

Table of Contents

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part XXV. Credentialed Social Workers

Chapter 1. Standards of Practice	1
§101. Scope and Applicability	1
§103. Purpose	1
§105. Violations	1
§107. General Practice Parameters	1
§109. Competence	1
§111. Practice Requirements	2
§113. Social Work Relationships	3
§115. Client Confidentiality	5
§117. Conduct.....	6
§119. Representation to the Public.....	6
§121. Fees and Billing Practices	6
§123. Evaluation and Research	7
§125. Social Work Educators	7
Chapter 3. General Provisions	7
§301. Definitions	7
§303. Practice	9
§305. Qualifications for Registration, Certification, Licensure	10
§307. Administration of Examination	11
§309. Application Procedure	12
§311. Renewal Notice Requirements for LCSWs Supervising LMSWs or CSWs.....	14
§313. Fees.....	14
§315. Board Members	14
§319. Reciprocity and Endorsement.....	15
§321. Certificate Lettering.....	15
§323. Causes for Disciplinary Action	15
§325. Inactive Status	15
§327. Emeritus Status.....	16
§329. Discrimination Prohibited	16
§331. Public Comment at Board and Committee Meetings.....	16
§333. Board Meetings	16
Chapter 5. Minimum Supervision Requirements	17
§501. The LMSW Who Pursues the LCSW Credential, or Who Provides Services Which Constitute Psychotherapy Must Be Supervised.....	17
§503. LMSWs Seeking the LCSW Credential	17
§505. The LMSW Not Receiving BACS Supervision or the CSW Not Eligible for BACS Supervision.....	18
§507. Board-Approved Clinical Supervisor	19
§509. Telesupervision.....	19
Chapter 7. Recovering Professional Program Authority	20
§701. Authority.....	20
§703. Purpose	20
§705. Program Implementation	20

Table of Contents

Chapter 10.	Procedural Rules for Disciplinary Hearings	22
§1001.	Authority [Formerly §901]	22
§1003.	Purpose and Construction	22
§1005.	Simplification and Accessibility	22
§1007.	Duty to Maintain Contact Information; Notification to Applicant or Licensee; Service	22
§1009.	Complaint Origination	22
§1011.	Consideration of Recommended and Provisional Dismissals; Declining Prosecution.....	23
§1013.	Prerequisites for Institution of Administrative Proceedings; Showing of Compliance.....	23
§1015.	Institution of Administrative Proceedings	23
§1017.	Right to Counsel; Notice of Representation	23
§1019.	Pre-Hearing Motions and Other Filings.....	24
§1021.	Discovery	24
§1023.	Hearing Panels	24
§1025.	Hearing Officer	24
§1027.	Recusal.....	25
§1029.	Open Meetings; Privilege; Confidentiality	25
§1031.	Pre-Hearing Conference	25
§1033.	Record of Adjudication.....	25
§1035.	Conduct of Adjudicative Hearing	25
§1037.	Evidence and Proof in Adjudicative Hearings.....	26
§1039.	Notice of Generally Recognized Facts and Social Work Principles	26
§1041.	Closing Arguments; Post-Hearing Filings; Submission of Matter	26
§1043.	Decision on Adjudicative Hearing.....	26
§1045.	Rehearing	27
§1047.	Administrative Appeal.....	27
§1049.	Informal Resolution through Consent Discipline	27
§1051.	Voluntary Relinquishment of Credential in Lieu of Discipline.....	27
§1053.	Default	28
§1055.	Withdrawal of Complaint	28
§1057.	Summary Suspension and Other Interim Action	28
§1059.	Meetings and Hearings by Videoconference	28
§1061.	Letter of Concern or Education; National Database Reporting.....	29
Chapter 11.	Procedural Rules for Other Hearings	29
§1101.	Compliance Hearing; Purpose; Scope; Burden of Proof	29
§1103.	Petition for Compliance Hearing	29
§1105.	Docketing of Compliance Hearings; Panels; Hearing Officer.....	29
§1107.	Compliance Hearing; Record.....	29
§1109.	Compliance Hearing; Right to Counsel	30
§1111.	Compliance Hearing; Decision.....	30
§1113.	Compliance Hearing; Appeal from Decision of Limited Panel.....	30
§1115.	Miscellaneous Orders and Rules to Show Cause.....	30
§1117.	Declaratory Rulings	30
Chapter 13.	Continuing Education Requirements	31
§1301.	Purpose.....	31
§1303.	Continuing Education Approval Organizations.....	31
§1305.	Criteria for Approval of Continuing Education Offerings [Formally §317(M) and (P)]	32
§1307.	Continuing Education Teaching Credit	33

§1309.	Audit	34
§1311.	Collection Period	34
§1313.	Distance or Virtual Learning Limit; Approval to Exceed	34
§1315.	Pro-Rated Continuing Education for Initial Year of Credential	35
§1317.	Request for Modification of Continuing Education Requirements	35

Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part XXV. Credentialed Social Workers

Chapter 1. Standards of Practice

§101. Scope and Applicability

A. The standards of practice apply to all social workers, as that term is defined in R.S. 37:2703. The use of the term social worker within these standards of practice includes all applicants and those who are registered, certified or licensed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:295 (February 2000), amended by the Department of Health, Board of Social Work Examiners, LR 51:1590 (October 2025).

§103. Purpose

A. The Standards of Practice/Code of Conduct provide a basis upon which to assess and measure the professional conduct of social workers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:295 (February 2000), amended by the Department of Health, Board of Social Worker Examiners, LR 50:1648 (November 2024).

§105. Violations

A. A violation of the Standards of Practice/Code of Conduct constitutes unprofessional or unethical conduct and constitutes grounds for disciplinary action or denial of credential.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:295 (February 2000).

§107. General Practice Parameters

A. Character. A social worker shall maintain good moral character.

B. Client Welfare. Within the context of the specific standards of practice prescribed herein, a social worker shall make reasonable efforts to advance the welfare and best interests of a client.

C. Self-Determination. Within the context of the specific standards of practice prescribed herein, a social worker shall respect a client's right to self-determination.

D. Nondiscrimination. A social worker shall not discriminate against a client, colleague, student, or supervisee on the basis of age, gender, sexual orientation, race, color, national origin, religion, disability, political affiliation, or social or economic status. If the social worker is unable to

offer services because of a concern about potential discrimination against a client, student, or supervisee, the social worker shall make an appropriate and timely referral. When a referral is not possible, the social worker shall obtain supervision or consultation to address the concern.

E. Professional Disclosure Statement. A social worker shall display at the social worker's primary place of practice or make available for all clients a statement that the client has the right to:

1. expect that the social worker has met the minimal qualifications of education, training, and experience required by state law;
2. examine public records maintained by the board which contain the social worker's qualifications and credentials;
3. be given a copy of the standards of practice upon request;
4. report a complaint about the social worker's practice to the board;
5. be informed of the range of fees for professional services before receiving the services;
6. privacy as allowed by law, and to be informed of the limits of confidentiality;
7. expect that the social worker will take reasonable measures consistent with the social worker's duty of confidentiality to limit access to client information and any expressed waivers or authorizations executed by the client. Reasonable measures include restricting access to client information to appropriate agency or office staff whose duties require such access;
8. receive information that a social worker is receiving supervision and that the social worker may be reviewing the client's case with the social worker's supervisor or consultant. Upon request, the social worker shall provide the name of the supervisor and the supervisor's contact information;
9. be free from being the object of discrimination while receiving social work services; and
10. have access to records as allowed by law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:295 (February 2000).

§109. Competence

A. Provision of Services

PROFESSIONAL AND OCCUPATIONAL STANDARDS

1. Social workers should provide services and represent themselves as competent only within the boundaries of their education, training, credential, consultation received, supervised experience, or other relevant professional experience.

2. Social workers should provide services in substantive areas or use intervention techniques or approaches that are new to them only after engaging in appropriate study, training, consultation, and supervision from persons who are competent in those interventions or techniques.

3. When generally recognized standards do not exist with respect to an emerging area of practice, social workers should exercise careful judgment and take responsible steps (including appropriate education, research, training, consultation, and supervision) to ensure the competence of their work and to protect clients from harm.

B. Continued Competence. A social worker shall take all necessary and reasonable steps to maintain continued competence in the practice of social work.

C. Limits on Practice. A social worker shall limit practice to the permissible scope of practice for the social worker's credential.

D. Referrals. A social worker shall make a prompt referral to other professionals when the services required are beyond the social worker's competence. Such referrals are always based solely on the best interests of the client.

E. Delegation. A social worker shall not assign, oversee or supervise the performance of a task by another individual when the social worker knows that the other individual is not credentialed to perform the task or has not developed the competence to perform such a task.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:296 (February 2000).

§111. Practice Requirements

A. Assessment or Diagnosis. A social worker shall base services on an assessment or diagnosis. A social worker shall evaluate on an ongoing basis whether the assessment or diagnosis needs to be revised.

B. Assessment or Diagnostic Instruments. A social worker shall take reasonable steps to ensure that appropriate explanations of results are given. A social worker shall ensure that an explanation of the results is provided using language that is reasonably understandable to the person assessed or to another legally authorized person on behalf of the client.

C. Plan. A social worker shall develop a plan for services which includes goals based on the assessment or diagnosis. A social worker shall evaluate on an ongoing basis whether the plan needs to be revised.

D. Mandatory Reporting. All levels of social workers are required to report in conformity with all child or elder abuse Louisiana and federal laws.

E. Supervision or Consultation. A social worker shall obtain supervision or engage in consultation when necessary to serve the best interests of a client.

F. Informed Consent

1. Social workers shall provide services to clients only in the context of a professional relationship with documented informed consent. Social workers should use clear and understandable language to inform clients of the plan for services, relevant costs, reasonable alternatives, the client's right to refuse or withdraw consent, and the time frame covered by the consent. Social workers shall provide clients with an opportunity to ask questions.

2. If the client does not have the capacity to provide consent, the social worker shall obtain consent for the services from the client's legal guardian or other authorized representative.

3. If the client, the legal guardian, or other authorized representative does not consent, the social worker shall at the earliest opportunity discuss with the client that a referral to other resources may be in the client's best interests.

G. Records

1. A social worker shall make and maintain records, written or electronic, of services provided to a client. At a minimum, the records shall contain documentation of the assessment or diagnosis; documentation of a plan, documentation of any revision of the assessment or diagnosis or of the plan; any fees charged and other billing information; copies of all client authorization for release of information and any other legal forms pertaining to the client. These records shall be maintained by the social worker or agency employing the social worker at least for a period of six years after the last date of service, or for the time period required by federal or state law, if longer. In regards to a minor client, records must be kept six years after client reaches majority.

2. A social worker shall not represent by signature or any other means the extent of his/her participation in the provision of services (such as psychosocial evaluation, assessment, diagnosis, treatment plan, progress note or report) unless the social worker has formulated the psychosocial evaluation, assessment, diagnosis, treatment plan, progress note or report through direct contact with the client who provided the information included in the record.

3. A social worker shall not conspire or collude with another person or entity to misrepresent by signature or any other means the extent of his/her participation in the social worker's provision of services.

4. Social workers supervising students in field placement must indicate their supervisory function when cosigning records.

5. A social worker shall accurately complete and provide testimony, reports, assessments, evaluations, forms, or similar documentation in a timely manner. This includes all forms requested by the Louisiana State Board of Social Work Examiners.

6. Social workers shall not retain copies of client records after separation from an agency or employer without written agency/employer's consent.

7. A social worker shall not access records of an individual they are not treating without legitimate purpose.

H. Termination of Services

1. A social worker shall terminate a professional relationship with a client when the client is not likely to benefit from continued services or the services are no longer needed.

2. A social worker has an affirmative duty to take reasonable steps to avoid under-treatment and/or precipitous termination of a client.

3. A social worker who anticipates the termination of services shall give reasonable notice to the client. A social worker shall take reasonable steps to inform the client of the termination of the professional relationship. A social worker shall provide referrals as needed and/or upon the request of the client. A social worker shall not terminate a professional relationship for the purpose of beginning a personal or business relationship with a client.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:296 (February 2000), amended LR 37:2615 (September 2011), amended by the Department of Health, Board of Social Work Examiners, LR 43:959 (May 2017), amended by the Department of Health, Board of Social Work Examiners, LR 51:1590 (October 2025).

