenue for licensure as a clinical social worker. A social worker at this level shall not provide services to clients in exchange for direct payment or third-party reimbursement. Licensed master's social workers shall engage only in supervised practice in or for an agency or organization and may not practice privately or independently. Licensed master's social workers may not hold themselves out as a licensed advance practice social worker or a licensed clinical social worker. A social worker may not prescribe medication or interpret psychological tests.

(Rule 1365-01-.02, continued)

- (3) Advanced Practice Social Worker, as defined in T.C.A. § 63-23-104(a), means a person who practices advanced social work as a nonclinical social worker using the professional application of social work theory, knowledge, methods, principles, values and ethics and the professional use of self to restore or enhance social, psychosocial or biopsychosocial functioning of individuals, couples, families, groups, organizations and communities. Advanced master's or doctorate social work practice requires the application of specialized knowledge and advanced practice skills in the areas of education, research, advocacy, community organization, mediation, consultation, assessment, treatment planning, implementation and evaluation, case management, counseling, supportive counseling, direct practice, information and referral, supervision, and the development, implementation, and administration of policies, programs and activities. The nonclinical advanced practice of social work may occur independently outside the jurisdiction of an agency or organizational setting in which the social worker assumes responsibility and accountability for the nature and quality of the services provided to clients, pro bono or in exchange for direct payment or third-party reimbursement. The practice of advanced social work as a nonclinical social worker may include the practice activities of a licensed baccalaureate social worker or licensed master's social worker, or both. The practice of advanced master's or doctorate social work may include the practice of clinical social work under the supervision of a licensed clinical social worker as an avenue for licensure as a clinical social worker without the benefit of direct payments or third-party reimbursements for clinical practice. Practice at this level may include the provision of supervision for licensed or temporarily licensed master's social workers seeking to become licensed advanced practice social workers. Licensed advanced practice social workers may not hold themselves out as a licensed clinical social worker. A social worker may not prescribe medication or interpret psychological tests.
- (4) Clinical Social Worker, as defined in T.C.A. § 63-23-105(a), means a person who practices advanced master's or doctorate social work as a licensed clinical social worker. The practice of advanced master's or doctorate social work as a licensed clinical social worker is a specialty within the practice of social work that requires the application of social work theory, knowledge, methods, principles, values, ethics, and the professional use of self to restore or enhance social, psychosocial or biopsychosocial functioning of individuals, couples, families, groups or persons who are adversely affected by social or psychosocial stress or health impairment. The practice of clinical social work requires the application of specialized clinical knowledge and advanced clinical skills in the areas of assessment, diagnosis and treatment of mental, emotional and behavioral disorders, conditions and addictions, including severe mental illness in adults and serious emotional disturbances in children, case management, direct practice, information and referral, clinical and non-clinical supervision, and the development, implementation, and administration of policies, programs and activities. Treatment methods include the provision of individual, marital, couple, family, and group therapy, mediation, counseling, supportive counseling, advanced case management, direct practice and psychotherapy. Clinical social workers are qualified to use the Diagnostic and Statistical Manual of Mental Disorders (DSM), the International Classification of Diseases (ICD), and other diagnostic classification systems in assessment, diagnosis, treatment planning and other activities. The advanced practice of clinical social work may occur outside the jurisdiction of an agency or organizational setting in which the social worker assumes responsibility and accountability for the nature and quality of the services provided to clients, pro bono or in exchange for direct payment or third-party reimbursement. Practice at this level may include the provision of supervision for licensed or temporarily licensed master's social workers seeking advanced licensure as an advanced practice social worker or as a licensed clinical social worker. Licensed clinical social workers may engage in both independent clinical and agency-based, nonclinical, macro social work practice. A social worker may not prescribe medication or interpret psychological tests. The practice of advanced master's or doctorate social work as a licensed clinical social worker may include the practice activities of a licensed baccalaureate social worker, licensed master's social worker and/or licensed advanced practice social worker.

(Rule 1365-01-.02, continued)

Authority: T.C.A. §§ 4-5-202, 63-23-101, 63-23-102, 63-23-103, 63-23-104, 63-23-105, 63-23-108, 63-23-110, and 63-23-113 and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed January 22, 1986; effective February 21, 1986. Amendment filed October 31, 1990; effective December 15, 1990. Repeal and new rule filed April 6, 1994; effective June 20, 1994. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing and replacing rule filed April 30, 2010; effective July 29, 2010. Amendments filed December 2, 2021; effective March 2, 2022.

1365-01-.03 NECESSITY OF LICENSURE AND USE OF TITLES.

- (1) Necessity of Licensure. Unless an individual holds a current unrevoked or unsuspended Licensed Clinical Social Worker (L.C.S.W.) license in Tennessee, the individual may not engage in the clinical private practice of clinical social work, as defined in the scope of practice requirements.
- (2) Use of Titles.
 - (a) Any person who possesses a valid license as a baccalaureate social worker may use the title and/or acronym "Licensed Baccalaureate Social Worker (L.B.S.W.)," as defined in T.C.A. § 63-23-102.
 - (b) Any person who possesses a valid license as a master's social worker may use the title and/or acronym "Licensed Master's Social Worker (L.M.S.W.)," as defined in T.C.A. § 63-23-103.
 - (c) Any person who possesses a valid license as an advanced practice social worker may use the title and/or acronym "Licensed Advanced Practice Social Worker (L.A.P.S.W.)," as defined in T.C.A. § 63-23-104.
 - (d) Any person who possesses a valid license as a clinical social worker may use the title and/or acronym "Licensed Clinical Social Worker (L.C.S.W.)," as defined in T.C.A. § 63-23-105.

Authority: T.C.A. §§ 4-5-202, 63-23-101, 63-23-102, 63-23-103, 63-23-104, 63-23-105, 63-23-106, 63-23-108, 63-23-110, and 63-23-113 and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed January 22, 1986; effective February 21, 1986. Amendment filed January 5, 1990; effective February 19, 1990. Amendment filed July 19, 1990; effective September 2, 1990. Amendment filed February 14, 1991; effective March 31, 1991. Repeal and new rule filed April 6, 1994; effective June 20, 1994. Amendment filed August 18, 2006; effective November 1, 2006. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing and replacing rule filed April 30, 2010; effective July 29, 2010. Amendments filed December 2, 2021; effective March 2, 2022.

1365-01-.04 LICENSURE REQUIREMENTS.

- (1) Baccalaureate Social Worker by examination.
 - (a) An applicant for a license as a baccalaureate social worker shall submit the following to the Board office:
 1. Completed application on a form prescribed by the Board, which shall include, but not be limited to disclosures of the following:
 - (i) Criminal conviction(s), except for traffic violations;

(Rule 1365-01-.04, continued)

- (ii) Denial, loss, restriction, or discipline of licensure privileges imposed by a state licensing board; and
 - (iii) Civil suit judgment or adverse civil settlement involving the applicant.
 - 2. Payment of the application, license, and state regulatory fees;
 - 3. A passport-style photograph taken within twelve (12) months preceding the date the application is submitted to the Board office;
 - 4. Results of the applicant's criminal background check to be sent from the vendor identified in the Board's application materials directly to the Board office;
 - 5. An official transcript showing a bachelor's degree in social work from the applicant's educational institution to be submitted directly from the institution to the Board office. The institution must be accredited by the Council on Social Work Education at the time the degree was granted; and
 - 6. Proof the applicant has successfully passed the Association of Social Work Board's bachelor's licensing examination.
- (2) Master's Social Worker by examination.
 - (a) An applicant for a license as a master's social worker shall submit the following to the Board office:
 - 1. Completed application on a form prescribed by the Board, which shall include, but not be limited to disclosures of the following:
 - (i) Criminal conviction(s), except for traffic violations;
 - (ii) Denial, loss, restriction, or discipline of licensure privileges imposed by a state licensing board; and
 - (iii) Civil suit judgment or adverse civil settlement involving the applicant.
 - 2. Payment of the application, license, and state regulatory fees;
 - 3. A passport-style photograph taken within twelve (12) months preceding the date the application is submitted to the Board office;
 - 4. Results of the applicant's criminal background check to be sent from the vendor identified in the Board's application materials directly to the Board office;
 - 5. An official transcript showing a master's or doctorate degree in social work from the applicant's educational institution to be submitted directly from the institution to the Board office. The institution must be accredited by the Council on Social Work Education at the time the degree was granted; and
 - 6. Proof the applicant has successfully passed the Association of Social Work Board's master's licensing examination.
- (3) Advanced Practice Social Worker by examination.
 - (a) An applicant for a license as an advanced practice social worker shall submit the following to the Board office:

(Rule 1365-01-.04, continued)

