

House Bill No. 35

An act relating to social worker identification; amending ss. 39.01 and 491.003, F.S.; providing definitions for “social worker”; creating s. 491.016, F.S.; providing requirements for using the title “social worker”; providing a penalty; providing exemptions; requiring the Department of Health to adopt certain implementing and enforcing rules; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (70), (71), (72), (73), and (74) of section 39.01, Florida Statutes, are renumbered as subsections (71), (72), (73), (74), and (75), respectively, and a new subsection (70) is added to that section to read:

39.01 Definitions.—When used in this chapter, unless the context otherwise requires:

(70) “Social worker” means any person who has a bachelor’s, master’s, or doctoral degree in social work.

Section 2. Subsection (17) is added to section 491.003, Florida Statutes, to read:

491.003 Definitions.—As used in this chapter:

(17) “Social worker” means a person who has a bachelor’s, master’s, or doctoral degree in social work.

Section 3. Section 491.016, Florida Statutes, is created to read:

491.016 Social work; use of title.—

(1) A social worker is not authorized to conduct clinical social work without obtaining and possessing a license or certification issued pursuant to this chapter.

(2) It shall be a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, for a person, for or without compensation, to hold himself or herself out to the public as a social worker either directly or through a governmental or private organization, entity, or agency unless that person:

(a) Possesses at least a bachelor’s or master’s degree in social work from a social work program accredited by or from an institution that is an active candidate for accreditation as a social work program by the Council on Social Work Education; or

(b) Completes, at a university or college outside the United States or Canada, a social work program determined by the Foreign Equivalency Determination Service of the Council on Social Work Education to be equivalent to a bachelor’s or master’s degree in social work.

(3) This section does not apply to:

(a) A person who, prior to July 1, 2008, used the title “social worker” in his or her employment.

(b) Employees providing social work services under administrative supervision in long-term care facilities licensed by the Agency for Health Care Administration.

(4) The department shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement and enforce this section.

Section 4. This act shall take effect July 1, 2008.

Approved by the Governor June 11, 2008.

Filed in Office Secretary of State June 11, 2008.