§113. Social Work Relationships

A. Exploitation. A social worker's duty requires the promotion and advancement of the best interests and welfare of clients, students, and supervisees with whom the social worker has a professional social work relationship when the social worker's primary purpose is the provision of social work services. This duty also applies to social workers engaged in all areas of social work practice. It is a breach of this duty for a social worker to use the professional relationship to promote or advance the social worker's emotional, financial, sexual, or personal needs, or the social worker's personal, political, or religious agenda. Examples of exploitative behavior may include, but are not limited to, the following:

1. inappropriately disclosing aspects of the social worker's life or personal problems;
2. seeking out or accepting advice or consultation from a client on financial, personal, real estate or other business matters;
3. hiring or bartering for services of a personal nature with the client, supervisee or student at the social worker's office, home or other location;
4. entering into a sale, lease, or joint venture or other business venture with a client, supervisee or student;

5. encouraging planned social meetings or contacts between the social worker and the client such as meals, parties, sporting and recreational events or similar functions; as distinguished from unplanned or unavoidable meetings at which both the social worker and the client are in attendance; and further distinguished from such activities where social workers are legitimately expected to participate in such events;

6. inappropriate touching, holding, kissing or physical contact between social worker and client, supervisee or student;

7. giving or exchanging inappropriate gifts, gratuitous services, or personal items between the social worker and the client, supervisee or student.

B. Dual Relationships. Social workers have an affirmative duty to maintain the best interest of clients and former clients as the predominant consideration during the existence of the social worker/client relationship and thereafter. While clients and former clients with whom the social worker has or had a clinical/therapeutic relationship are at greater risk, any relationship with a client or a former client exposes clients and former clients to the risk of exploitation. Social workers shall be aware, even in those instances where other relationships are not specifically prohibited, that the social worker by promoting, encouraging, or participating in any relationship with a client or former client runs a risk of exploitation. Dual or multiple relationships occur when social workers relate to clients in more than one relationship, whether professional, social, or business. Dual or multiple relationships can occur simultaneously or consecutively. A social worker shall not knowingly engage in dual relationships with clients or former clients that compromise the well-being of the client or former client, impair the objectivity and professional judgment of the social worker, or increase the risk of client exploitation. When social workers provide services to two or more people simultaneously who have a relationship with each other (for example, couples or family members), social workers shall clarify with all parties which individual(s) are considered client(s) and the nature of the social worker's professional obligations to the various individuals who are receiving services. Social workers shall avoid multiple relationships with clients, (such as that of a therapist and custody evaluator, mediator, and parenting coordinator, etc.). Social workers who anticipate a conflict of interest among the individuals receiving services or who anticipate having to perform in potentially conflicting roles (for example, when a social worker is asked to testify in a child custody dispute or divorce proceedings involving clients) shall clarify their role with the parties involved and take appropriate action to minimize any conflict of interest.

1. Personal Relationships with Clinical/Therapeutic Clients. A social worker shall not engage in a personal relationship with a clinical/therapeutic client. When a social worker may not avoid a personal relationship with a clinical/therapeutic client, the social worker shall take necessary protective measures consistent with the best interests of the clinical/therapeutic client such as informed consent, consultation, or supervision to ensure that the social

PROFESSIONAL AND OCCUPATIONAL STANDARDS

worker's objectivity and professional judgment are not impaired.

2. **Personal Relationships with Former Clinical/Therapeutic Clients.** A social worker may engage in a personal relationship, except as prohibited by §113.B.4., with a former clinical/therapeutic client, if the former clinical/therapeutic client was notified of the termination of the professional relationship. The social worker shall continue to consider the best interests of the former client and shall not engage in a personal relationship with the former client if a reasonable social worker would conclude that the former client continues to relate to the social worker in the social worker's professional capacity.

3. **Sexual Intimacy or Contact with a Client, Supervisee or Student.** A social worker shall not engage in or request sexual intimacy or contact as defined in §113.B.5, with a client, a client's spouse or former spouse, any member of the client's immediate family or with any person with whom the client has a sexual relationship. The prohibition of this rule extends to supervisees and students during such times and under such circumstances where the social worker is in a supervisory or teaching relationship. This rule also expressly prohibits social workers from engaging in any behavior which a reasonable person would find sexually stimulating, seductive or sexually demeaning when such behavior is either directed toward or exhibited in the presence of any person with whom sexual contact is otherwise prohibited by this rule. Social workers shall not sexually harass a client, colleague, fellow workers, supervisee or student.

4. **Sexual Intimacy or Contact with a Former Client.** A social worker who has provided clinical/therapeutic social work services, such as counseling or the diagnosis or treatment of mental and emotional disorders with individuals, couples, families, or treatment groups, shall not engage in or request sexual intimacy or contacts as defined in §113.B.5, is prohibited from engaging in or requesting sexual intimacy or contacts with a former client within five years from documented termination. Any social worker who engages in sexual intimacy or contacts as defined in §113.B.5 with a former client within five years of documented termination of services shall be subject to disciplinary action for violations under R.S. 37:2717(A)(4) and (7).

a. A social worker who engages in such sexual intimacy or contacts as defined in §113.B.5 after five years from the documented termination of services without first obtaining a consultation from an independent and unrelated LCSW, documenting the assessment of no exploitative potential or harm as required by this rule, shall be subject to disciplinary action for violations under R.S. 37:2717(A)(4) and (7). The consultation shall assess and document the lack of exploitative potential or harm from such sexual intimacy after considering the relevant factors and include the following:

- i. the amount of time that has passed since therapy terminated;
- ii. the nature, duration, and intensity of the therapy;

- iii. the circumstances of termination;
 - iv. the client's personal history;
 - v. the client's current mental status;
 - vi. the likelihood of adverse impact on the client;
- and
- vii. any statements or actions made by the therapist during the course of therapy suggesting or inviting the possibility of a posttermination sexual or romantic relationship with the client.

b. A social worker who has provided nonclinical services to a client, such as resource/service brokerage, referral, consultation, training/skill development, or other services that are brief or indirect in nature, shall not enter into a sexual relationship with a former client upon the documented termination of services when a reasonable, prudent social worker would conclude after appropriate assessment that such would pose an unacceptable risk of harm to the client.

5. **Sexual Intimacy or Contact Defined.** Sexual intimacy or contact is defined as any contact or any other conduct which reasonably could lead to sexual arousal, whether verbal or nonverbal, including, but not limited to, sexual touching, sexual intercourse (i.e. genital, anal or oral), masturbation, whether clothed or unclothed, by either the social worker or the client. Sexual intimacy also includes phone sex, cyber-sex and other electronic or printed communication which reasonably could lead to sexual arousal.

6. **Business Relationship with a Client, Supervisee or Student.** A social worker shall not engage in any type of business relationship other than the provision of social work services, including social work supervision. Business relationships do not include purchases made by the social worker from the client, supervisee or student when they are providing necessary goods or services to the general public.

7. **Business Relationship with a Former Client.** The social worker has a continuing duty to safeguard the best interests of the former client.

8. **Prior Personal or Business Relationships.** A social worker should exercise caution before engaging in a professional relationship with an individual with whom the social worker had a previous personal or business relationship.

9. **Social Worker Responsibility.** A social worker shall be solely responsible for acting appropriately in regard to relationships with clients or former clients. A client or a former client's initiation of a personal, sexual, or business relationship shall not be a defense by the social worker for a violation of §113.B.1-8.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:297 (February 2000), amended LR 29:2381 (November 2003), LR 34:246 (February 2008), amended by the Department of Health,

Board of Social Work Examiners, LR 43:959 (May 2017), amended by the Department of Health, Board of Social Work Examiners, LR 51:1590 (October 2025).

§115. Client Confidentiality

A. Written Informed Consent. A social worker shall protect all information provided by or obtained about a client. Client information includes the social worker's personal knowledge of the client and client records, written or electronic. Except as provided herein, client information may be disclosed or released only with the client's written informed consent. The written informed consent shall explain to whom the client's information will be disclosed or released and the purpose and time frame for the release of information.

B. Release of Client Information without Written Consent. A social worker may disclose client information without the client's written consent only under the following circumstances:

1. where required by federal or state law, including mandatory reporting laws, requiring release of client information;

2. where the treating social worker has made a clinical judgment that a client has communicated a significant threat of physical violence against an identifiable victim(s), with the apparent intent and ability to carry out the threat. In such case, the social worker has a duty to warn which is discharged by reasonable efforts to communicate the threat to the potential victim(s) and to notify law enforcement authorities in the vicinity of the client and the victim(s). See R.S. 9:2800.2;

3. where one of the enumerated exceptions to the healthcare provider-patient privilege, as specified in Article 510 of the Louisiana Code of Evidence is applicable and the social worker is being required to give testimony at trial (hearing) or at a legally authorized deposition. See Article 510(E) of the Louisiana Code of Evidence;

4. where the social worker is the subject of a malpractice or professional negligence claim relating to a client or former client who is claiming damage or injury; the social worker may provide such information that is directly and specifically related to the factual issues pertaining to the social worker's alleged liability. However, in such a case, information concerning the client's current treatment or condition may only be disclosed pursuant to testimony at trial or legally authorized discovery methods. See Article 510(F) of the Louisiana Code of Evidence;

5. where the social worker is required to address allegations of a complaint brought by a client or former client which are the subject of adjudication or disciplinary hearing involving the social worker;

6. where the Louisiana State Board of Social Work Examiners issues a lawful subpoena to a social worker and the board provides adequate safeguards to maintain confidentiality of client information or identify such as prescribed in R.S. 13:3715.1(J).

C. Release of Client Records without Written Consent. A social worker may release client records without the client's written consent under the following circumstances:

1. where a client's authorized representative consents in writing to the release;

2. where mandated by the federal or state law requiring release of records;

3. where circumstances described in §115.B and §115.B.4 apply and the social worker is lawfully issued and served with a subpoena duce tecum which complies with the formalities prescribed in R.S. 13:3715.1.

4. where the circumstances described in §115.B.5 and §115.B.6 apply and the social worker received a lawfully issued subpoena from the Louisiana State Board of Social Work Examiners.

D. Limits of Confidentiality. The social worker shall inform the client of the limits of confidentiality as provided under applicable law. Confidentiality limits shall include, but are not limited to, the following situations:

1. where circumstances giving rise to the list of exceptions to the healthcare provider-patient privilege listed in the Louisiana Code of Evidence Article 510;

2. where communications to the social worker reveal abuse or neglect of children and elders which impose an obligation on social workers as mandatory reporters under the *Children's Code* article 609, R.S. 14:403, and R.S. 14:403.2. A social worker shall not be considered a mandatory reporter in the limited circumstances specified in *Children's Code* article 603(b);

3. where communications to the social worker relate to abuse or neglect of residents of healthcare facilities which impose duty to report under R.S. 40:2009.20;

4. where the social worker has a duty to warn in relation to communications of threats of physical violence under R.S. 9:2800.2;

5. where the social worker has been appointed to conduct an evaluation for child custody or visitation by the court or where prior communications to the social worker relate to the health conditions of a client(s) who are parties to proceedings or custody or visitation of a child and the condition has substantial bearing on the fitness of the person claiming custody or visitation.

E. Confidentiality and Minor Clients. In addition to the general directive in §115.D, a social worker must inform a minor client, at the beginning of a professional relationship, of any laws which impose a limit on the right to privacy of a minor.

F. Third-Party Billing. A social worker shall provide client information to a third party for the purpose of payment for services rendered only with the client's written informed consent. The social worker shall inform the client of the nature of the client information to be disclosed or released to the third-party payor.

G. Continued Privacy of Information. A social worker shall continue to maintain confidentiality of client information upon termination of the professional relationship, including upon the death of the client, except as provided under applicable law.

H. Recording/Observation. A social worker shall obtain the client's written informed consent before the taping or recording of a session or a meeting with the client, or before a third-party is allowed to observe the session or meeting. The written informed consent shall explain to the client the purpose of the observing, taping or recording, how the taping or recording will be used, how it will be stored and when it will be destroyed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:298 (February 2000), amended by the Department of Health, Board of Social Work Examiners, LR 43:959 (May 2017).