1. Completed application on a form prescribed by the Board, which shall include, but not be limited to disclosures of the following:
 - (i) Criminal conviction(s), except for traffic violations;
 - (ii) Denial, loss, restriction, or discipline of licensure privileges imposed by a state licensing board; and
 - (iii) Civil suit judgment or adverse civil settlement involving the applicant.
2. Payment of the application, license, and state regulatory fees;
3. A passport-style photograph taken within twelve (12) months preceding the date the application is submitted to the Board office;
4. Results of the applicant's criminal background check to be sent from the vendor identified in the Board's application materials directly to the Board office;
5. An official transcript showing a master's or doctorate degree in social work from the applicant's educational institution to be submitted directly from the institution to the Board office. The institution must be accredited by the Council on Social Work Education at the time the degree was granted;
6. Proof the applicant has successfully passed the Association of Social Work Board's advanced generalist licensing examination; and
7. Proof the applicant has practiced for no less than two (2) years after the date of application as a licensed master's social worker or temporarily licensed master's social worker under the supervision of a licensed advanced practice social worker or licensed clinical social worker who has met the qualifications set forth in rule 1365-01-.08. In the event that the applicant is from another state, then the applicant must have worked under the supervision of a person who possesses or exceeds the educational and experience requirements necessary to obtain licensure as an advance practice social worker in Tennessee. Within a period of no less than (2) years nor greater than eight (8) years from the date the application is received, the applicant shall demonstrate proof of having obtained the following:
 - (i) Licensure as a temporarily licensed master's social worker or as a licensed master's social worker obtained prior to filing an application for licensure and/or beginning a supervised advanced practice experience for the purpose of licensure. A photocopy of the applicant's current L.M.S.W. license or temporary L.M.S.W. license must accompany the L.A.P.S.W. application. The L.M.S.W. license must be maintained in active status throughout the application process and until the L.A.P.S.W. license is issued;
 - (ii) At least three thousand (3000) hours of nonclinical advanced practice experience, that may include administrative and direct client-social worker contact; and
 - (iii) At least one hundred (100) hours of supervision in addition to the three thousand (3000) hours of experience. These hours must be spread throughout the three thousand (3000) advanced practice experience

(Rule 1365-01-.04, continued)

contact hours at a ratio of approximately one (1) hour of supervision to every thirty (30) advanced practice experience contact hours.

(4) Clinical Social Worker by examination.

(a) An applicant for a license as a clinical social worker shall submit the following to the Board office:

1. Completed application on a form prescribed by the Board, which shall include, but not be limited to disclosures of the following:
 - (i) Criminal conviction(s), except for traffic violations;
 - (ii) Denial, loss, restriction, or discipline of licensure privileges imposed by a state licensing board; and
 - (iii) Civil suit judgment or adverse civil settlement involving the applicant.
2. Payment of the application, license, and state regulatory fees;
3. A passport-style photograph taken within twelve (12) months preceding the date the application is submitted to the Board office;
4. Results of the applicant's criminal background check to be sent from the vendor identified in the Board's application materials directly to the Board office;
5. An official transcript showing a master's or doctorate degree in social work from the applicant's educational institution to be submitted directly from the institution to the Board office. The institution must be accredited by the Council on Social Work Education at the time the degree was granted;
6. Proof the applicant has successfully passed the Association of Social Work Board's clinical licensing examination; and
7. Proof the applicant has practiced for not less than two (2) years after the date of application as a licensed master's social worker or temporarily licensed master's social worker under the supervision of a licensed clinical social worker who has met the qualifications set forth in rule 1365-01-.08. In the event that the applicant is from another state, then the applicant must have worked under the supervision of a person who possesses or exceeds the educational and experience requirements necessary to obtain licensure as a clinical social worker in Tennessee. Within a period of no less than two (2) years nor greater than eight (8) years from the date the application is received, the applicant shall demonstrate proof of having obtained the following:
 - (i) Licensure as a temporarily licensed master's social worker or as a licensed master's social worker obtained prior to filing an application for licensure and/or beginning a supervised clinical experience for the purpose of licensure. A photocopy of the applicant's current L.M.S.W. license or temporary L.M.S.W. license must accompany the L.C.S.W. application. The L.M.S.W. license must be maintained in active status throughout the application process and until the L.C.S.W. license is issued;
 - (ii) At least three thousand (3000) hours of clinical experience; and

(Rule 1365-01-.04, continued)

- (iii) At least one hundred (100) hours of supervision in addition to the three thousand (3000) hours of experience. These hours must be spread throughout the three thousand (3000) clinical experience contact hours at a ratio of approximately one (1) hour of supervision to every thirty (30) clinical experience contact hours.

(5) Licensure by Reciprocity.

- (a) An applicant may obtain licensure as a baccalaureate social worker, master's social worker, advanced practice social worker or clinical social worker by reciprocity by submitting the following to the Board office:

1. Completed application on a form prescribed by the Board, which shall include, but not be limited to disclosures of the following:
 - (i) Criminal conviction(s), except for traffic violations;
 - (ii) Denial, loss, restriction, or discipline of licensure privileges imposed by a state licensing board; and
 - (iii) Civil suit judgment or adverse civil settlement involving the applicant.
2. Payment of the application, license, and state regulatory fees;
3. Results of the applicant's criminal background check to be sent from the vendor identified in the Board's application materials directly to the Board office;
4. A passport-style photograph taken within twelve (12) months preceding the date the application is submitted to the Board office;
5. Letter of good standing from another state's licensing board showing that the applicant's license is active or when it became inactive;
6. Proof that the person has not previously failed the examination required by the Board;
7. Photocopy of original license from the original state of licensure with the applicant's current license number, if available;
8. Photocopy of the applicant's current renewal certificate with the license number and license expiration date; and
9. The applicant must reside or be employed in the State of Tennessee.

- (b) If an applicant does not qualify for licensure by reciprocity, the applicant must apply for licensure by examination. If documentation of appropriate supervision meeting the requirements pursuant to rule 1365-01-.04(4) is provided, the applicant need not have possessed the credential of licensed master social worker in the State of Tennessee prior to application to sit for the examination.

(6) Temporary Licensure.

- (a) Temporary licenses can be issued to applicants for licensure as licensed baccalaureate social workers and licensed master's social workers who have graduated from a university, college, or school of social work that at the time of the applicant's graduation

(Rule 1365-01-.04, continued)

has applied for, but has not yet received, accreditation by the Council on Social Work Education.

- (b) An applicant applying for licensure as a licensed baccalaureate or licensed master's social worker shall submit the following to the Board office in order to obtain a temporary license:
 - 1. Completed application on a form prescribed by the Board, which shall include, but not be limited to disclosures of the following:
 - (i) Criminal conviction(s), except for traffic violations;
 - (ii) Denial, loss, restriction, or discipline of licensure privileges imposed by a state licensing board; and
 - (iii) Civil suit judgment or adverse civil settlement involving the applicant.
 - 2. An official transcript showing a bachelor's degree in social work if the person is seeking licensure as a licensed baccalaureate social worker;
 - 3. An official transcript showing a master's degree in social work if the person is seeking licensure as a licensed master's social worker;
 - 4. Proof that the institution granting the degree, at the time the degree was granted, had applied for accreditation by the Council on Social Work Education;
 - 5. Payment of the application, temporary license, and state regulatory fees;
 - 6. Proof the applicant has successfully passed the Association of Social Work Board's bachelor's or master's licensing examination;
 - 7. A passport-style photograph taken within twelve (12) months preceding the date the application is submitted to the Board office; and
 - 8. Results of the applicant's criminal background check to be sent from the vendor identified in the Board's application materials directly to the Board office.
- (c) The temporary licensed master's social worker license is required prior to beginning the supervised experience needed for licensure as a licensed clinical social worker or licensed advanced practice social worker.
- (d) A temporary licensed baccalaureate social worker must submit an application for licensure as a licensed baccalaureate social worker within sixty (60) days after the educational institution receives accreditation from the Council on Social Work Education, or the temporary license shall no longer be valid.
- (e) A temporary licensed master's social worker must submit an application for licensure as a licensed master's social worker within sixty (60) days after the educational institution receives accreditation from the Council on Social Work Education, or the temporary license shall no longer be valid.
- (f) The temporary license shall no longer be valid if the Board learns that the educational institution's application for accreditation from the Council on Social Work Education has been denied or withdrawn.

(Rule 1365-01-.04, continued)

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-116, 63-23-101, 63-23-102, 63-23-103, 63-23-104, 63-23-105, 63-23-108, 63-23-110, and 63-23-111 and Chapter 1016 of the Public Acts of 2008, § 1.
Administrative History: Original rule filed September 15, 1987; effective October 30, 1987. Amendment filed December 30, 1988; effective February 13, 1989. Amendment filed July 19, 1990; effective September 2, 1990. Amendment filed August 17, 1990; effective October 1, 1990. Amendment filed January 24, 1991; effective March 10, 1991. Repeal and new rule filed April 6, 1994; effective June 20, 1994. Amendment filed November 4, 2002; effective January 18, 2003. Amendment filed September 4, 2003; effective November 18, 2003. Amendment filed July 3, 2007; effective September 16, 2007. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing and replacing rule filed April 30, 2010; effective July 29, 2010. Amendments filed December 2, 2021; effective March 2, 2022.

1365-01-.05 FEES.

(1) Baccalaureate Social Worker.

- (a) Application fee \$25.00
- (b) License fee \$50.00
- (c) Endorsement/Verification fee \$0.00
- (d) Renewal fee (biennial) \$45.00
- (e) Late renewal fee \$50.00
- (f) State regulatory fee (biennial) \$10.00
- (g) Temporary License fee \$50.00
- (h) Replacement license fee \$25.00

(2) Master's Social Worker

- (a) Application fee \$50.00
- (b) License fee \$75.00
- (c) Endorsement/Verification fee \$0.00
- (d) Renewal fee (biennial) \$95.00
- (e) Late renewal fee \$100.00
- (f) State regulatory fee (biennial) \$10.00
- (g) Temporary license fee \$50.00
- (h) Replacement license fee \$25.00

(3) Advanced Practice Social Worker and Clinical Social Worker.