§117. Conduct

A. Impairment. A social worker shall not practice while impaired by medication, alcohol, drugs, or other chemicals. A social worker shall not practice under a mental or physical condition that impairs the ability to safely practice.

B. Medication and Mind or Mood Altering Substances. A social worker shall not dispense medication or controlled substances to a client, or accept these substances from a client for personal use or gain. In an appropriate setting, a social worker may deliver a previously dispensed medication to the client for whom it was specifically prescribed or ordered by an authorized prescriber. A social worker may witness and verify the client's disposal of the client's medication. Under no circumstances shall a social worker offer alcoholic beverages or mood altering substances to a client.

C. Investigation. All social workers shall cooperate with a social work board investigation of any social worker.

D. Responsibility to the Public. A social worker shall not knowingly participate in any activity or practice (including hiring, supervising, or concealing) by which activity or practice an individual engages or continues to engage in a practice of social work which is prohibited by R.S. 37:2709 or which activity or practice aids or abets any violation of R.S. 37:2720. A social worker who becomes aware of an activity or practice as described herein or of conduct prohibited by R.S. 37:2709 or R.S. 37:2720 shall report such information to the board at the earliest opportunity.

E. A social worker shall notify the Louisiana State Board of Social Work Examiners within 30 calendar days of any arrests or charges, to include DWI and DUI, regardless of final disposition. Minor traffic offenses such as speeding, and parking tickets do not need to be reported.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:299 (February 2000), amended LR 29:2382 (November 2003), amended by the Department of Health and Hospitals, Board of Social

Work Examiners, LR 40:304 (February 2014), amended by the Department of Health, Board of Social Work Examiners, LR 50:1648 (November 2024), amended by the Department of Health, Board of Social Work Examiners, LR 51:1591 (October 2025).

§119. Representation to the Public

A. Use of Social Worker Designation. A social worker shall use only the social worker designation to which they are entitled. Such designation shall be used after the social worker's name and in all written communications relating to social work practice, including any advertising, correspondence, and client records.

B. Information to Clients or Potential Clients. A social worker shall provide accurate and factual information concerning the social worker's credentials, education, training, and experience upon request from a client, potential client or supervisee. A social worker shall not misrepresent directly or by implication the social worker's license, certificate, registration, degree, and/or professional qualifications in any oral or written communication or permit or continue to permit any misrepresentations by others. A social worker shall not misrepresent, directly or by implication, affiliations, purposes, and characteristics of institutions and organizations with which the social worker is associated.

C. Restriction on Social Work Designation. Social workers, regardless of the license, certificate, or registration, shall not use such designation as a claim, promise, or guarantee of successful service, nor imply that the holder has competence in another service. A social worker must not misrepresent his/her qualifications, training or experience. If a social worker engages in advertising, his/her credentials must be presented factually.

D. Display of Credentials. A social worker shall conspicuously display a current license, certificate, or registration issued by the board at the social worker's place of practice.

E. Mailing Address. A social worker shall file a change of address with the board within 15 business days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:299 (February 2000), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:304 (February 2014).

§121. Fees and Billing Practices

A. Fees and Payments. A social worker who provides a service for a fee shall inform a client of the fee at the initial session or meeting with the client. Payment arrangements must be made at the beginning of the professional relationship. If other services are necessary during the course of the professional relationship, the full fee for those services must be negotiated with the client, their legal guardian, or other authorized representative prior to the service being rendered. A social worker shall provide, upon request from a client, a client's legal guardian or other authorized

representative, a written explanation of all charges for any services rendered.

B. **Necessary Services.** A social worker shall bill only for services which he/she has provided. A social worker shall provide only services which are necessary. If fees are to be charged for cancellation or failure to appear for an appointment, a clear description of that policy must be provided to the client in advance of its implementation.

C. **Referrals**

1. A social worker shall neither accept nor give a commission, rebate, fee split or other form of remuneration for the referral of a client.

2. A social worker shall not solicit a private fee or other remuneration for providing services to clients who are entitled to such available services through the social workers' employer or agency without employer or agency approval.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:299 (February 2000).

§123. Evaluation and Research

A. **Protocol.** When undertaking research activities, the social worker shall abide by accepted protocols for protection of human subjects.

B. **Informed Consent.** A social worker must obtain a client's or a client's legal guardian's written informed consent for the client to participate in a study or research project. The researcher should explain in writing the purpose of the study or research, as well as the activities to be undertaken by the client, should the client agree to participate in the study or research project. The social worker must inform the client of the client's right to withdraw from the project at any time.

C. **Participant Protection and Confidentiality.** The social work researcher should protect participants from unwarranted harm or damage as a result of the research, and should avoid conflict of interest or dual relationships with participants. The participant's confidentiality or anonymity should also be fully explained and protected.

D. **Evaluation Reports.** Social work researchers must report evaluation and research findings accurately and truthfully. Participants in research should be informed of the results of the research in which they have participated if they so desire.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:300 (February 2000).

§125. Social Work Educators

A. A social work educator's purpose is to educate social work students by various means in person or remotely including but not limited to classwork, lectures, field work, and mentorship.

B. Social work educators shall provide instruction only within their areas of knowledge and competence and shall be knowledgeable about current best practices.

C. Social workers who function as educators should not engage in dual relationships with students in which there is a risk of exploitation or potential harm to the student, including dual relationships that may arise while using social networking sites and other electronic media. Social work educators are responsible for establishing and maintaining clear, appropriate, and culturally sensitive boundaries.

D. A social work educator is afforded vast discretion in making academic, pedagogical, and administrative decisions. The board may not discipline a social work educator for an act or omission that falls within the purview of that discretion unless the act or omission involves conduct prohibited by subsections B and C of this Rule. The purview of this discretion includes without limitation, graded assignments, student discipline, curriculum development, pedagogical methods, and departmental and institutional matters.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners), LR 51:1591 (October 2025).

Chapter 3. General Provisions

§301. Definitions

A. For purposes of this Part, the following terms shall have the following meanings:

Adjudicative Hearing—a hearing whereby the merits of an administrative complaint are tried before a quorum of the Board for final disposition.

Administrative Complaint—the formal charging document prepared by the Prosecuting Officer and filed with the Board as the basis for a disciplinary adjudication.

Administrator—the Board Administrator or their successor, provided that the Administrator may delegate any of their duties under this Chapter to their subordinate employees unless strictly prohibited.

Applicant—any person who has submitted an application to the Board for any credential recognized by the Practice Act.

Board Approved Supervision Workshop—this workshop shall be pre-approved by the board. At least 6 1/2 clock hours required for workshop to be acceptable and shall deal with supervision models, the theory and techniques of supervision, record keeping, ethics and multicultural issues.

Chairperson or Chair—the chair of the board.

Client—any person or group of persons who seek or receive social work services, including all persons or groups of persons to whom a social worker owes a professional duty of care and ethical practice. The term client is intended to have the broadest possible meaning and may include individuals, couples, families, groups, organizations, communities, and systems.

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Clinical Social Work Practice—the practice of clinical social work requires the application of specialized clinical knowledge and advanced clinical skills in the areas of prevention, assessment, diagnosis and treatment of mental, emotional, and behavioral and addiction disorders. Treatment methods include the provision of individual, marital, couple, family, and group psychotherapy. The practice of clinical social work may include, but is not limited to, private practice, employee assistance and addiction services.

Complainant—the person submitting a complaint to the Board.

Compliance Hearing—a hearing conducted before a limited panel that provides a forum for an applicant denied a credential or a licensee denied renewal of a credential to present documentary evidence and sworn testimony to establish that the applicant or licensee meets the legal requirements for the credential or renewal thereof.

Consent Discipline—any final order of disciplinary sanctions agreed upon by the prosecuting officer and the respondent, whereby the respondent admits to some or all of the conduct alleged against them and accepts disciplinary sanctions in lieu of an adjudicative hearing

Continuing Education—education and training, which are oriented to maintain, improve or enhance social work practice.

Continuing Education Contact Hour—a 60-minute clock hour of instruction, not including breaks or meals.

Conviction—conviction of a crime by a court of competent jurisdiction and shall include a finding or verdict of guilt, whether or not the adjudication of guilt is withheld or not entered on admission of guilt, a no contest plea, a plea of nolo contendere, and a guilty plea.

Counseling—a method used by social workers to assist individuals, couples, families, and groups in learning how to solve problems and make decisions about personal, health, social, educational, vocational, financial, and other interpersonal concerns.

Credential—can be the registration (RSW), certification (CSW) or license (LMSW) and (LCSW) regulated by the Louisiana Social Work Practice Act.

Detrimental to the Client—an act or omission of a professional responsibility that is damaging to the physical, mental, social or financial status of the client.

Electronic Social Work Practice—use of computers (including the internet, social media, on line chat, text, and email) and other electronic means (such as smart phones, landline telephones and video technology) to:

1. provide information to the public;
2. deliver social work services to clients;
3. communicate with clients;
4. manage confidential information and case records;
5. store and access information about clients; and

6. arrange payment for professional services.

En Banc Panel—a panel composed of the entire Board.

Examination—a standardized test or examination of social work knowledge, skills, and abilities, which has been approved by the board.

Exploitation—an unequal power balance is inherent in the client/social worker relationship. This power imbalance is weighted toward the social worker. To use this power imbalance for the good of the social worker at the expense of the client is exploitation. Exploitation may take financial, business, emotional, sexual, verbal, religious and/or relational forms.

Felony—criminal conduct punishable by imprisonment at hard labor or as otherwise defined as a felony by this state or any other state or by federal law.

General Counsel—the attorney licensed to practice law in Louisiana independently retained by the Board for the purpose of advising and representing the Board in legal matters.

Good Moral Character—the aggregate of qualities evidenced by past conduct, social relations, or life habits, which actually provide persons acquainted with the applicant a basis to form a common favorable opinion regarding the social worker's ethics and responsibility to duty.

Gross Negligence—in the practice of social work, means conduct by either act or omission involving a legal or professional duty about which the social worker displays conscious indifference and where the consequences of such conduct could adversely affect the rights or welfare of those persons to whom the social worker owes the duty.

Hearing Panel—the five- or three-person panel of board members appointed to render a decision at an adjudicative hearing or compliance hearing, as the case may be.

Limited Panel—a three-person hearing panel.

Standard Panel—a five-person hearing panel.

Independent Practice—practice of social work outside of an organized setting, such as a social, medical, or governmental agency, after completion of all applicable supervision requirements, in which the social worker assumes responsibility and accountability for services provided. LCSWs also engage in independent practice within an agency setting.

In-Person—interactions in which the social worker and the client are in the same physical space and does not include interactions that may occur through the use of technology.

Interlocutory—any decision on a matter that does not resolve the merits of a complaint, such as rulings on the admissibility of evidence.

Licensee—any person holding any credential authorized by the Practice Act.

Person—a natural or juridical person, including human beings, business entities, governmental agencies, or any other

organization deemed a person by Louisiana Civil Code article 24.

Practice Act—the Social Work Practice Act, La. R.S. 37:2701 et seq.

Private Practice—an activity characterized by contracting directly and receiving direct payment from clients or agencies to provide clinical services, educational services, consultation, research or supervision, as an autonomous practitioner solely responsible for the welfare of the client and for the services rendered.

Prosecuting Officer—the licensed attorney or authority appointed by the Board or the Practice Act to prosecute complaints.

Provisional Dismissal—an order of dismissal that requires Board action before the dismissal can become final.

Psychotherapy—the use of treatment methods utilizing a specialized, formal interaction between a social worker and an individual, couple, family, or group in which a therapeutic relationship is established, maintained and sustained to understand unconscious processes, intra- personal, interpersonal and psychosocial dynamics. Psychotherapy requires the application of diagnosis and treatment to mental, emotional, and behavioral disorders, conditions and addictions.

Remote—provision of social work services where the social worker is not physically located at the site where the services are received. The distance between the social worker and the recipient of services is not a consideration.

Respondent—the applicant or licensee made the subject of a complaint filed with the board.

Sexual Harassment—sexual advances, sexual solicitation, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

Social Work Educator—an individual employed by or under contract or volunteering professional services with an educational institution’s Social Work program for the purpose of educating social work students and who holds a registration, certification, or license in the field of social work.

Social Work Employee—such status requires that the social worker provide direct or indirect social work services, receive remuneration from an employer for these services, and that the social worker’s employer deduct federal withholding tax, FICA or other retirement benefits from the salary or wages.

Social Work Services—those actions or undertakings rendered to a client that constitute “social work practice” as that term is defined by R.S. 37:2703.

Supervisee—any person under the supervision of a credentialed social worker. The supervisee may be an applicant for social work credentials, an employee under the supervision of the LCSW, LMSW, CSW or RSW, or a person who contracts with the licensed clinical social worker for supervision.

Supervision within an Agency—the professional relationship between a supervisor and a social worker that provides evaluation and direction over the services provided by the social worker and promotes continued development of the social worker’s knowledge, skills, and abilities to provide social work services in an ethical and competent manner.

Supportive Counseling—the methods used by social workers to help individuals create and maintain adaptive patterns. Such methods may include building community resources and networks, linking clients with services and resources, educating clients and informing the public, helping clients identify and build strengths, leading client and community groups, and providing reassurance and support.

B. If a term is defined differently in another Chapter of this Part, that definition shall apply only for the purposes of the Chapter in which it appears. Otherwise, the definitions contained in this Section shall apply generally to this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:300 (February 2000), amended LR 34:247 (February 2008), LR 37:2616 (September 2011), amended by the Department of Health, Board of Social Work Examiners, LR 43:959 (May 2017), amended by the Department of Health, Board of Social Work Examiners, LR 51:1591 (October 2025).

§303. Practice

A. Social Work Practice. Any person practicing social work without license, certification, or registration is subject to the provisions of R.S. 37:2720, including injunctive proceedings and prosecution.

B. Independent and Private Practice. Only a licensed clinical social worker may engage in the independent and private practice of social work.

C. Registered Social Workers shall not:

1. contract directly with individuals, couples, families, agencies or institutions for clinical services, consultation, supervision or educational services;
2. bill for services rendered;
3. receive direct payment for services;
4. claim to be licensed or in private practice.

D. Licensed master social workers and certified social workers shall not:

1. contract directly with individuals, couples, families, non-governmental agencies or institutions for clinical services, consultation, supervision or educational services;
2. bill for services rendered except to a governmental agency through contract services;
3. receive direct payment for services unless through contract with a governmental agency;
4. claim to be licensed or in private practice.

E. Licensed master social workers and certified social workers may:

1. practice clinical social work within an agency under the supervision of a licensed clinical social worker and shall meet the supervision requirements of Chapter 5, Minimum Supervision Requirements, §505.

F. Applicants for registration, certification, or licensure who indicate on their application that they have been employed or engaged in independent practice as a social worker in the state of Louisiana are subject to the provisions of R.S. 37:2720.

G. In accordance with R.S. 37:2709, which states in part that the license, certificate, or registration shall be kept conspicuously posted in the office or place of business at all times, it is permissible to post the original certificate of license, certification, or registration or a copy of the original certificate of license, certification, or registration, or the current identification card received from the board upon renewal of the license, certification, or registration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:301 (February 2000), amended LR 29:2382 (November 2003), LR 34:1401 (July 2008), LR 37:2616 (September 2011).

§305. Qualifications for Registration, Certification, Licensure

A. Registered Social Worker (RSW)

1. Must be of good moral character. As one element of good moral character, the board shall require each applicant to submit a full set of fingerprints for the purpose of obtaining state and federal criminal records check, pursuant to authorizing state statute and applicable federal law. The state agency responsible for managing fingerprint data may submit fingerprints to and exchange data with the FBI. All good moral character information, including the information obtained through criminal records checks, shall be considered in licensure decisions to the extent permissible by all applicable laws.

2. The applicant shall have his/her university submit official transcript indicating the receipt of a bachelor of social work, bachelor of arts, or bachelor of science degree from an undergraduate social work program, accredited by the Council on Social Work Education, or a master's degree of social work from a graduate social work program, accredited by the Council on Social Work Education.

B. Licensed Master Social Worker (LMSW)

1. Must be of good moral character. As one element of good moral character, the board shall require each applicant to submit a full set of fingerprints for the purpose of obtaining state and federal criminal records check, pursuant to authorizing state statute and applicable federal law. The state agency responsible for managing fingerprint data may submit fingerprints to and exchange data with the FBI. All good moral character information, including the information

obtained through criminal records checks, shall be considered in licensure decisions to the extent permissible by all applicable laws.

2. The applicant shall have his/her university submit official transcript indicating the receipt of a master's degree of social work from a graduate social work program, accredited by the Council on Social Work Education.

3. The applicant shall obtain a passing score on an examination approved by the board.

C. Certified Social Worker (CSW)

1. The board may issue certification to an applicant who meets all requirements for the LMSW except for passing the examination approved by the board.

2. The individual may hold the certification for up to three years from the date of issuance of the original certificate.

3. The CSW who does not pass the examination for the LMSW within three years from the date of issuance of the original certification may apply for the registered social work credential.

D. Licensed Clinical Social Worker (LCSW)

1. The applicant must be of good moral character. As one element of good moral character, the board shall require each applicant to submit a full set of fingerprints for the purpose of obtaining state and federal criminal records check, pursuant to authorizing state statute and applicable federal law. The state agency responsible for managing fingerprint data may submit fingerprints to and exchange data with the FBI. All good moral character information, including the information obtained through criminal records checks, shall be considered in licensure decisions to the extent permissible by all applicable laws.

2. The applicant shall have his/her university submit official transcript indicating the receipt of a master's degree of social work from a graduate social work program, accredited by the Council on Social Work Education.

3. All applicants beginning supervision on or after January 1, 2022, shall submit documentation verifying at least 3000 hours of supervised postgraduate social work practice that complies with R.S. 37:2708(A)(3) on a form provided by the board. Applicants beginning supervision before January 1, 2022, shall comply with the version of this Part and R.S. 37:2708 in effect at the time their supervision began.

4. Supervised experience shall be under the supervision of a board-approved clinical supervisor.

5. The applicant shall obtain a passing score on an examination approved by the board.

E. Licensing of Qualified Military-trained Applicants and Spouses of Military Personnel

1. A military-trained social worker is eligible for registration, certification or licensure as an RSW, LMSW, CSW or LCSW (applicable social work credential) as provided for in Subsections A-D of this Section provided the applicant:

a. has completed a military program of training in social work and has been awarded a military occupational specialty or similar official designation as a social worker with qualifications which are substantially equivalent to or exceed the requirements of the applicable social work credential which is the subject of the application;

b. has performed social work services in active practice at a level that is substantially equivalent to or exceeds the requirements of the applicable social work credential which is the subject of the application;

c. has not been disciplined in any jurisdiction for an act which would have constituted grounds for refusal, suspension, or revocation of a license to practice social work in this state at the time the act was committed; and

d. has not received a dishonorable discharge from military service.

2. A military-trained social worker, who has not been awarded a military occupational specialty or other official designation as a social worker, who nevertheless holds a current license, certification or registration for the practice of social work from another jurisdiction, which jurisdiction's requirements are substantially equivalent to or exceed the requirements for the applicable social work credential for which he or she is applying, is eligible for licensure, certification or registration by reciprocity or endorsement pursuant to §319 provided the applicant:

a. has not been disciplined in any jurisdiction for an act which would have constituted grounds for refusal, suspension, or revocation of a license to practice social work in this state at the time the act was committed; and

b. has not received a dishonorable discharge from military service.

3. A spouse of a member of the active-duty military forces or a spouse of a former member of the military forces who has not received a dishonorable discharge and who holds a current license, certification or registration for the practice of social work from another jurisdiction, which jurisdiction's requirements are substantially equivalent to or exceed the requirements for the applicable social work credential for which he or she is applying, is eligible for licensure, certification or registration by reciprocity or endorsement pursuant to §319 provided the applicant:

a. has not been disciplined in any jurisdiction for an act which would have constituted grounds for refusal, suspension, or revocation of a license to practice social work in this state at the time the act was committed; and

b. is in good standing and has not been disciplined by the agency that issued the license, certification, or permit.

4. The procedures governing the applications of military-trained applicants and applicants who are spouses of military personnel, including the issuance and duration of temporary practice permits and priority processing of applications, are provided for in Subsection §309 R.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C..

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:301 (February 2000), amended LR 29:2383 (November 2003), LR 34:1401 (July 2008), LR 37:2616 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:304 (February 2014), amended by the Department of Health, Board of Social Work Examiners, LR 51:1592 (October 2025).

§307. Administration of Examination

A. Examination

1. The social work examination shall be administered at least once per calendar year at a time and place designated by the board.

2. The Louisiana State Board of Social Work Examiners recognizes the examinations of the Association of Social Work Boards as the national examination for social workers.

3. Examination Pass Point. The board shall administer and grade a written examination or employ a national recognized testing firm to do the same. Whichever method is used, the board will consistently strive to improve reciprocity with other states having licensure comparable to Louisiana. A pass score of 70 will be used to grade the examination for the licensed clinical social worker and the licensed master social worker.

B. Retake of Examination

1. Applicants must complete a retake application and submit the retake fee to the board office.

2. Applicants for the LCSW license must submit an employment verification form for each place of employment after receipt of the MSW degree.

3. The board shall observe the retake policy of the testing service.

C. Examination Review Policy. The board may allow candidates to review failing examinations, at applicant's expense, in accordance with the rules of the Association of Social Work Boards.

D. Preparatory Course

1. The board shall not endorse nor in any way participate in the operation or planning of any preparatory or cram course allegedly preparing applicants for the social work examination.

2. No former member of the Board of Examiners may take part in the development, sponsorship or administration of any preparatory or cram course offered to candidates for the social work examination for two years after said board member's term of office has expired.

E. Early Testing. The board may allow candidates to test early in accordance with the policy set forth by the Association of Social Work Boards.

PROFESSIONAL AND OCCUPATIONAL STANDARDS

1. Students in their final semester of a graduate social work program as defined by R.S. 37:2703.10. may request on a form prescribed by the board and signed by the program dean, director, or another designee, approval to sit for the examination recognized by the board for obtaining the LMSW credential. All requirements of the application, other than the official master's transcript, must be complete for exam approval to be considered by the board. The applicant shall make a request to the university to submit the transcript showing the conferred Master of Social Work degree directly to the board office within 15 days of its availability.

2. LMSWs in their final six months of supervision in accordance with §503 may request on a form prescribed by the board and signed by their board approved clinical supervisor, approval to sit for the examination recognized by the board for obtaining the LCSW credential. Applicants must have at least 75 hours of supervision and must complete all requirements of the LCSW application, other than the final supervision forms, for exam approval to be considered by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:302 (February 2000), repromulgated LR 29:2383 (November 2003), amended LR 37:2616 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:304 (February 2014), amended by the Department of Health, Board of Social Work Examiners, LR 51:1592 (October 2025).

§309. Application Procedure

A. Applications are to be completed electronically as provided by the board.

B. A new application must be submitted for any change in social work credentials.

C. Applications for license, certification or registration are reviewed and approved by the board at regularly scheduled board meetings.

D. Applications and other required documentation must be received in the board office at least seven days prior to the board's meeting to be eligible for consideration.

E. The board shall refuse to consider any application not complete in every detail, including submission of every document required by the application form. At the board's discretion a more detailed or complete response to any request for information set forth on the application form may be required. Incomplete applications will not be considered submitted under R.S. 37:2709(B).

F. The application fee for licensure, certification, or registration is non-refundable and must be submitted in the form of a money order, certified check, or by credit card.

G. Applicants are responsible for submitting all documentation required by R.S. 37:2706, 37:2707, 37:2708, or 37:2724, and by §305 concurrently with submission of their application to the board. The board may provide forms for submission of this information.

H. The application for licensure, certification, and registration shall include the applicant's Social Security number in accordance with R.S. 37:23. Submission is not optional.

I. An applicant shall be deemed to have abandoned the application if the requirements for the credential are not completed within one year of the date on which the application was received. An application submitted subsequent to the abandoned application shall be treated as a new application.

J. Initial social work credentials issued during the three months prior to the renewal deadline (i.e. June, July, and August) will not be required to renew for the next fiscal year.

K. Procedure for Social Workers with Felony Convictions

1. It is the applicant's responsibility to submit documentation to the board sufficient to establish that the applicant meets the criteria of R.S. 37:2950.