- (a) Application fee \$100.00
- (b) License fee \$125.00
- (c) Endorsement/Verification fee \$0.00

(Rule 1365-01-.05, continued)

- (d) Renewal fee (biennial)\$95.00
 - (e) Late renewal fee\$100.00
 - (f) State regulatory fee (biennial)\$10.00
 - (g) Replacement license fee\$25.00
- (4) An applicant or a licensee may pay all applicable fees in person, by mail or electronically by cash, check, money order or by credit or debit cards accepted by the Department. If the fees are paid by certified, personal, or corporate check, it must be drawn against an account in a United States Bank, and made payable to the Tennessee Board of Social Worker Licensure. All fees are nonrefundable with the exception of the license fee. In order to receive a refund, the applicant must submit a written request no later than sixty (60) days after the licensure application was denied or withdrawn.

Authority: T.C.A. §§ 4-3-1011, 4-5-202, 4-5-204, 9-4-5117, 63-1-106, 63-23-101, 63-23-102, 63-23-103, 63-23-104, 63-23-105, 63-23-106, 63-23-108, and 63-23-110 and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed September 15, 1987; effective October 30, 1987. Repeal and new rule filed April 6, 1994; effective June 20, 1994. Amendment filed January 31, 2000; effective April 15, 2000. Amendment filed March 9, 2001; effective May 23, 2001. Amendment filed February 1, 2002; effective April 17, 2002. Amendment filed September 13, 2002; effective November 27, 2002. Amendment filed November 4, 2002; effective January 18, 2003. Amendment filed July 22, 2003; effective October 5, 2003. Amendment filed September 4, 2003; effective November 18, 2003. Amendment filed March 14, 2006; effective May 28, 2006. Amendment filed July 3, 2007; effective September 16, 2007. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing and replacing rule was filed April 30, 2010; effective July 29, 2010. Amendment filed September 23, 2015; effective December 22, 2015. Amendments filed March 8, 2022; effective June 6, 2022.

1365-01-.06 APPLICATION REVIEW, APPROVAL, DENIAL.

- (1) Initial review of all applications to determine whether the application file is complete may be delegated by the Board to the Board administrator.
- (2) The Board shall review all applications to grant or deny an application for licensure; however, the Board may appoint a designee to make a recommendation as to whether a license should be granted or denied. The final approval of all applications reviewed by the Board's designee shall be made by the Board.
- (3) After the Board or the Board's designee reviews a completed application and renders a decision or recommendation about whether the license should be granted or denied, the Board office shall notify the applicant within fifteen (15) working days after that decision is made. In the event that a recommendation about the granting or denial of the license is made by the Board designee before the Board grants or denies, the Board office shall notify the applicant of the designee's recommendation and/or deficiencies in the application, informing the applicant that the determination shall not be effective until the Board makes a decision.
- (4) If an applicant receives notification from the Board office informing the applicant that the application is incomplete or requires additional information or documentation, the applicant has thirty (30) days from the date of the Board office notification to submit the additional information or documentation; otherwise, the application shall be closed and the applicant may reapply.

(Rule 1365-01-.06, continued)

- (5) Once the applicant is deemed eligible to sit for the examination for the applicable category of licensure, the applicant shall have twelve (12) months from the date the application is approved to pass the examination.
- (6) If the applicant fails to complete the application by failing to pass the required examination or failing to submit the required information pursuant to rule 1365-01-.04, then the application shall be closed and the applicant may reapply.
- (7) The Board, in its discretion, may waive the twelve (12) month requirement in extraordinary circumstances. To apply for a waiver an applicant must provide the Board with written documentation of the extraordinary circumstances.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-23-101, 63-23-102, 63-23-108, and 63-23-110 and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed September 15, 1987; effective October 30, 1987. Amendment filed August 17, 1990; effective October 1, 1990. Repeal and new rule filed April 6, 1994; effective June 20, 1994. Amendment filed January 31, 2000; effective April 15, 2000. Amendment filed August 16, 2002; effective October 30, 2002. Amendment filed November 4, 2002; effective January 18, 2003. Amendment filed September 4, 2003; effective November 18, 2003. Amendment filed January 30, 2007; effective April 15, 2007. Amendment filed July 3, 2007; effective September 16, 2007. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing and replacing rule filed April 30, 2010; effective July 29, 2010. Amendments filed December 2, 2021; effective March 2, 2022.

1365-01-.07 RENEWAL, REINSTATEMENT, AND RETIREMENT.

- (1) Renewal.
 - (a) A licensee shall have until the last day of the month in which the licensee's birth date falls to renew the license, pursuant to the Division of Health Related Board's biennial birth date renewal system, as shown as the expiration date on renewal certificates.
 - (b) A licensee may renew the license through the internet or by submitting a paper renewal application to the Board office.
 - (c) A licensee who wishes to renew a license must have completed continuing education requirements set out in rule 1365-01-.09 and shall submit the following to the Board office:
 1. A completed renewal application form prescribed by the Board; and
 2. Payment of the renewal and state regulatory fees.
 - (d) A licensee may renew the license within sixty (60) days after the license expiration date by complying with subparagraph (c) above and paying the late renewal fee established in rule 1365-01-.05. If a licensee fails to renew the license within the sixty (60) day grace period, then the license is administratively revoked. The licensee may apply for reinstatement or reapply for licensure.
- (2) Reinstatement.
 - (a) An applicant who wishes to reinstate a license that has been inactive or expired for less than three (3) years shall submit the following to the Board office to reinstate the license:
 1. Payment of the renewal, state regulatory, and late renewal fees; and

(Rule 1365-01-.07, continued)

2. Proof the applicant has successfully completed continuing education requirements during the time in which the licensee's license was not active pursuant to rule 1365-01-.09.
- (b) An applicant who wishes to reinstate a license that has been inactive or expired for three (3) to five (5) years shall submit the following to the Board office to reinstate the license:
1. Payment of the renewal, state regulatory, and late renewal fees;
 2. Proof the applicant has successfully completed continuing education requirements during the time in which the licensee's license was not active;
 3. Verification of any license status;
 4. Results of the applicant's criminal background check to be sent from the vendor identified in the Board's application materials directly to the Board office; and
 5. Any additional requirements requested by the Board to ensure continued competency.
- (c) An applicant who wishes to reinstate a license that has been inactive or expired for more than five (5) years shall reapply for licensure. The reapplication will be treated as a new application and the applicant must meet all required qualifications under the statutes and rules in effect at the time of application.
- (3) Retirement.
- (a) A licensee may retire a license by submitting a completed affidavit of retirement form to the Board office.
- (b) A licensee with a retired license may reactivate the license by submitting the following to the Board office:
1. License reactivation form;
 2. Payment of the licensure renewal and state regulatory fees; however, if the licensee requests reactivation within less than one (1) year from the date of retirement, then the licensee shall pay the renewal, late renewal, and state regulatory fees; and
 3. Proof of having completed continuing education requirements for the requested level of licensure pursuant to rule 1365-01-.09 within twelve (12) months immediately preceding the date of requested reactivation; these hours will not be counted toward the next renewal period.

Authority: T.C.A. §§ 4-5-102(3), 4-5-202, 4-5-204, 63-23-101, 63-23-102, 63-23-103, 63-23-104, 63-23-105, 63-23-106, 63-23-107, 63-23-108, 63-23-109, and 63-23-110 and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed July 25, 1990; effective September 8, 1990. Repeal and new rule filed April 6, 1994; effective June 20, 1994. Amendment filed January 31, 2000; effective April 15, 2000. Amendment filed March 9, 2001; effective May 23, 2001. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing and replacing rule filed April 30, 2010; effective July 29, 2010. Amendments filed December 2, 2021; effective March 2, 2022.

1365-01-.08 SUPERVISION.

- (1) Supervision as the term is used in T.C.A. §§ 63-23-101, et seq. is considered to include the following:
 - (a) Individual or group supervision, which shall focus on:
 1. Data from the supervisee's clinical or nonclinical work made available to the supervisor by oral and written clinical or nonclinical reports, direct observation, and/or audio recordings; and
 2. Mutually establishing goals and objectives for the promotion of learning.
 - (b) Review of supervisee's specific cases and evaluating the supervisee's skill development by the supervisor.
 - (c) Supervision may take place via teleconferencing technologies, visual multi-media technology, or video conferencing technology. Supervision may NOT take place via email, instant messaging, texting or any format that does not allow for visual contact.
 - (d) A supervisor must be secured prior to the accumulation of hours of clinical or nonclinical advanced practice experience.
 - (e) Supervision must occur at reasonable intervals and must continue at reasonable intervals until the completion of the necessary hours of experience and grant of a license.
- (2) Supervision requirements.
 - (a) The L.C.S.W. applicant by examination, after having become a licensed master social worker or a temporarily licensed master social worker, shall have completed a total of three thousand (3000) hours of clinical experience. All three thousand (3000) hours must be completed over not less than a two (2) year period and not more than an eight (8) year period from the date the application and fee are received. The L.C.S.W. applicant must be under the supervision of an L.C.S.W., and meet the following requirements:
 1. The applicant must accumulate a total of one hundred (100) supervisor contact hours (supervisor-supervisee) at reasonable intervals of approximately one (1) supervision hour to every thirty (30) clinical experience hours such that the supervision is spread throughout the clinical experience timeframe. The supervisor contact hours are in addition to the three thousand (3000) required clinical experience hours.
 2. Not less than sixty (60) of the one hundred (100) supervisor contact hours must be individual supervision between the supervisor and supervisee; no more than forty (40) hours may be in a situation where the supervisor is working with no more than four (4) supervisees in a group setting.
 3. No more than seventy-five (75) percent of individual supervision hours may be obtained through teleconferencing technologies, visual multi-media technology, or video conferencing technology.
 4. Individual and group supervision must be provided by a licensed clinical social worker.