2. The applicant shall collect and deliver the following documents to the board office concurrently with submission of their application:

a. copies of all court records containing information of the conviction and the imposition of sentence;

b. any documentation or records which reflect the term of any probationary period, the conditions of probation and the fulfillment and completion of all terms and conditions of probation;

c. the current name(s), addresses and telephone numbers of any probation officers or persons of similar title or job function to whom the applicant has reported or who has any information concerning the applicant's conduct during any probationary period;

d. if any form of restitution to a victim or victims was part of a sentence imposed or a condition of probation the applicant must provide the names, current addresses and telephone numbers of any such victim or victims and an affidavit of the applicant that affirms that all required restitution has been completed;

e. if the sentence included any form of imprisonment, residence at a half-way house, other forms of correctional and/or treatment facilities, the applicant must provide the complete address, names and current addresses of any persons having information relating to the satisfactory completion of any such prison term, residence or treatment, and any related documents. In the event that medical, psychiatric, psychological, substance or alcohol abuse evaluation, treatment and rehabilitation was in any way part of the sentence or a term or condition of probation, the applicant will execute any releases which may be required for the board to obtain information. Such information obtained will be maintained by the board on a confidential basis;

f. all records or documents relating to any arrest or conviction of any felony or misdemeanor which has occurred at any time since the applicant's original felony conviction or which occurs at any time during which the application is

pending or being investigated (this requirement is an ongoing responsibility of the applicant);

g. any documents, records, or information which the applicant wishes to present in support of his or her application which shows or evidences rehabilitation, positive social contributions, awards, commendations, social or lifestyle adjustments, positive treatment outcomes, employment or academic evaluations, volunteer work or any other area in which the applicant participated which would reflect on the applicant's good moral character and fitness to practice social work. (The applicant should provide the names, current addresses and telephone numbers of any references or persons having information in support of the application. While information in support of an application which occurred prior to the conviction may be submitted, the board will place greater emphasis on supporting documentation and information concerning events which have occurred since the felony conviction.);

h. true copies of any licenses, certificates to practice or similar documents issued by any board or licensing authority of any other state or the state of Louisiana obtained by the applicant since the date of the felony conviction and a complete listing of any college, graduate school, trade or business school and employers to whom he or she has made application since the date of the felony conviction. This includes any applications which were denied for any reason, including the felony conviction. Providing any false or misleading information, being evasive, concealing or making material omissions, or failing to cooperate shall form a basis for the denial of the application.

L. Additional Requirements for International Applicants/Speakers of English as a Second Language

1. Any document required to be submitted to the board with an application for license, certification or registration shall be in the English language, or accompanied by a certified translation thereof into the English language.

2. As a condition of the board's consideration of the application of a graduate of a foreign college or university, the applicant shall provide the board with a statement from the Council on Social Work Education that the applicant's degree is equivalent to an accredited social work degree in the United States.

M. Procedures for Applications of Military-trained Applicants or Spouses of Military Personnel, Issuance of Temporary Practice Permits and Priority Processing of Applications

1. In addition to the application procedures otherwise required by this Section, a military-trained social worker, as specified in §305.E.1, applying for registration, certification or licensure, shall submit with the application:

a. a copy of the applicant's military report of transfer or discharge which shows the applicant's honorable discharge from military service;

b. the official military document showing the award of a military occupational specialty in social work and a

transcript of all military course work, training and examinations in the field of social work;

c. documentation showing the applicant's performance of social work services, including dates of service in active practice, at a level which is substantially equivalent to or exceeds the requirements of the social work credential which is the subject of the application;

d. an affidavit from the applicant certifying that he or she has not been disciplined in any jurisdiction for an act which would have constituted grounds for refusal, suspension, or revocation of a license to practice social work in this state at the time the act was committed.

2. In addition to the application procedures otherwise required by this Rule, a spouse of a member of the active-duty military forces or a spouse of a former member of the military forces as specified in §305.E.3, applying for registration, certification or licensure, shall submit with the application:

a. a copy of the current military orders of the military spouse of the applicant and the applicant's military identification card or a copy of the military report of transfer or discharge of the military spouse of the applicant which shows an honorable discharge from military service;

b. a copy of the applicant's marriage license and an affidavit from the applicant certifying that he or she is still married to a military spouse or former military spouse;

c. the completion of all forms and presentation of all documentation required for an application pursuant to R.S. 37:2712 and §319;

d. an affidavit from the applicant certifying that he or she has not been disciplined in any jurisdiction for an act which would have constituted grounds for refusal, suspension, or revocation of a license to practice social work in this state at the time the act was committed and is in good standing and has not been disciplined by the agency that issued the license, certification, or permit.

e. documentation demonstrating competency in social work practice at the level which is the subject of the application and/or completion of appropriate continuing education units;

3. Applicants who present completed applications and the supporting documentation required by this Rule are eligible for a temporary social work practice permit at the level of the applicable social work credential which is the subject of the application. The board, through its staff, will give priority processing to such applications and, subject to verification of applications and supporting documentation, issue the appropriate temporary practice permit not later than 21 calendar days after the completed application is submitted. The temporary social work practice permit authorizes the applicant to practice social work at the designated level of the social work credential, consistent with the verified application and supporting documentation for a period of 90 days from the date of issuance.

4. As soon as practicable, but not longer than the duration of the applicant's temporary social work practice

PROFESSIONAL AND OCCUPATIONAL STANDARDS

permit, the board will either grant the application for the applicable social work credential which is the subject of the application or notify the applicant of its denial.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:302 (February 2000), amended LR 29:2383 (November 2003), LR 34:1402 (July 2008), LR 37:2617 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:305 (February 2014), amended by the Department of Health, Board of Social Work Examiners, LR 51:1593 (October 2025).

§311. Renewal Notice Requirements for LCSWs Supervising LMSWs or CSWs

A. Licensed clinical social workers must list on their renewal form all licensed master’s social workers and certified social workers under their supervision for licensure requirements and the agency setting in which the LMSW or CSW is practicing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:304 (February 2000), amended LR 29:2384 (November 2003), LR 34:247 (February 2008), LR 37:2618 (September 2011), amended by the Department of Health, Board of Social Work Examiners, LR 51:1594 (October 2025).

§313. Fees

A. The fees charged by the Louisiana State Board of Social Work Examiners shall be as follows. These fees are nonrefundable.

Fee	Amount
1. Application fee for LCSW	\$100
2. Application fee for LMSW	\$75
3. Application fee for RSW	\$50
4. Application fee for retake of LCSW exam	\$50
5. Application fee for retake of LMSW exam	\$50
6. Renewal fee for LCSW	\$100
7. Renewal fee for LMSW and CSW	\$100
8. Renewal fee for RSW	\$50
9. Lapsed renewal fee for LCSW (submitted after August 31 but before March 1 of the following year)	\$200
10. Lapsed renewal fee for LMSW and CSW (submitted after August 31 but before March 1 of the following year)	\$200
11. Lapsed renewal fee for RSW (submitted after August 31 but before March 1 of the following year)	\$100
12. Fee for returned checks	\$25
13. Reissuance of lost or destroyed certificate	\$25
14. Fee for mailing list per licensee	\$0.05

15. Copy fee for documents	\$0.25 per page plus postage and handling
16. Fax transmissions	\$5 first page \$1 each additional page
17. Written verification of license, certificate or registration	\$25
18. E-commerce fee	\$3

B. Applicants seeking reinstatement of a license, certificate, or registration pursuant to R.S. 37:2714(D) or (E) shall pay the applicable initial application fee stated in subsection (A)(1) through (3) of this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:304 (February 2000), amended LR 29:2384 (November 2003), LR 34:248 (February 2008), LR 37:2618 (September 2011), amended by the Department of Health, Board of Social Work Examiners, LR 51:1594 (October 2025).

§315. Board Members

A. Board Member Appointments

1. Whenever possible the board office shall notify all social workers of vacancies that occur on the board at least 45 days prior to the vacancy.

a. The notice to all social workers shall state the requirements for the vacant board position(s) and the date by which social workers or members of the public must submit a letter of interest and resume.

b. The notice to all social workers shall also include the names and addresses of all qualified social work membership organizations who meet the legal requirements to submit names for service on the board.

B. Officers. The board shall elect annually at its May or June board meeting, a chair, vice-chair, and secretary/treasurer.

C. Meetings

1. The board shall schedule meetings for the following calendar year during the last quarter of the current year.

2. A schedule of meeting dates shall be published.

3. Any board member who misses three board meetings, barring extenuating circumstances approved by the board, during the course of one calendar year shall resign from the board.

4. Special travel requests, other than regularly monthly meetings, must be approved by the board at regular monthly meetings.

D. Expense Reimbursement

1. Expenses charged to the board must be consistent with the time frame and mission of board meetings and other function. Expenses which are exceptions to this policy may be paid with justification and approval by the board.

2. Board members shall be reimbursed for actual traveling, incidental, and clerical expenses incurred while engaged in official duties.

a. Mileage expenses shall be reimbursed at the official state rate.

b. Airfare expenses must be at the state contract rate or economy class rate when contract rates are not available.

c. Lodging and meals shall be reimbursed at actual cost if receipts are submitted. Without receipts, lodging and meals shall be reimbursed at the appropriate state rate.

d. Incidental expenses are defined as telephone calls, fees for storage and handling of equipment, tips for baggage handling, parking fees, ferry fees, and road and bridge tolls.

3. Registration fees for conferences and room rental for a conference meeting are reimbursed at actual cost, but must be approved by the board at a regular monthly meeting.

4. Clerical expenses for individual board members shall be pre-approved by the board at a regular monthly board meeting.

E. Vacancies. The board shall notify all social workers and professional social work organizations of vacancies on the board, the qualifications required to serve, and the process for nominations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705(C).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:304 (February 2000), amended LR 29:2385 (November 2003), LR 34:248 (February 2008), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:305 (February 2014), amended by the Department of Health, Board of Social Work Examiners, LR 50:1648 (November 2024).

§319. Reciprocity and Endorsement

A. The board may grant a license, certification or registration pursuant to a social worker credentialed in another state, territory, commonwealth, or district in accordance with R.S. 37:2712.

B. A social worker seeking a Louisiana license, certification or registration pursuant to this Rule bears the burden to establish that the state, territory, commonwealth, or district in which they are credentialed requires substantially equivalent educational, supervision, and examination requirements as would be required for a Louisiana license, certification or registration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:306 (February 2000), amended LR 34:249 (February 2008), LR 37:2619 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:306 (February 2014), amended LR 51:1594 (October 2025).

§321. Certificate Lettering

A. Only the individual's name will be placed on the certificate. No degrees, honors, or other information shall be added.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:307 (February 2000).

§323. Causes for Disciplinary Action

A. Disciplinary action, including denial, suspension, revocation and other disciplinary options available to the board are set out in R.S. 37:2717, these rules, standards, and procedures and the Louisiana State Administrative Procedure Act.

B. The board will notify the professional community within 30 days of any disciplinary action including the discipline, the social worker's name, location, offense and sanction imposed. A notice of the disciplinary action also will be published in the Louisiana State Board of Social Work Examiners' Newsletter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:307 (February 2000).

§325. Inactive Status

A. A social worker with any valid registration, certification or license may petition on a form provided by the board to be placed on inactive status. A social worker on inactive status may only engage in the following:

1. participate as a member in a social work professional organization without compensation provided that such participation does not involve providing services to clients; and

2. participate as a member or officer without compensation on a non-profit board of an organization so designated by the Internal Revenue Service, provided that such participation does not involve providing services to clients.

B. A social worker on inactive status shall maintain half of the continuing education units required of active social workers.

C. A social worker on inactive status may retain this status for no more than five consecutive years without submitting a new petition pursuant to subsection A. However, in no event may a social worker maintain inactive status for more than ten cumulative years. A social worker on inactive status must renew their license, certification or registration annually during the renewal period designated by law.

D. A social worker may terminate their inactive status by providing written notice to the board and completing the number and type of continuing education hours required for active social workers in the credential year in which active status is resumed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1594 (October 2025).

§327. Emeritus Status

A. A social worker with any valid registration, certification or license who meets any of the following criteria may petition on a form provided by the board to be placed on emeritus (retired) status.

1. has attained the age of at least 60 years and has been credentialed by the board for at least 15 years;
2. has been designated as disabled by the appropriate authority and has been credentialed by the board for at least 15 years; or
3. has been credentialed by the board for at least 30 years.

B. A social worker on emeritus status may only engage in the following:

1. provide social work services on a volunteer basis and not for compensation;
2. participate as a member or officer in a social work professional organization; and
3. participate as a member or officer on a non-profit board of an organization so designated by the Internal Revenue Service.

C. A social worker on emeritus status shall maintain half of the continuing education units required of active social workers and shall pay one-half of the applicable renewal fee for the registration, certification or license.

D. A social worker on emeritus status may retain this status indefinitely.

E. A social worker may terminate emeritus status by providing written notice to the board and completing the number and type of continuing education hours required for active social workers in the credential year in which active status is resumed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1595 (October 2025).

§329. Discrimination Prohibited

A. The board shall not deny a license, certificate, or registration or otherwise discriminate against any applicant based upon the applicant’s race, religion, creed, national origin, age, sex, sexual orientation, gender expression, or differing abilities.

B. The board shall not discriminate against any person based upon the person’s race, religion, creed, national origin, age, sex, sexual orientation, gender expression, or differing abilities.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 50:1648 (November 2024).

§331. Public Comment at Board and Committee Meetings

A. *Public Comment* is defined as verbal or written comments given at a board or committee meeting pertaining to an agenda item specific to that meeting.

B. Members of the public may give public comments at meetings of the board or its committees pursuant to this section.

C. Written public comments may be submitted prior to the meeting via email. Emails will be received up to the close of business on the day prior to the meeting. All emails must be submitted to the address designated by the Board and must include the agenda item number, the commenter’s name, and a brief statement. If the commenter wishes to speak during the meeting, they must so state in their email.

D. Verbal public comments may be submitted during the meeting. If attending virtually, commenters may seek recognition using the appropriate function on the virtual platform used by the board or committee to broadcast its meeting. The commenter may speak using their microphone after the chair has recognized them. All participants will be muted upon entry. Any participant that speaks without being acknowledged by the chair or that does not have their device muted will be muted by the moderator. The chair will announce when the floor is open for comments. Verbal comments are limited to 2 minutes per commenter.

E. All comments submitted are recorded and are public record.

F. Public comment will be allowed at the beginning of each meeting prior to any votes by the board or committee. Once the public comment period is closed, it will not be reopened unless permitted by the chair.

G. The board may provide reasonable accommodation to members of the public who request such accommodations within 72 hours before a meeting of the board or committee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C and R.S. 42:17.2.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 50:1648 (November 2024).

§333. Board Meetings

A. The board shall post its notices and agendas on the board’s website at least 24 hours prior to each meeting.

B. The board shall provide for participation in open meetings via electronic means for any individuals with disabilities recognized by the Americans with Disabilities Act (ADA), and/or that individual’s caregiver.

C. The board shall provide the requestor with the accommodation, including the teleconference and/or video

conference link, for participation via electronic means following the receipt of the request.

D. The board shall maintain on its website a remote request form and shall provide a copy of this form via fax, mail or email in response to any written request for accommodation.

E. A board member shall be allowed to participate and vote in a meeting via teleconference as defined in R.S. 42:17.2.1.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C and R.S. 42:14(E)-R.S. 42:17.3.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 50:1648 (November 2024).

Chapter 5. Minimum Supervision Requirements

§501. The LMSW Who Pursues the LCSW Credential, or Who Provides Services Which Constitute Psychotherapy Must Be Supervised

A. A LMSW must be a salaried employee of an agency, organization, or facility that delivers social work services or a contractual employee of a governmental agency. The individual is considered an employee if:

1. s/he provides direct or indirect social work services;
2. s/he receives remuneration from an employer for these services;
3. the non-governmental employer withholds federal income taxes and FICA from the salary.

B. A LMSW will be considered as providing social work services on behalf of a federal, state, or local governmental agency on a contractual basis if:

1. there is written documentation of the contractual relationship between the LMSW and the governmental agency;
2. s/he receives remuneration from the governmental agency for providing direct or indirect social work services on behalf of the governmental agency;
3. the governmental agency provides the LMSW with either a Form 1099 or evidence of withholding of federal income taxes and FICA.

C. Volunteer work is not counted toward meeting the employment criteria.

D. LMSWs shall not:

1. contract directly with non-governmental agencies nor with clients for clinical services, consultation, supervision, or educational services except as a salaried employee;
2. bill directly for services rendered except to a governmental agency through a contract; or
3. claim to be licensed or in private practice.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:307 (February 2000), amended LR 34:1402 (July 2008), LR 37:2619 (September 2011).

§503. LMSWs Seeking the LCSW Credential

A. Supervision for the LCSW license can begin after the MSW obtains LMSW. Supervision shall be documented on the forms provided by the board.

B. Supervision for the LCSW license is conducted by a board-approved clinical supervisor (BACS). LMSWs may obtain a list of BACS from the board's website or office.

C. The supervision contract shall be completed by the supervisor, the supervisee, and the agency supervisor and shall be submitted to the Board office by the supervisee within 60 days of the first supervision session. The employment verification shall be completed by the employer and shall be submitted by the supervisee along with the supervision contract. Failure to do so shall result in supervision being issued from the date that is 60 days from the date received. A new supervision contract shall be submitted by the supervisee within 60 days of the change when the supervisee changes employment, changes supervisor and/or there is a change in the agency supervisor. If there is a change in employment, the supervisee must also submit a new employment verification. The board office will email the supervisee and supervisor a notice confirming receipt of the supervision contract and the beginning date of supervision, within 60 days of receipt of the contract.

D. LMSWs seeking the LCSW credential must complete a minimum of 3,000 hours of postgraduate social work practice under the supervision of a board-approved clinical supervisor (BACS).

E. During the 3,000 hours of supervised practice, 96 hours of face-to-face supervision must occur between the supervisor and supervisee. Supervisory meetings must last no fewer than 30 minutes and no longer than 2 hours. In no case should more than 80 hours of practice occur without a supervisory meeting. Supervision credit shall not be issued for the time period that this requirement is not met.

F. One-half (48 hours maximum) of the supervision requirement may be met through group supervision, occurring in increments of no more than two hours per group. No more than five supervisees may participate in a supervision group. In some cases, it may be beneficial to increase the number of group supervision hours. To obtain approval for up to 72 hours of group supervision, the supervisor must submit a written request to the board indicating the rationale for the increase. The board shall consider the request at a regularly scheduled board meeting and notify the supervisor of its decision within 30 business days.

G. School social workers shall count hours of postgraduate social work practice and supervision that occurs when they are employed in a social work position.

H. The supervisee and supervisor shall keep accurate records of both the dates of supervision sessions and the time spent in supervision, as well as brief information on the content of the supervisory session. Both the supervisor and supervisee will sign for each supervisory session. This information shall be provided on the form entitled record of supervision and should be maintained by the supervisee. Upon completion of supervision, this form shall be submitted to the board office. The board may also choose to randomly audit the record of supervision form to verify that supervision occurred in accordance with §503. If irregularities are found, supervision credit shall be reduced to reflect actual supervised time.

I. The supervisor shall also keep a supervision folder and it shall include the following:

1. copy of the supervision contract;
2. narrative of all supervisory sessions, including overview of cases discussed, significant decisions made; any ethical concerns; significant problems arising in supervision, and how they were resolved;
3. copies of memos and correspondence;
4. copy of evaluation of supervision form;
5. copies of the record of supervision.

J. The supervisor has a professional responsibility to honor his/her commitment to supervise responsibly, which includes covering content as indicated in the supervision contract, maintaining accurate records, making themselves available to the supervisee for required sessions and other consultations, and submitting forms on a timely basis. Should the supervisor fail to submit forms appropriately, and on a timely basis, the board reserves the right to withdraw the BACS designation from the supervisor.

K.1. The supervisee shall provide to the board office the following documents at the end of the supervisory period:

- a. evaluation of supervision;
- b. record of supervision.

2. The board office does not confirm receipt of these forms. These forms will be reviewed once an application for LCSW is filed by the LMSW.

L. An evaluation of supervision form shall be submitted to the board office at the completion of that supervisor's supervisory period. Sometimes it is necessary for a supervisor to discontinue supervising a LMSW for licensure. When this occurs, no matter what length of time the supervisor actually supervised the supervisee, the supervisor must submit an Evaluation of Supervision form.

M. The professional experience verification record shall be submitted by the supervisee to the board office from each place of employment to verify dates employed and the hours of social work practice completed during the time employed. The professional experience verification record shall be completed by the employer(s).

N. If the LMSW receives supervision outside of the state of Louisiana, that supervision will be accepted if:

1. the supervisor has completed the authorized forms of the Louisiana State Board of Social Work Examiners; and
2. the supervisor is licensed at the time of supervision at a level substantially equivalent to a LCSW-BACS in the other state and submits the license verification of out of state supervisor form (available from board office).

NOTE: The board's publication, Supervision for Professional Development and Public Protection: A Guide, provides more information relative to supervision.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705(C).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:307 (February 2000), amended LR 29:2387 (November 2003), LR 34:1402 (July 2008), LR 37:2620 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:306 (February 2014), amended by the Department of Health, Board of Social Work Examiners, LR 43:960 (May 2017), LR 46:791 (June 2020), amended LR 51:1595 (October 2025).

§505. The LMSW Not Receiving BACS Supervision or the CSW Not Eligible for BACS Supervision

A. The LMSW who is not receiving BACS supervision or the CSW not eligible for BACS supervision, may deliver clinical services only under the supervision of an LCSW. Supervision under these circumstances does not require that the supervising LCSW have the board-approved clinical supervisor (BACS) designation.

B. Regardless of the time spent in clinical practice, the LMSW or CSW must be supervised in accordance with the following rules.

C. The employing agency ultimately is responsible and accountable for services rendered by the LMSW or CSW; therefore, the agency may provide access to LCSW supervision to ensure quality of services. The LMSW or CSW may independently secure LCSW supervision.

D. On-site supervision by LCSWs is the preferred method of supervision.

E. Supervision may be rendered through individual supervision, group supervision, telephone contact or by secure electronic media to meet the needs of the agency and to provide timely services to clients in emergencies.

F. Supervision for LMSWs or CSWs rendering clinical services constituting psychotherapy shall total a minimum of two hours per month, counted in increments of no fewer than 30 minutes, for the duration of the time that the LMSW or CSW is rendering psychotherapeutic services.

G. The supervisee and supervisor must keep accurate records of both the dates of supervision, times and hours spent in supervision for potential audit of records. The board at its discretion may ask for a copy of the record.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:307 (February 2000), amended LR 34:249 (February 2008), LR 37:2620 (September 2011), amended LR 51:1595 (October 2025).

§507. Board-Approved Clinical Supervisor

A. To qualify for the Board-Approved Clinical Supervisor (BACS) designation, a social worker must:

1. hold the LCSW license;
2. verify at least three years of full-time social work experience at the LCSW level;
3. submit two letters of reference to the board from other professionals (one of whom should be an LCSW) who are familiar with the licensee's work, including supervision skills;
4. complete a board orientation workshop;
5. complete a board approved supervision workshop on the theory and techniques of supervision as well as procedures used in supervision toward licensure;
6. all requirements must be met before the social worker becomes a BACS.

B. To continue the BACS designation in good standing, the social worker must:

1. maintain LCSW licensure;
2. appropriately conduct all supervisory duties explicated in §503. Failure to comply with all regulations may result in the board lifting the BACS designation from the LCSW License;
3. Complete three clock hours of continuing education in clinical supervision every two years beginning July 1, 2008. These hours must be pre-approved by a LABSWE-designated approval organization.
4. If LCSW loses BACS because of missed training, he/she must cease supervising LMSWs for LCSW.

C. To reinstate BACS designation, the social worker must:

1. complete three hours of continuing education in the area of clinical supervision;
2. complete a board orientation workshop.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705(C).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:308 (February 2000), amended LR 29:2388 (November 2003), LR 34:249 (February 2008), amended by the Department of Health, Board of Social Work Examiners, LR 43:961 (May 2017).

§509. Telesupervision

A. Definitions

1. *In-Person Supervision*—clinical supervision conducted through real time, face-to-face meetings of the supervisee and supervisor in the same physical location.