(Rule 1365-01-.08, continued)

5. The above supervision time requirements shall be in addition to:
 - (i) Any overall administrative supervision; and
 - (ii) Any group seminar or group consultation which is deemed appropriate.
- (b) The L.A.P.S.W. applicant by examination, after having become a licensed master social worker or a temporarily licensed master social worker, shall have completed a total of three thousand (3000) nonclinical advanced practice experience hours. All three thousand (3000) hours must be completed over not less than a two (2) year period and not more than an eight (8) year period from the date the application and fee are received. The L.A.P.S.W. applicant must be under the supervision of either an L.C.S.W. or L.A.P.S.W., and meet the following requirements:
 1. The applicant must accumulate a total of one hundred (100) supervisor contact hours (supervisor/supervisee) at reasonable intervals of approximately one (1) supervision hour to every thirty (30) nonclinical advanced practice experience hours such that the supervision is spread throughout the experience timeframe. The supervision hours are in addition to the three thousand required nonclinical advanced practice experience hours.
 2. Not less than sixty (60) of the one hundred (100) supervision hours must be individual supervision between the supervisor and supervisee; no more than forty (40) hours may be in a situation where the supervisor is working with no more than four (4) supervisees in a group setting.
 3. No more than seventy-five (75) percent of individual supervision hours may be obtained through teleconferencing technologies, visual multi-media technology, or video conferencing technology.
 4. Individual and group supervision must be provided by either a licensed clinical or advanced practice social worker.
 5. The above supervision time shall be in addition to:
 - (i) Any overall administrative supervision; and
 - (ii) Any group seminar or group consultation which is deemed appropriate.
- (3) Both the supervisor and supervisee must maintain records of the experience and the supervision process. Verification of supervision will be submitted by both the supervisor and supervisee at the time the application for licensure is filed in the Board administrative office. Supervision logs recommended by the Board and signed by both the supervisor and the supervisee are sufficient to meet this requirement.
- (4) An L.C.S.W. supervisor must have an active L.C.S.W. license and must provide documentation to Board administrative staff submitted with the supervisee's application that the supervisor has been continuously licensed as an L.C.S.W. for a period of no less than three (3) years prior to initiation of the supervision.
- (5) An L.A.P.S.W. supervisor must have an active L.A.P.S.W. license and must provide documentation to Board administrative staff submitted with the supervisee's application that the supervisor has been continuously licensed as an L.A.P.S.W. for a period of no less than three (3) years prior to initiation of the supervision. If supervision was begun on or prior to December 31, 2014, the L.A.P.S.W. supervisor need not have been continuously licensed for more than three (3) years prior to initiation of supervision.

(Rule 1365-01-.08, continued)

- (6) Beginning January 1, 2023, supervisors must provide documentation submitted with the supervisee's application of twelve (12) hours of continuing education credits related specifically to the provision of clinical or nonclinical advanced practice social work supervision. These twelve (12) hours of continuing education are a cumulative requirement, not an annual requirement, and can be achieved as a part of the supervisor's annual continuing education requirements. A supervisor must meet the following requirements:
 - (a) Any new supervisor providing supervision for the first time must complete the twelve (12) hours of supervision-related continuing education credits prior to beginning supervision or during the first calendar year of the provision of clinical or nonclinical advanced practice social work supervision; and
 - (b) Supervisors must obtain three (3) hours of the twelve (12) hours of continuing education covering Tennessee licensing rules as a part of the supervision training.
- (7) Applicants from another state seeking licensure by examination in Tennessee must provide evidence of supervision by an L.C.S.W., or L.A.P.S.W. if applying for L.A.P.S.W. licensure, or the equivalent in the state where the supervision was performed. The supervisor must have passed the ASWB clinical examination or advanced generalist examination. If the supervisor is not licensed or the state has no provision for licensure, then the applicant must obtain the prerequisite supervision from an L.C.S.W. or L.A.P.S.W. licensed in Tennessee.
- (8) No members of any other mental health or medical discipline may qualify as an approved supervisor for L.C.S.W. or L.A.P.S.W. licensure.
- (9) Conflict of Interest Supervision – Supervision provided by the applicant's parents, spouse, former spouse, siblings, children, cousins, in-laws (present or former), step-children, grandparents, grandchildren, aunts, uncles, employees, or anyone sharing the same household shall not be acceptable toward fulfillment of licensure requirements. For the purposes of this rule, a supervisor shall not be considered an employee of the applicant, if the only compensation received by the supervisor consists of payment for actual supervisory hours.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-23-101, 63-23-103, 63-23-104, 63-23-105, 63-23-108, 63-23-109, and 63-23-110 and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed October 31, 1990; effective December 15, 1990. Repeal and new rule filed April 6, 1994; effective June 20, 1994. Amendment filed January 31, 2000; effective April 15, 2000. Amendment filed March 9, 2001; effective May 23, 2001. Amendment filed September 4, 2003; effective November 18, 2003. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing and replacing rule filed April 29, 2010; effective July 29, 2010. Amendments filed December 2, 2021; effective March 2, 2022.

1365-01-.09 CONTINUING EDUCATION.

- (1) Social Work Continuing Education is considered to be continuing education oriented toward enhancing an individual's social work knowledge base and service delivery skills in the applicable areas of social work planning, administration, education, research, and direct service with individuals, couples, families, and groups.
- (2) Social Work Ethics Continuing Education is considered to be continuing education oriented toward awareness of professional ethics and the statutes and rules governing the practice of social work in Tennessee.

(Rule 1365-01-.09, continued)

- (3) Basic Requirements – Each social worker licensed by the Board is required to complete continuing education as set out in this rule every two (2) calendar years preceding the year of renewal of the license.
 - (a) For licensed baccalaureate social worker applicants and licensed master's social worker applicants who apply for licensure in the calendar year in which they took the exam, successful completion of the exam shall be considered sufficient preparatory education to be substituted for one-half (1/2) of the required hours of continuing education for the first renewal period.
 - (b) Those persons who hold active social worker licenses in more than one (1) category (L.B.S.W., L.M.S.W., L.A.P.S.W. and/or L.C.S.W.) must separately satisfy the continuing education requirements for each license they wish to renew with no duplication between the four categories.
 - (c) A licensee may count completed ethics and rules and regulations continuing education hours for all categories of licensure, but the total required hours for each category of licensure must be met.
 - (d) Suicide Prevention Training required under the "Kenneth and Madge Tullis, MD, Suicide Prevention Training Act."
 - 1. Current Licensees – Beginning January 1, 2020, all persons who hold an active L.B.S.W., L.M.S.W., L.A.P.S.W., or L.C.S.W must complete a minimum two (2) hour Board approved training program relative to suicide prevention at least once every four (4) years.
 - 2. New Licensees – An applicant applying for initial licensure on or after January 1, 2020, is not required to complete a training program on suicide prevention for two (2) years after the date of initial licensure, if the applicant can demonstrate successful completion of a two (2) hour academic training program that meets criteria established by the Board and that was completed no more than two (2) years prior to the application for initial licensure.
 - 3. Hours Earned – The continuing education hours earned through the training program under Part 1. and Part 2. of this subparagraph count toward meeting the continuing education requirements listed in subparagraphs (4)(a), (5)(a), and (6)(a) of this rule.
 - (e) Clock Hour – A clock hour represents actual time in continuing education activity. Providers who measure continuing education activities in "continuing education units" shall define one (1) CEU as one (1) clock hour.
- (4) Requirements for licensed baccalaureate social worker.
 - (a) Each licensee shall obtain eighteen (18) continuing education clock hours relative to social work practice every two (2) calendar years preceding the year of renewal.
 - (b) At least six (6) of the eighteen (18) hours shall be in social work ethics.
 - (c) One (1) of the eighteen (18) hours shall be specific to Tennessee Code Annotated §§ 63-23-101, et seq., and the Rules and Regulations of the Tennessee Board of Social Worker Licensure.
- (5) Requirements for licensed master's social worker.