2. *Telesupervision*—clinical supervision conducted through the use of real time, face-to-face synchronous interactive conferencing between the supervisee and supervisor through electronic, visual, and audio means.

B. Social workers engaging in electronic practice who provide services to clients in Louisiana shall be licensed to practice in Louisiana. Social workers who are licensed to practice in jurisdictions other than Louisiana and/or who are pursuing clinical licensure in another state shall be licensed to practice in Louisiana to engage in telesupervision. Social workers shall be actively engaged in the practice of social work in Louisiana to receive telesupervision. The supervisor shall be a Louisiana licensed supervisor.

C. A BACS licensed in Louisiana shall not provide telesupervision to social workers in pursuit of a clinical license in Louisiana who are not actively practicing social work in Louisiana. A BACS may provide telesupervision from outside of Louisiana, when located outside of Louisiana.

D. Licensed social workers who engage in telesupervision shall:

1. Complete 1.5 hours of continuing education in telesupervision. This is a one-time requirement. Documentation of completion shall be provided to the board.
2. Adhere to and preserve the confidential nature of supervision and the supervision process.
3. Ensure that clients whose records may be discussed as a part of supervision provide written informed consent to having confidential records and information transmitted electronically in accordance with Health Insurance Portability and Accountability Act (HIPAA) of 1996.
4. Conduct telesupervision in a setting that adheres to licensure and interstate boundaries regarding location of the supervisor and supervisee and in a manner that protects the privacy of both parties and client information. The supervisor shall terminate the telesupervision session if the confidentiality of the process is compromised inclusive but not limited to malfunction or inoperability of the technology platform that contributes to the impediment of the telesupervision process.
5. Utilize secure transmittal methods, (encryption, for example) to maintain confidentiality of information and maintain proficient knowledge and skills in the utilization of electronic platforms.
6. Ensure continuity, consistency, and format of supervision delivery are clearly outlined in the written supervision contract. The supervision contract shall indicate the format of delivery and safeguards for the supervision process.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1595 (October 2025).

Chapter 7. Recovering Professional Program Authority

§701. Authority

A. The Louisiana State Board of Social Work Examiners recognizes that impairments in the functioning of persons licensed, credentialed or registered to practice under the auspices of the Louisiana Social Work Practice Act can affect competent delivery of social work services and impair professional judgment.

B. Therefore, in order to safeguard the public health, safety, and welfare of the people of this state, as mandated by R.S. 37:2701, the Louisiana State Board of Social Work Examiners establishes the Social Work Recovering Professional Program.

C. If the board receives verifiable information, which information or report puts in question a licensee's or applicant's ability to perform the essential functions of practicing social work without risking injury to themselves or others, the licensee or applicant shall submit to such physical or mental examination, evaluation, test, or drug/alcohol screen as requested by the administrator or board designee to determine the licensee's or applicant's ability to practice social work with reasonable skill and safety.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2389 (November 2003), amended LR 34:249 (February 2008), amended LR 51:1596 (October 2025).

§703. Purpose

A. The goal of the Social Work Recovering Professional Program is to provide for public protection through monitoring and a remediative course of action applicable to social workers who are physically or mentally recovering due to mental illness or addiction to drugs or alcohol. Impairments include, but are not limited to mental, medical, physical, and addictive disorders or other conditions. The program also supports recovery through preventive measures and allows entrance into the program before harm occurs.

B. A social worker who meets the requirements of R.S. 37:2706, 2707, 2708, or 2724 may enter the program subsequent to self-disclosure of impairment via an initial or renewal application for a credential. Entrance into the program may also occur by determination of the board, following involuntary disclosure of impairment in accordance with R.S. 37:2717(A)(2) or R.S. 37:2717(B)(4), or by other circumstances deemed appropriate by the board. Participation in the program may hence be required as a prerequisite to continued social work practice in accordance with the conditions of any consent order, compliance or adjudication hearing. A social worker who enters the program may be allowed to maintain his/her social work credential while in compliance with the requirements of their program.

C. Professionals who participate in evaluation, monitoring or treatment and who are recognized approved or

designated by the board to render these services are afforded the immunity provisions of the Social Work Practice Act, R.S. 37:2723. The social worker will be responsible for executing all required releases of information and authorizations required for the board or its designees to obtain information, from any monitor, treatment or service provider concerning the social workers progress and participation in the program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2389 (November 2003), amended LR 34:249 (February 2008), LR 37:2620 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:306 (February 2014), amended LR 51:1596 (October 2025).

§705. Program Implementation

A. The board may utilize its discretionary authority to require or exclude specific components of this program for participants based upon determination of the nature and severity of the impairment. Participation in the Social Work Recovering Professional Program may consist of all or part of the following components.

1. The program participant is required to submit to an intake interview conducted by the RPP Manager and/or evaluation by a board recognized treatment provider relative to the impairment.

a. If impairment is suspected to be related to addiction to drugs or alcohol, the evaluation is to be conducted by a team of professionals recognized by the Louisiana State Board of Social Work Examiners.

b. The format and content of this evaluation will meet the requirements designated by the board, but will at a minimum contain information concerning:

- i. previous inpatient/outpatient treatment episodes;
- ii. relapse history;
- iii. an assessment of the participant's psychosocial, physical and other needs relative to the impairment;
- iv. review of program participant's Prescription Monitoring Record;
- v. observed urine, hair and blood testing for drugs and alcohol;
- vi. collateral information; and
- vii. recommendations for future treatment.

c. The evaluation will be forwarded to the board or its designee by the treatment team completing the assessment, to be received no later than 30 days following the board's determination of the participant's potential eligibility or requirement to participate in the program.

2. The participant may be required to submit to ongoing monitoring for a period of up to five years.

a. The beginning date of the monitoring period will be the date upon which a consent order or participation

agreement is formally accepted and signed by the board, or the date of the board's official decision to require program participation in the event of an adjudication hearing.

3. During the monitoring period the social worker may be required to submit to random drug and/or alcohol screenings as determined appropriate by the RPP Manager, or other monitoring requirements which are pertinent and relative to the documented impairment.

a. The interval, timing and details of the required screening will be directed by the RPP Manager.

b. Results and reports of all screens for a minimum of the month prior will be submitted to the board or its designee during regularly scheduled board meetings.

4. Receipt of any positive, unexplained substance abuse/drug screen or reports of non-compliance or complications relative to the impairment during the monitoring period may result in suspension, or other appropriate action pertaining to the social worker's credential, or exclusion from the IPP, as determined appropriate by the board.

5. When the impairment is related to addiction, the social worker may be required to attend and participate in a Twelve Step recovery program, or an alternative mutual help program approved by the RPP Manager or the board.

a. Verification of monthly attendance at required Twelve Step and support groups must be submitted to and received by the board or its designee in the manner, format and timeline stipulated in social worker's participation agreement.

6. During the monitoring period the social worker may be required to participate in professional supervision with a board approved and designated LCSW at a frequency determined by the board for a period of time up to and including the entire five year period of monitoring.

7. In the event that a social worker relocates to another jurisdiction, the social worker will within five days of relocating be required to either enroll in the other jurisdiction's recovering professional program and have the reports required under that agreement sent to the Louisiana State Board of Social Work Examiners, or if the other jurisdiction has no recovering professional program, the social worker will notify the licensing board of that jurisdiction that the social worker is recovered and enrolled in the Louisiana Social Work Recovering Professional Program. Should the social worker fail to adhere to this requirement, in addition to being deemed in violation of the program requirements and corresponding consent order or adjudication, the social worker's social work credential will be suspended.

8. The social worker shall notify the board office by telephone within 48 hours and in writing within five working days of any changes of the social worker's home or work address, telephone number, employment status, employer and/or change in scope or nature of practice. The social worker may satisfy the notice by telephone requirement by

leaving a voice message at the board office at times when the office is closed.

9. Other requirements for participation in the program may include but are not limited to limitations of social work practice.

10. The board, in addition to other conditions, may require that the social worker obtain regularly scheduled therapy (at a prescribed interval).

11. Notification of a violation of the terms or conditions of this agreement, consent order or adjudication order may result in the immediate suspension of the individual's social work credential to practice in the state of Louisiana.

12. The social worker shall be responsible for all costs incurred in complying with the terms of this agreement, including but not limited to therapy, assessments, supervision, drug/alcohol screens and reproduction of treatment or other records.

13. The social worker must submit to the board an appropriately notarized participation agreement indicating acceptance of the required conditions of participation in the Social Work Recovering Professional Program mandated by the board, along with all initial (or updated) releases or authorizations for the board or its designees to obtain information concerning the social worker's participation and progress in the program. This statement and the required releases and authorizations must be submitted prior to the issuance of any initial credential or re-issuance of a renewal of a credential.

14. The board will, to the full extent permissible under R.S. 44:4(26), maintain an agreement or consent order relating to the social worker's participation in the Social Work Impaired Professional Program as a confidential matter. The board retains the discretion to share information it deems necessary with those persons providing evaluation/assessment, therapy, treatment, supervision, monitoring or drug/alcohol testing or reports. Violation of any terms, conditions or requirements contained in any consent order, or board decision can result in a loss of the confidential status.

B. The records of the RPP, including participation agreements and all information concerning participants, including assessments, evaluations, physical, mental or substance abuse evaluations and/or therapy and treatment records, monitoring logs, substance abuse/drug screens, attendance verification calendars and any other information received by the RPP in connection with a social worker's participation in the program are within the custody and control of the Louisiana State Board of Social Work Examiners. Consistent with §705(A)(14), such records shall be maintained by the board on a confidential basis during the term of the social worker's participation agreement and thereafter retained by the board for a period of not less than five years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2389 (November 2003), amended LR 34:250 (February 2008), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:306 (February 2014), amended LR 51:1596 (October 2025).

Chapter 10. Procedural Rules for Disciplinary Hearings

§1001. Authority [Formerly §901]

A. Consistent with the legislative purpose specified in R.S. 37:2701 et seq., and to protect the safety and welfare of the people of this state against unauthorized, unqualified and improper practice of social work, the following rules, standards, and procedures are established under the board's rule making authority of R.S. 37:2705(C), 37:2717(C)(E) and R.S. 49:952.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29: 2390 (November 2003), repromulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 37:2621 (September 2011), LR 51:1598 (October 2025).

§1003. Purpose and Construction

A. The purpose of this Chapter is to ensure that all persons appearing before the board are afforded the right to due process and to a fair investigation and adjudication of matters under the board's authority.

B. This Chapter shall be construed to accomplish the purpose stated in Subsection A above.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1599 (October 2025).

§1005. Simplification and Accessibility

A. In accordance with the stated purpose and required construction of this chapter, the board may provide information to licensees and applicants summarizing and simplifying this chapter; however, these informational materials will not supersede this Chapter.

B. The board may also prepare and disseminate forms to assist complainants and respondents in the investigative and adjudicative process.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1599 (October 2025).

§1007. Duty to Maintain Contact Information; Notification to Applicant or Licensee; Service

A. All applicants and licensees have a duty to maintain current contact information with the board, including an

accurate mailing address, a serviceable email address, and a current telephone number.

B. Unless a more specific method of service is required by these rules, notification to a licensee or applicant shall be sufficient if such notification is sent to the applicant's or licensee's email address or first-class mail to the applicant's or licensee's mailing address on file with the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1599 (October 2025).

§1009. Complaint Origination

A. The administrator is authorized to receive complaints against licensees and applicants from any person. The administrator is also authorized to initiate a complaint upon receipt of information that, if proven, would constitute grounds for discipline under the Practice Act or this Part.

B. Upon receipt of a complaint, the administrator shall verify its compliance with this Chapter. The administrator may reject a complaint if:

1. the respondent cannot be determined from the complaint;
2. the respondent is neither a licensee nor an applicant;
3. the complaint is illegible or incomplete; or
4. the complaint does not allege facts which, if proven, would constitute a violation of the Practice Act or this Part.

C. When the administrator rejects a complaint pursuant to subsection B, the complainant shall be notified in writing. The administrator shall report to the board at its next regularly scheduled meeting the nature of any rejected complaints and the reason for the rejection.