(Rule 1365-01-.09, continued)

- (a) Each licensee shall obtain twenty-four (24) continuing education clock hours relative to social work practice every two (2) calendar years preceding the year of renewal.
 - (b) At least six (6) of the twenty-four (24) hours shall be in social work ethics.
 - (c) One (1) of the twenty-four (24) hours shall be specific to Tennessee Code Annotated §§ 63-23-101, et seq., and the Rules and Regulations of the Tennessee Board of Social Worker Licensure.
- (6) Requirements for licensed advanced practice social worker and licensed clinical social worker.
- (a) Each licensee shall obtain thirty (30) continuing education clock hours relative to social work practice every two (2) calendar years preceding the year of renewal.
 - (b) At least six (6) of the thirty (30) hours shall be in social work ethics.
 - (c) One (1) of the thirty (30) hours shall be specific to Tennessee Code Annotated §§ 63-23-101, et seq., and the Rules and Regulations of the Tennessee Board of Social Worker Licensure.
- (7) Acceptable Social Work Continuing Education.
- (a) In-person attendance at seminars, workshops, or mini-courses oriented to the awareness of professional ethics and to the enhancement of social work practice, values, skills, and knowledge for the purpose of accomplishing specific written learning objectives is acceptable continuing education.
 - 1. Cross-disciplinary offerings from medicine, law, administration, education and the behavioral sciences are acceptable, if they are clearly related to the awareness of professional ethics and to the enhancement of social work practices, values, skills, and knowledge.
 - 2. In-service continuing education training focused on professional development can be provided by the employer using presenters from the staff or from outside agencies.
 - 3. Attendance at educational events sponsored by national, state, regional, or local professional associations in the field or events related to the practice of the profession for which a nationally or regionally accredited institution of higher education grants CEUs is acceptable. Providers who measure continuing education activities in "continuing education units" (CEUs) shall define "CEU" as equal to one (1) clock hour.
 - (b) Master or doctoral level social work courses or social work related courses such as mental health, administration, health and social research, psychology, sociology, human growth and development, child and family development, counseling and guidance taken for credit or audited from a nationally or regionally accredited institution of higher education are acceptable. Baccalaureate level social work courses or social work related courses such as mental health, administration, health and social research, psychology, sociology, human growth and development, child and family development, counseling and guidance taken for credit or audited from a nationally or regionally accredited institution of higher education are acceptable for licensed baccalaureate social workers.

(Rule 1365-01-.09, continued)

1. One (1) academic credit hour is equivalent to fifteen (15) clock hours of continuing education. Credit for auditing will be for the actual clock hours in attendance, not to exceed the academic credit hours.
 2. A maximum of fifteen (15) clock hours for academic coursework may be earned per two (2) year continuing education period.
- (c) Presentation/teaching for the first time of an academic social work course at the baccalaureate, master or doctoral level, in-service training workshop or seminar, or other professional seminar is acceptable.
1. One (1) clock hour of preparation time will be allowed for each clock hour of first-time presentation time. For example, if the workshop or seminar is awarding three (3) continuing education clock hours, the presenter may receive credit for up to six (6) hours, including preparation.
 2. A maximum of seventy-five (75) percent of a licensee's total required clock hours of continuing education will be allowed for preparation and first-time presentation/teaching per two (2) year continuing education period.
- (d) Preparation for the first time of a professional social work paper submitted for publication in a recognized professional journal or given for the first time at a regional, statewide, or national professional meeting is acceptable.
1. Hours may be claimed during the calendar year in which the publication was submitted for consideration or presented at the professional meeting.
 2. A maximum of five (5) clock hours will be allowed for preparation of a publication/first-time presentation.
- (e) Remote attendance of or completion of multi-media courses that have specific written learning objectives oriented toward the awareness of professional ethics and to the enhancement of social work practice, values, skills, and knowledge is acceptable. These courses must be presented by a qualified presenter, have a method to verify completion of the learning experience and include the issuance of verification of the completion of the continuing education.
1. Multi-Media courses may include, but not be limited to, courses utilizing:
 - (i) The internet;
 - (ii) Closed-circuit television;
 - (iii) Satellite broadcasts;
 - (iv) Correspondence courses;
 - (v) Videotapes;
 - (vi) CD-ROM;
 - (vii) DVD;
 - (viii) Teleconferencing;
 - (ix) Prerecorded videoconferencing; and/or

(Rule 1365-01-.09, continued)

(x) Distance learning.

2. A maximum of two-thirds ($\frac{2}{3}$) of a licensee's credit hours may be earned for multi-media courses per two (2) year continuing education period.

(8) Documentation

- (a) Each licensee registered with the Board must retain proof of attendance and completion of all continuing education requirements. This documentation must be retained for a period of four (4) years from the end of the calendar year in which the continuing education was acquired. This documentation must be produced for inspection and verification if requested in writing by the Board during its verification process. The Board will not maintain continuing education files.
- (b) The Board will conduct a random audit of selected individual records to assure that the continuing education requirements have been met. An individual's records may be audited during consecutive renewal periods.
- (c) If audited, the individual must, within fifteen (15) working days of a request from the Board, provide evidence that is satisfactory to the Board of compliance with this rule. Such evidence may include, but not be limited to, one (1) or more of the following:
 1. Certificates verifying the individual's attendance at continuing education programs described in these rules;
 2. An individual submitting a program as evidence of attendance at a continuing education event will also be required to submit two (2) or more of the following for each program submitted: original registration receipt, signed program canceled check (front and back), hotel bill, name badge, or an original letter on official stationery signed by a professional associate who attended;
 3. An original letter on official institution stationery from the instructor of the academic course verifying that the course was completed and listing the number of credit hours of attendance completed by the individual;
 4. Official transcript verifying credit hours earned;
 5. Written documentation of training that is kept by the social worker's employer. When submitting evidence of continuing education, the documentation must include employer's name, address and phone number along with the individual's name as registered with the Board, certificate/license number and social security number, course name and clock hours of attendance. The licensee must sign the form, as well as the supervisor or employer, certifying that the program was monitored and the social worker was in attendance at all of the sessions listed;
 6. A copy of the course syllabus and verification that the course, workshop or seminar was presented may be used as documentation; and
 7. Verification from the editor or editorial review board of the submission of a professional paper for publishing consideration.
- (d) If a person submits documentation for training that is not clearly identifiable as appropriate continuing education, the Board will request a written description of the training and how it applies to the individual's practice as a social worker. If the Board determines that the training cannot be considered appropriate continuing education,

(Rule 1365-01-.09, continued)

the individual will be given sixty (60) days to replace the hours not allowed. Those hours will be considered replacement hours and cannot be counted during the next renewal period.

- (e) Continuing education credit will not be allowed for the following:
 - 1. The licensee's regular work activities, administrative staff meetings, case staffing/reporting, et cetera;
 - 2. Membership, holding office in, or participation on boards or committees, business meetings of professional organizations, or banquet speeches;
 - 3. Independent unstructured or self-structured learning;
 - 4. Training specifically related to policies and procedures of an agency may not be counted; and
 - 5. Non-social work content courses.
- (9) The Board does not pre-approve continuing education programs. It is the licensee's responsibility, using professional judgment and the guidelines provided within these rules, to determine whether or not the programs are applicable and appropriate to the licensee's professional development and meet the standards specified in these rules.
- (10) Continuing Education for Reactivation or Reinstatement of Retired, Revoked, or Expired License.
 - (a) Reactivation of a retired license.
 - 1. An individual whose license has been retired for one (1) year or less will be required to fulfill continuing education requirements as outlined in this rule as a prerequisite to reactivation. Those hours will be considered replacement hours and cannot be counted during the next renewal period.
 - 2. Any individual requesting reactivation of a license which has been retired more than one (1) year must submit along with the reactivation request, verification which indicates the attendance and completion of nine (9) hours of continuing education if the individual is an L.B.S.W.; twelve (12) hours of continuing education if the individual is an L.M.S.W.; and fifteen (15) hours of continuing education if the individual is an L.C.S.W. or L.A.P.S.W., which must have been begun and successfully completed within twelve (12) months immediately preceding the date of requested reactivation. The continuing education hours completed to reactivate a retired license shall not be credited toward the continuing education hours required to be completed by the end of the renewal cycle following reactivation.
 - 3. The Board, upon receipt of a written request and explanation, may waive the continuing education for reactivation of a retired license in extraordinary circumstances, as determined by the Board.
 - (b) Reinstatement of a Revoked License – No person whose license has been revoked for failure to comply with continuing education requirements may be reinstated without complying with these requirements. Continuing education requirements will accumulate at the same rate as for those licenses which are active. A license which has been revoked for non-compliance with continuing education requirements shall also be subject to the late renewal fee pursuant to rule 1365-01-.05.

(Rule 1365-01-.09, continued)

- (c) Reinstatement of an Expired License – No person whose license has expired may be reinstated without submitting evidence of compliance with continuing education requirements. The continuing education hours documented at the time of reinstatement must equal the hours required, had the license remained in an active status.
- (d) Continuing education hours obtained as a prerequisite for reactivating or reinstating a license may not be counted toward the continuing education hours required to be completed by the end of the renewal cycle in which reactivation or reinstatement is requested.

(11) Waiver of Continuing Education.

- (a) The Board may grant a waiver to any licensee of the need to certify attendance and completion of the required hours of continuing education, if it can be shown to the Board that the failure to comply was not attributable to or was beyond the physical capabilities of the individual, i.e., disability, residence abroad, military service, or other reasonable cause. Such requests for waiver must be accompanied by written documentation acceptable to the Board.
- (b) Waivers will be considered only on an individual basis and may be requested by submitting the following items to the Board administrative office:
 - 1. A written request for a waiver which specifies what requirement is sought to be waived and includes a written, signed explanation of the reasons for the request; and
 - 2. Any documentation which supports the reason for the waiver requested or which may be subsequently requested by the Board.
- (c) A waiver approved by the Board is effective for only the period for which the waiver of the continuing education requirement is sought, unless otherwise specified in writing by the Board.

(12) Violations.

- (a) Any licensee who falsely certifies attendance and completion of the required hours of continuing education requirements, or who does not or cannot adequately substantiate completed continuing education hours with the required documentation, may be subject to disciplinary action.
- (b) Prior to the institution of any disciplinary proceedings, a letter shall be issued to the last known address of the individual stating the facts or conduct which warrants the intended action.
- (c) The licensee has thirty (30) days from the date of notification to show compliance with all lawful requirements for the retention of the license.
- (d) Any licensee who fails to show compliance with the required continuing education hours in response to the notice contemplated by subparagraph (12)(b) above may be subject to disciplinary action.
- (e) Continuing education hours obtained as a result of compliance with the terms of a Board Order in any disciplinary action shall not be credited toward the continuing education hours required to be obtained in any two (2) calendar year period preceding the year of renewal.

(Rule 1365-01-.09, continued)

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-107, 63-1-125, 63-23-101, 63-23-104, 63-23-105, 63-23-106, 63-23-108, and 63-23-110 and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed April 6, 1994; effective June 20, 1994. Amendment filed January 31, 2000; effective April 15, 2000. Amendment filed March 9, 2001; effective May 23, 2001. Amendment filed August 16, 2002; effective October 30, 2002. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing and replacing rule filed April 30, 2010; effective July 29, 2010. Amendments filed July 29, 2019; effective October 27, 2019. Amendments filed December 2, 2021; effective March 2, 2022.

1365-01-.10 STANDARDS OF CONDUCT.

- (1) Code of Ethics – All licensees shall comply with the code of ethics adopted by the National Association of Social Workers (NASW), approved by the 1996 NASW Delegate Assembly and revised by the 2017 NASW Delegate Assembly, except to the extent it conflicts with the laws of the State of Tennessee or the rules of the Board. If the code of ethics conflicts with state law or rules, the state law or rules govern the matter. Violation of the code of ethics or state law or rules may subject a licensee to disciplinary action. A copy of the Code of Ethics may be obtained at the following URL:

<https://www.tn.gov/content/dam/tn/health/healthprofboards/social-workers/NASW-Code-of-Ethics.pdf>

- (2) Each applicant or licensee is responsible for being familiar with and following the code of ethics.
- (3) Unethical conduct shall include, but not be limited to, the following:
 - (a) Knowingly circulating untrue, fraudulent, misleading, or deceptive advertising;
 - (b) Engaging in sexual activities with current or former clients;
 - (c) Becoming addicted to the habitual use of intoxicating liquors, narcotics, or other stimulants so as to incapacitate a licensee from the performance of the licensee's professional obligations and duties;
 - (d) Disclosing confidential information;
 - (e) Failing to inform clients about the limits of client-social worker confidentiality;
 - (f) Denying a client's reasonable request for access to any social worker records concerning the client;
 - (g) Failing to obtain the informed consent of clients before taping, recording, or permitting third parties to observe their activities;
 - (h) Failing to inform clients when a conflict of interest exists between the licensee and the client as well as between the licensee's employer and the client;
 - (i) Failing to inform clients as to the purpose and nature of an evaluation, research, treatment, educational, or training procedure and to inform the clients that they must participate freely and voluntarily;
 - (j) Failing to terminate a client relationship when services are no longer required or requested or when it is reasonably clear that the relationship is not benefiting the client;

(Rule 1365-01-.10, continued)

- (k) Failing to make every effort to avoid dual relationships with clients and/or relationships that might impair the licensee's independent professional judgment and impair the quality of services provided to each client;
 - (l) Entering into a relationship with a client that increases the risk of exploitation for the client to the licensee's advantage; including, but not limited to, establishing joint business ventures, co-signing on loans, receiving valuable gifts, and entering into landlord/tenant arrangements;
 - (m) Failing to assist clients in finding needed services;
 - (n) Providing unnecessary or unwanted services;
 - (o) Failing to notify clients when the licensee anticipates terminating services. The licensee shall notify the client promptly and accommodate the transfer, referral, or continuation of services relative to the client's needs and preferences;
 - (p) Setting fees that are unreasonable and not commensurate with the service performed; and
 - (q) Engaging in the division of fees or agreeing to split or divide the fee received for professional services with any person for bringing or referring a client.
- (4) Release of Records – Unless prohibited by other law, upon receiving a written request from the client or the client's authorized representative, a licensee shall provide the client or the client's authorized representative a complete copy of the client's record or summary of such records maintained by the licensee; it shall be the licensee's option as to whether copies of the client records or a summary of the records will be given to the client or authorized representative.
- (5) Advertising.
- (a) Affirmative Duties: Licensees shall engage in the following conduct while advertising in the course of the practice of social work:
 - 1. Make reasonable efforts to advance the welfare and best interests of the client;
 - 2. Not discriminate against a client based on race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, mental or physical disability, political affiliation, or social or economic status;
 - 3. Inform the client of the costs of the services before providing services;
 - 4. Include the corporation, partnership or individual name, address, and telephone number of the licensees named in the advertisement;
 - 5. Upon request, a licensee shall disclose any compensation or anything of value given to a representative of the press, radio, television, or any communication medium in anticipation of or in return for any advertisement that was not initiated by the licensee; and
 - 6. The licensee partner or officer of a firm or entity shall remove all references in firm or individual advertisements to another licensee who has left the firm or entity within thirty (30) days of the licensee's departure.

(Rule 1365-01-.10, continued)

(b) Prohibited Activities: Licensees shall not engage in the following forms of advertisement in the practice of social work:

1. Making claims that the services performed, personnel employed, or office equipment used are professionally superior to that which is ordinarily performed, employed, or used or that conveys the message that one (1) licensee is better than another when superiority of services, personnel, or equipment cannot be substantiated;
2. Making false or misleading claims about their degree;
3. Promoting professional services that the licensee knows or should know are beyond the licensee's scope of practice;
4. Using communication techniques that intimidate or exert undue pressure or undue influence over a client or prospective client;
5. Appealing to a client or prospective client's anxiety in an excessive or unfair manner;
6. Using unverifiable personal testimonials attesting to the quality or competency of the services provided by the licensee;
7. Utilizing statistical data or other information based on past performances to indicate the results of future services, creating an unjustified expectation about the results that the licensee can achieve;
8. Communicating personal identifiable facts, data, or information about a client without first obtaining the client's consent;
9. Misrepresenting a material fact. For the purposes of this rule, a "material fact" is any fact which an ordinary, reasonable, and prudent person would need to know or rely upon in order to make an informed decision;
10. Stating or implying that certain licensees provide certain services when such services are performed by another licensee;
11. Directly or indirectly offering, giving, receiving, or agreeing to receive any fee or other consideration to or from a third party for the referral of a client in connection with the performance of professional services; and
12. Making false, deceptive, misleading, or fraudulent statements relative to fees.

(c) Responsibility for Advertising and Records.

1. The licensee who is named in the advertisement is responsible for the form and content of the advertisement.
2. The licensee who is a principal partner or officer of the firm or entity identified in the advertisement is jointly and severally responsible for the form and content of the advertisement.
3. Each licensee shall retain every advertisement communicated by the licensee through print, television, radio, web-based, social, or other equivalent media, or any other form of advertising, for two (2) years from the last date of the broadcast

(Rule 1365-01-.10, continued)

or publication and shall make the advertisements available for review upon the request of the Board office or its designee.

4. Each licensee shall also retain any and all information that would substantiate the truthfulness of any assertion, omission or representation of material fact contained in the advertisement.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 4-5-210, 63-1-145, 63-2-101, 63-23-101, 63-23-102, 63-23-103, 63-23-108, 63-23-109, and 63-23-110 and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed April 6, 1994; effective June 20, 1994. Amendment filed November 4, 2002; effective January 18, 2003. Amendment filed July 22, 2003; effective October 5, 2003. Amendment filed March 14, 2006; effective May 28, 2006. Amendment filed July 3, 2007; effective September 16, 2007. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing and replacing rule filed April 29, 2010; effective July 29, 2010. Amendments filed July 29, 2019; effective October 27, 2019. Amendments filed December 2, 2021; effective March 2, 2022.

1365-01-.11 DISCIPLINARY ACTIONS AND CIVIL PENALTIES.

- (1) Actions – Upon a finding by the Board that any provision of the Tennessee Social Worker Practice Act or the rules promulgated pursuant thereto has been violated, the Board may impose any of the following actions separately or in any combination deemed appropriate to the offense:
 - (a) Denial of an application for licensure;
 - (b) “Letter of warning.” This is a written action. It is informal and advisory in nature and does not constitute a formal disciplinary action;
 - (c) “Formal reprimand.” This is a written action. It is a formal disciplinary action;
 - (d) “Probation.” This is a formal disciplinary action for a fixed period of time;
 - (e) “Licensure suspension.” This is a formal disciplinary action which suspends an individual’s right to practice for a fixed period of time. It contemplates the re-entry of the individual into the practice under the licensure previously issued;
 - (f) “Licensure revocation.” This is a formal disciplinary action which removes an individual from the practice of the profession and terminates the license previously issued. No new application for licensure from a person whose license was revoked shall be considered prior to the expiration of at least one (1) year unless otherwise stated in the Board’s revocation order;
 - (g) Conditions – Any action deemed appropriate by the Board to be required of a disciplined licensee in any of the following circumstances:
 1. During any period of probation or suspension;
 2. As a prerequisite to the lifting of probation or suspension; or
 3. As a stand-alone requirement or requirements in any disciplinary action.
 - (h) Civil penalty – A monetary disciplinary action assessed by the Board pursuant to paragraph four (4) of this rule.
- (2) Order Modifications – A licensee can petition the Board to modify a previously issued disciplinary order if the licensee cannot fulfill the conditions of the imposed discipline. This

(Rule 1365-01-.11, continued)

procedure is only available after all reconsideration and appeal rights have been either exhausted or not timely pursued. This procedure cannot be used to modify any findings of fact, conclusions of law, or the reasons for the decision contained in the order.

(a) The Board will entertain petitions for modification of the disciplinary portion of previously issued orders upon strict compliance with the procedures set forth in subparagraph (b) only when the petitioner can prove that compliance with any one (1) or more of the conditions or terms of the discipline previously ordered is impossible. For purposes of this rule the term "impossible" does not mean that compliance is inconvenient or impractical for personal, financial, scheduling or other reasons.

(b) Procedures

1. The petitioner shall submit a written and signed Petition for Order Modification to the Board's Office that shall contain all of the following:

- (i) A copy of the previously issued order;
- (ii) A statement of why the petitioner believes it is impossible to comply with the order as issued; and
- (iii) A copy of all documents that prove that compliance is impossible. If proof of impossibility of compliance requires testimony of an individual(s), including that of the petitioner, the petitioner must submit signed and notarized statements from every individual the petitioner intends to rely upon attesting, under oath, to the reasons why compliance is impossible. No documentation or testimony other than that submitted will be considered in making an initial determination on, or a final order in response to, the petition.

2. The Board authorizes administrative staff to make an initial determination on the petition and take one (1) of the following actions:

- (i) Certify impossibility of compliance and forward the petition to the Office of General Counsel for presentation to the Board as an uncontested matter; or
- (ii) Deny the petition, after consultation with the Office of General Counsel, if impossibility of compliance with the provisions of the previous order is not proven and notify the petitioner of what proof of impossibility of compliance was either not sufficient or not submitted.

3. If the petition is granted, a new order shall be issued reflecting the modifications authorized by the Board that it deemed appropriate and necessary in relation to the violations found in the previous order.

4. If the petition is denied either initially by staff or after presentation to the Board and the petitioner believes impossibility of compliance with the order has been sufficiently proven, the petitioner may request, in writing, to appear before the Board not less than thirty (30) days before the next regularly scheduled meeting of the Board.

(3) Order of Compliance – This procedure is a necessary adjunct to previously issued disciplinary orders and is available only when a petitioner has completely complied with the provisions of a previously issued disciplinary order, including an unlicensed or uncertified

(Rule 1365-01-.11, continued)

practice civil penalty order, and wishes or is required to obtain an order reflecting that compliance.

(a) The Board will entertain petitions for an Order of Compliance as a supplement to a previously issued order upon strict compliance with the procedures set forth in subparagraph (b) in only the following circumstances:

1. When the petitioner can prove compliance with all the terms of the previously issued order and is seeking to have an order issued reflecting that compliance; or
2. When the petitioner can prove compliance with all the terms of the previously issued order and is seeking to have an order issued lifting a previously ordered suspension or probation.

(b) Procedures

1. The petitioner shall submit a Petition for Order of Compliance, as contained in subparagraph (c), to the Board's Administrative Office that shall contain all of the following:
 - (i) A copy of the previously issued order;
 - (ii) A statement of which provision of subparagraph (a) the petitioner is relying upon as a basis for the requested order; and
 - (iii) A copy of all documents that prove compliance with all the terms or conditions of the previously issued order. If proof of compliance requires testimony of an individual(s), including that of the petitioner, the petitioner must submit signed statements from every individual the petitioner intends to rely upon attesting, under oath, to the compliance. The Board's consultant and administrative staff, in their discretion, may require such signed statements to be notarized. No documentation or testimony other than that submitted will be considered in making an initial determination on or a final order in response to the petition.
2. The Board authorizes its consultant and administrative staff to make an initial determination on the petition and take one (1) of the following actions:
 - (i) Certify compliance and have the matter scheduled for presentation to the Board as an uncontested matter; or
 - (ii) Deny the petition, after consultation with legal staff, if compliance with all of the provisions of the previous order is not proven and notify the petitioner of what provisions remain to be fulfilled and/or what proof of compliance was either not sufficient or not submitted.
3. If the petition is presented to the Board the petitioner may not submit any additional documentation or testimony other than that contained in the petition as originally submitted.
4. If the Board finds that the petitioner has complied with all the terms of the previous order an Order of Compliance shall be issued.
5. If the petition is denied either initially by staff or after presentation to the Board and the petitioner believes compliance with the order has been sufficiently

(Rule 1365-01-.11, continued)

proven the petitioner may, as authorized by law, file a petition for a declaratory order pursuant to the provisions of T.C.A. § 4-5-223 and rule 1200-10-01-.11.

(c) Form Petition

Petition for Order of Compliance
Board of Social Worker Licensure

Petitioner's Name: _____
Petitioner's Mailing Address: _____

Petitioner's E-Mail Address: _____
Telephone Number: _____

Attorney for Petitioner: _____
Attorney's Mailing Address: _____

Attorney's E-Mail Address: _____
Telephone Number: _____

The petitioner respectfully represents, as substantiated by the attached documentation that all provisions of the attached disciplinary order have been complied with and I am respectfully requesting: (circle one)

1. An order issued reflecting that compliance; or
2. An order issued reflecting that compliance and lifting a previously ordered suspension or probation.

Note – You must enclose all documents necessary to prove your request including a copy of the original order. If any of the proof you are relying upon to show compliance is the testimony of any individual, including yourself, you must enclose signed statements from every individual you intend to rely upon attesting, under oath, to the compliance. The Board's consultant and administrative staff, in their discretion, may require such signed statements to be notarized. No documentation or testimony other than that submitted will be considered in making an initial determination on, or a final order in response to, this petition.

Respectfully submitted this the _____ day of _____, 20____.

Petitioner's Signature

- (4) Civil Penalties – The purpose of this rule is to set out a schedule designating the minimum and maximum civil penalties which may be assessed pursuant to T.C.A. § 63-1-134.

(a) Schedule and Amount of Civil Penalties

1. A Type A civil penalty may be imposed whenever the Board finds the person who is required to be licensed by the Board is guilty of a willful and knowing violation of T.C.A. §§ 63-23-101, et seq. or regulations promulgated pursuant thereto, to such an extent that there is, or is likely to be a substantial threat to the health, safety and welfare of an individual client or the public. For purposes of this

(Rule 1365-01-.11, continued)

section, a type A penalty may be imposed in instances including, but not limited to, those in which a person is or was practicing social work without a license from the Board. Type A civil penalties shall be assessed in the amount of not less than five hundred (\$500) dollars and not more than one thousand (\$1000) dollars.

2. A Type B civil penalty may be imposed whenever the Board finds the person required to be licensed by the Board is guilty of a violation of T.C.A. §§ 63-23-101, et seq. or regulations promulgated pursuant thereto in such manner as to impact directly on the care of clients or the public. Type B civil penalties may be assessed in the amount of not less than one hundred (\$100) dollars and not more than five hundred (\$500) dollars.
3. A Type C civil penalty may be imposed whenever the Board finds the person required to be licensed, permitted, or authorized by the Board is guilty of a violation of T.C.A. §§ 63-23-101, et seq. or regulations promulgated pursuant thereto, which is neither directly detrimental to the clients or public, nor directly impacts their care, but has only an indirect relationship to client care or the public. Type C civil penalties may be assessed in the amount of not less than fifty (\$50) dollars and not more than one hundred (\$100) dollars.

(b) Procedures for Assessing Civil Penalties

1. During a contested case proceeding the Board may assess civil penalties in a type and amount which was not recommended by the Office of General Counsel.
2. In assessing the civil penalties pursuant to these rules the Board may consider the following factors:
 - (i) Whether the amount imposed will be a substantial economic deterrent to the violator;
 - (ii) The circumstances leading to the violation;
 - (iii) The severity of the violation and the risk of harm to the public;
 - (iv) The economic benefits gained by the violator as a result of non-compliance; and
 - (v) The interest of the public.
3. All proceedings for the assessment of civil penalties shall be governed by the contested case provisions of T.C.A. Title 4, Chapter 5.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-134, 63-23-101, 63-23-102, 63-23-104, 63-23-105, 63-23-106, 63-23-108, and 63-23-110 and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed April 6, 1994; effective June 20, 1994. Amendment filed December 19, 1997; effective March 4, 1998. Amendment filed April 19, 2000; effective July 3, 2000. Amendment filed March 9, 2001; effective May 23, 2001. Amendment filed August 16, 2002; effective October 30, 2002. Amendment filed July 3, 2007; effective September 16, 2007. Amendment repealing and replacing rule filed April 30, 2010; effective July 29, 2010. Rule was previously numbered 1365-01-.12 but was renumbered 1365-01-.11 with the deletion of original rule 1365-01-.11 filed December 2, 2021; effective March 2, 2022. Amendments filed December 2, 2021; effective March 2, 2022.

1365-01-.12 REPLACEMENT LICENSE.

A licensee may request a replacement license if the licensee's artistically designed license has been lost or destroyed by submitting a written request to the Board office in the form of an affidavit requesting the replacement license and stating the reasons for the request along with payment of the replacement license fee contained in rule 1365-01-.05.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 4-5-223, 63-23-101, 63-23-102, 63-23-103, 63-23-106, 63-23-108, and 63-23-110 and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed April 6, 1994; effective June 20, 1994. Amendment to rule filed February 9, 2000; effective April 24, 2000. Amendment filed August 16, 2002; effective October 30, 2002. Amendment repealing and replacing rule filed April 29, 2010; effective July 29, 2010. Rule was previously numbered 1365-01-.13 but was renumbered 1365-01-.12 with the deletion of original rule 1365-01-.11 filed December 2, 2021; effective March 2, 2022.

1365-01-.13 CHANGE OF ADDRESS AND/OR NAME.

- (1) Each licensee shall notify the Board office of any change in mailing address and/or physical address in writing within thirty (30) days after such change occurs; the notification must reference the licensee's name, category of licensure, and license number.
- (2) Each licensee shall notify the Board office of any change in the licensee's name in writing within thirty (30) days after such change occurs; the notification must reference the licensee's name, category of licensure, and license number.

Authority: T.C.A. §§ 4-5-202, 63-1-108, 63-23-101, 63-23-103, 63-23-108, and 63-23-110 and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed April 6, 1994; effective June 20, 1994. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing and replacing rule filed April 30, 2010; effective July 29, 2010. Rule was previously numbered 1365-01-.14 but was renumbered 1365-01-.13 with the deletion of original rule 1365-01-.11 filed December 2, 2021; effective March 2, 2022.

1365-01-.14 CONSUMER RIGHT-TO-KNOW REQUIREMENTS.

- (1) Licensees shall only report medical malpractice judgments, awards, or settlements against them if the settlement amount is more than ten thousand (\$10,000) dollars.
- (2) Licensees shall report to the Board office if they received a felony criminal conviction or if they have received a misdemeanor criminal conviction for offenses involving any one (1) or more of the following:
 - (a) Sex;
 - (b) Alcohol or drugs;
 - (c) Physical injury or threat of injury to any person;
 - (d) Abuse or neglect of any minor, spouse, or the elderly; and
 - (e) Fraud or theft.
- (3) If any conviction reported under this rule is subsequently expunged, the licensee shall provide a copy of the Order of Expungement to the Board office. Upon receipt of the Order of Expungement, the Board office shall remove the conviction from the licensee's profile.

(Rule 1365-01-.14, continued)

Authority: T.C.A. §§ 4-5-105, 4-5-202, 4-5-204, 4-5-217, 4-5-223, 4-5-224, 4-5-225, 63-1-122, 63-1-134, 63-23-101, 63-23-106, 63-23-108, 63-23-110, 63-32-101, et seq., and 63-52-101, et seq., and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed April 6, 1994; effective June 20, 1994. Amendment to rule filed February 9, 2000; effective April 24, 2000. Amendment filed January 31, 2003; effective April 16, 2003. Amendment filed August 9, 2004; effective October 23, 2004. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing and replacing rule filed April 30, 2010; effective July 29, 2010. Rule was previously numbered 1365-01-.15 but was renumbered 1365-01-.14 with the deletion of original rule 1365-01-.11 filed December 2, 2021; effective March 2, 2022. Amendments filed December 2, 2021; effective March 2, 2022.

1365-01-.15 REPEALED.

Authority: T.C.A. §§ 4-5-202, 63-1-106, 63-1-136, 63-23-101, 63-23-108, and 63-23-110 and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed April 6, 1994; effective June 20, 1994. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing and replacing rule filed April 30, 2010; effective July 29, 2010. Rule was previously numbered 1365-01-.16 but was renumbered 1365-01-.15 with the deletion of original rule 1365-01-.11 filed December 2, 2021; effective March 2, 2022. Repeal filed June 5, 2024; effective September 3, 2024.

1365-01-.16 FREE HEALTH CLINIC AND VOLUNTEER PRACTICE REQUIREMENTS.

- (1) A licensee who has not been disciplined by any licensure board may receive a “special volunteer license” pursuant to T.C.A. § 63-1-201 and 63-23-112, which will allow the licensee to practice social work without remuneration and solely within a “free health clinic” as defined by T.C.A. § 63-1-201(1).
- (2) In order to obtain a special volunteer license, a licensee shall submit the following to the Board office:
 - (a) Completed application along with any required documentation;
 - (b) Letter of good standing from each state licensing board where the licensee is licensed to practice social work; and
 - (c) The name and location of the free health clinic in which the licensee intends to practice, along with proof that the clinic is operated by a nonprofit private entity that does not receive payments for its services and does not charge the individuals that it serves.
- (3) A licensee with a special volunteer license may renew, retire, or reinstate a license and the license may be subject to disciplinary action.
- (4) A licensee with a special volunteer license may only practice social work in a free health clinic at a specified site or setting.
- (5) A licensee with a special volunteer license may not charge or receive any fee, compensation or remuneration of any kind from any person or third party payor, including but not limited to insurance companies, health plans, and state and federal benefit programs for the provision of any services.

Authority: T.C.A. §§ 4-5-202, 63-1-108, 63-1-201, et seq., 63-23-101, 63-23-108, 63-23-110, and 63-23-112 and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed April 6, 1994; effective June 20, 1994. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing and replacing rule filed April 30, 2010; effective July 29, 2010. Rule was previously numbered 1365-01-.17 but was renumbered 1365-01-.16 with the deletion of original rule 1365-01-.11 filed December 2, 2021; effective March 2, 2022. Amendments filed December 2, 2021; effective March 2, 2022.

1365-01-.17 REPEALED.

Authority: T.C.A. §§ 4-5-202, 63-2-101, 63-2-102, 63-23-101, 63-23-108, and 63-23-110 and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed April 6, 1994; effective June 20, 1994. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing rule filed April 30, 2010; effective July 29, 2010. Rule was previously numbered 1365-01-.18 but was renumbered 1365-01-.17 with the deletion of original rule 1365-01-.11 filed December 2, 2021; effective March 2, 2022.

1365-01-.18 REPEALED.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-23-101, 63-23-106, 63-23-108, and 63-23-110 and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed April 6, 1994; effective, June 20, 1994. Amendment filed January 31, 2003; effective April 16, 2003. Amendment filed September 4, 2003; effective November 18, 2003. Amendment filed August 18, 2006; effective November 1, 2006. Amendment filed January 30, 2007; effective April 15, 2007. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing rule filed April 30, 2010; effective July 29, 2010. Rule was previously numbered 1365-01-.19 but was renumbered 1365-01-.18 with the deletion of original rule 1365-01-.11 filed December 2, 2021; effective March 2, 2022.

1365-01-.19 REPEALED.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-23-101, 63-23-108, 63-23-110, and 63-51-101, et seq.; Public Chapter 373 of the Public Acts of 1999; and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed February 9, 2000; effective April 24, 2000. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing rule filed April 30, 2010; effective July 29, 2010. Rule was previously numbered 1365-01-.20 but was renumbered 1365-01-.19 with the deletion of original rule 1365-01-.11 filed December 2, 2021; effective March 2, 2022.

1365-01-.20 REPEALED.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-136, 63-23-101, 63-23-106, 63-23-108, and 63-23-110 and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed August 16, 2002; effective October 30, 2002. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing rule filed April 30, 2010; effective July 29, 2010. Rule was previously numbered 1365-01-.21 but was renumbered 1365-01-.20 with the deletion of original rule 1365-01-.11 filed December 2, 2021; effective March 2, 2022.

1365-01-.21 REPEALED.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-6-701 through 63-6-707, 63-23-101, 63-23-102, 63-23-103, 63-23-108, 63-23-109, and 63-23-110 and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed December 9, 2005; effective February 22, 2006. Amendment filed July 3, 2007; effective September 16, 2007. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing rule filed April 30, 2010; effective July 29, 2010. Rule was previously numbered 1365-01-.22 but was renumbered 1365-01-.21 with the deletion of original rule 1365-01-.11 filed December 2, 2021; effective March 2, 2022.

1365-01-.22 REPEALED.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-145, 63-23-101, 63-23-103, 63-23-106, 63-23-108, and 63-23-110 and Chapter 1016 of the Public Acts of 2008, § 1. **Administrative History:** Original rule filed August 18, 2006; effective November 1, 2006. Emergency rule filed February 2, 2010; effective through August 1, 2010. Amendment repealing rule filed April 30, 2010; effective July 29, 2010. Rule was previously numbered 1365-01-.23 but was renumbered 1365-01-.22 with the deletion of original rule 1365-01-.11 filed December 2, 2021; effective March 2, 2022.