D. All complaints received by the administrator and not rejected shall be assigned a complaint number in accordance with a numbering system prescribed by the administrator. The administrator shall notify the respondent in writing that a complaint has been received.

E. When two complaints concern the same or related respondents and describe the same or a substantially similar event, transaction, or conduct, the administrator may consolidate the complaints. The board may order two or more complaints consolidated or sever consolidated complaints for good cause.

F. To assist in an investigation, the board is authorized to issue, as necessary or upon request, such investigative subpoenas as may be required to obtain documents, the appearance of witnesses, or sworn statements or testimony.

G. As part of an investigation, the board is authorized to obtain criminal history record information from respondents who have not previously submitted to the requirements of R.S. 37:2710.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1599 (October 2025).

§1011. Consideration of Recommended and Provisional Dismissals; Declining Prosecution

A. The administrator or prosecuting officer may recommend that a complaint be dismissed at any time prior to final adjudication. Recommendations for dismissal by the administrator or the prosecuting officer and provisional dismissals for withdrawn complaints pursuant to §1056 must be reviewed by a board member and considered by the board prior to final dismissal. Complaints rejected by the administrator pursuant to §1010(B) are exempt from the procedures in this Section.

B. Prior to each regular meeting of the board, the chairperson shall designate one or more board members, on a rotating basis, to review all recommendations for dismissal and applicable provisional dismissals since the previous regular board meeting. The administrator will forward all complaint files recommended for dismissal or provisionally dismissed to the board member designated for review.

C. For recommended dismissals, the reviewing board member shall evaluate the complaint file to ensure that the dismissal recommendation is sound and is appropriately based in law and fact. The reviewing board member may also review any recommended remedial or educational measures, or the lack thereof, for appropriateness.

D. If the reviewing board member concurs with the recommendation that a complaint be dismissed, the board member shall make an oral report to the board and personally move for the complaint's dismissal at the next regular board meeting following review.

E. If the reviewing board member disagrees with the recommendation that a complaint be dismissed, the board member shall make an oral report to the board outlining the nature of the disagreement and recommend that the complaint be returned to the administrator for prosecution. If, after a complaint is returned to the administrator under this subsection, the prosecuting officer nevertheless declines to prosecute the complaint, the prosecuting officer shall file a written notice with the board and provide the reasons for declining prosecution.

F. The standard for provisional dismissals based on withdrawn complaints is stated in §1056.

G. When a board member reviews a recommended or provisional dismissal under this Section, the board member shall not sit on a hearing panel adjudicating that complaint without the consent of the respondent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1599 (October 2025).

§1013. Prerequisites for Institution of Administrative Proceedings; Showing of Compliance

A. At any point before an Administrative Complaint is filed with the board, the administrator shall notify the respondent of the nature of the potential charges against the respondent and permit the respondent to provide a response within 30 calendar days.

B. If the respondent submits evidence to show compliance in response to this notice within the time allowed, the administrator and prosecuting officer shall review the evidence and determine whether it is legally sufficient to constitute compliance with all lawful requirements for the retention of a registration, certification, or license under the Practice Act. If the evidence provided is not sufficient, the prosecuting officer shall institute administrative proceedings pursuant to §1016. If the administrator and prosecuting officer are satisfied that the evidence submitted is sufficient to show compliance, the matter shall be docketed for the next regularly board meeting as a recommended dismissal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1600 (October 2025).

§1015. Institution of Administrative Proceedings

A. Upon exhaustion of the procedures in §1014, the prosecuting officer shall file an administrative complaint with the board.

B. Upon receipt of an administrative complaint, the administrator shall docket the matter for adjudicative hearing at a regular meeting of the board. The administrator shall serve the filed administrative complaint and written notice of the hearing to the prosecuting officer and to the respondent pursuant to the Practice Act. The administrator shall also notify the respondent, in writing, of any deadlines for pre-hearing motions or other submissions.

C. The respondent may file a response to the allegations in the administrative complaint, admitting or denying the allegations of fact and law and urging any defenses potentially applicable.

D. The administrator shall be responsible for serving the prosecuting officer with any response filed by the respondent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1600 (October 2025).

§1017. Right to Counsel; Notice of Representation

A. The respondent has the right to be represented by an attorney in all administrative proceedings before the board.

B. An attorney representing a respondent before the board must file a notice of representation with the board prior to the attorney's first appearance. This notice must include the attorney's name, bar roll number, telephone number, mailing address, and email address.

C. Upon receipt of a notice of representation, the administrator shall advise the prosecuting officer of such notice and shall direct all communications to the respondent's attorney.

D. Nothing in this section shall be construed to require the board to furnish a respondent's legal representation nor to require an attorney be provided to a respondent free of charge.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1600 (October 2025).

§1019. Pre-Hearing Motions and Other Filings

A. Any party may file one or more motions in advance of an adjudicative hearing. The nature of the relief sought by the motion must be concisely stated and supported by facts and law in the motion itself or in an accompanying memorandum.

B. The following is a non-exclusive list of pre-hearing motions:

1. Motion to Dismiss;
2. Motion to Exclude Evidence or Testimony;
3. Motion to Recuse Board Member or Hearing Officer;
4. Motion to Continue (Delay) Hearing;
5. Motion to Compel Production of Documents or Things; and
6. Motion to Compel Appearance of a Witness.

C. Pre-hearing motions may be filed at any time prior to the adjudicative hearing.

D. All pre-hearing motions shall be assigned to the hearing officer. The hearing officer may issue a ruling on the motion in writing prior to the adjudicative hearing or orally as a preliminary matter at the adjudicative hearing. Oral argument on the pre-hearing motion may be granted at the hearing officer's discretion.

E. Oral motions may be heard, considered, and decided at the beginning of an adjudicative hearing at the discretion of the hearing officer.

F. Interlocutory decisions of the hearing officer are immediately appealable to the hearing panel.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1600 (October 2025).

§1021. Discovery

A. The parties may conduct discovery pursuant to the Louisiana Administrative Procedure Act.

B. The parties shall exchange all documents they intend to use as exhibits in an adjudicative hearing no less than ten days prior to the hearing. For good cause shown, exhibits

exchanged after the deadline may be considered at the adjudicative hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1600 (October 2025).

§1023. Hearing Panels

A. After the board has selected its regular meeting dates for a calendar year, the chair shall designate a standard panel and limited panel for each regular meeting of the board. The panels so designated shall hear and decide all adjudicative hearings and compliance hearings docketed for that date unless necessary to comply with Subsection D of this Section. The chair shall ensure, to the extent practicable, that each panel is diverse.

B. All adjudicative hearings take place before a standard panel; however, a respondent may request in writing to proceed before a limited panel. Upon receiving such request, the administrator will docket the adjudicative hearing before a limited panel.

C. In the event one or more members of a hearing panel are not present for the hearing, the chair shall designate a board member to substitute for the assigned hearing panel member. If there are not enough qualified board members present to compose a standard panel, an adjudicative hearing may proceed before a limited panel only if the respondent consents or if the hearing is being conducted in default. If the respondent is present but does not consent, the adjudicative hearing shall be continued to the next available hearing date.

D. When the respondent is a licensee, the hearing panel shall include a board member possessing the same credential as the respondent unless the members with the same credential are recused or this requirement is waived by respondent. If the panel assigned for the hearing date does not include a member possessing the same credential as the respondent, a panel member with a different credential shall be replaced by a member with the same credential as the respondent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1600 (October 2025).

§1025. Hearing Officer

A. Upon docketing of an administrative complaint, if the chair will not serve as the hearing officer, the chair shall appoint a hearing officer assigned to the complaint. The name of the hearing officer appointed shall be affixed to the administrative complaint filed with the board and shall be noted on all motions and other documents filed with the board relating to the complaint.

B. The hearing officer must be one of the following:

1. the chair;
2. a member of the board;

3. the general counsel; or
4. an attorney licensed in Louisiana appointed by the board.

C. When the hearing officer is a member of the board, the hearing officer shall take part in deliberations and in rendering a decision after the adjudicative hearing. When the hearing officer is not a board member, the hearing officer shall provide advice and guidance to the hearing panel upon request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1601 (October 2025).

§1027. Recusal

A. Board members, hearing officers, and prosecuting officers have a duty to recuse themselves from proceedings in the following circumstances:

1. the board member, prosecuting office, or hearing officer is a witness in the proceedings;
2. the board member, prosecuting officer, or hearing officer has a familial or professional relationship with the respondent or the complainant such that failure to recuse would cast doubt upon the validity and fairness of the proceedings; or
3. the board member, prosecuting officer, or hearing officer is biased, prejudiced, or interested in the proceeding or its outcome or biased or prejudiced toward or against the parties or the parties' attorneys or any witness to such an extent that they would be unable to conduct fair and impartial proceedings.

B. Any party may move to recuse a board member or hearing officer for good cause shown. Motions to recuse shall be considered by the hearing panel, excluding the board member sought to be recused who shall not participate in the hearing of the motion. The motion to recuse shall be heard as soon as practicable after the motion is filed. The motion shall be granted only if a majority of the panel finds recusal appropriate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1601 (October 2025).

§1029. Open Meetings; Privilege; Confidentiality

A. Proceedings before the board, including adjudicative hearings, shall be conducted in accordance with the Louisiana Administrative Procedure Act, as modified by the Louisiana Public Records Law (R.S. 44:1, et seq.) and any other state or federal law of privacy or privilege.

B. To the extent applicable, the testimonial privileges set out in the Practice Act and the Louisiana Code of Evidence will apply to the hearings before the board. By bringing a complaint against a social worker, the client waives the

privilege of confidentiality with respect to any information necessary for the board to adjudicate the matter.

C. The board shall take all reasonable steps to protect confidential records from public disclosure, including sealing documents or records or designating portions of a complaint file or record of adjudication as confidential and not subject to public disclosure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1601 (October 2025).

§1031. Pre-Hearing Conference

A. Prior to an adjudicative hearing, the parties may request, or the hearing officer may order, a pre-hearing conference. Any such request or order shall be in writing and filed with the board. A pre-hearing conference may be in person or conducted via telephone or videoconference.

B. The parties may use the pre-hearing conference to simplify and condense the issues, agree on the introduction of evidence, develop stipulations, develop a narrative of facts, or employ any other mechanism to simplify and streamline proceedings.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1601 (October 2025).

§1033. Record of Adjudication

A. The administrator shall be responsible for maintaining a record of adjudication for each complaint. The record of adjudication shall contain all documents required by R.S. 37:2717(C).

B. All adjudicative hearings shall be transcribed in full by a properly credentialed court reporter. The transcript of the adjudicative hearing shall become part of the record of adjudication. Other ancillary hearings, such as hearings on pre-hearing motions, consideration of consent discipline, or other proceedings, may also be transcribed by a properly credentialed court reporter and may become part of the record of adjudication.

C. The administrator may seal portions of the record of adjudication in the interest of protecting privacy or privilege of a client or other affected person.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1602 (October 2025).

§1035. Conduct of Adjudicative Hearing

A. Adjudicative hearings are conducted in open session, except where closed or executive session is specifically authorized by law, as identified in these Rules.

B. At the adjudicative hearing, the prosecuting officer and the respondent may present evidence on all issues of fact and

argument on all issues of law and policy involved; may call, examine, and cross-examine witnesses; and may offer and introduce documentary evidence and exhibits as may be required for a full and true disclosure of the facts and disposition of the complaint.

C. During the hearing, the hearing officer shall rule upon all evidentiary objections and other procedural questions, but in their discretion may consult with the hearing panel in executive session. The general counsel, when not serving as the hearing officer, may assist the hearing officer and the hearing panel, either in open session or executive session, in ruling on evidentiary objections and other procedural issues raised during the hearing.

D. The order of presentation in an adjudicative hearing, unless the parties stipulate otherwise and the hearing panel approves, is first the presentation of evidence by the prosecuting officer, the presentation of evidence by the respondent, then rebuttal by the prosecuting officer (if any). Rebuttal shall be directed to issues raised by the evidence and defenses presented by the respondent. In the interest of fairness, the respondent may be provided a limited opportunity to present additional evidence following rebuttal.

E. Hearing panel members may question any witness at any time during the witness' testimony when recognized by the hearing officer. Additional direct examination, cross-examination, or redirect examination by either party to address responses to questions by hearing panel members shall be permitted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1602 (October 2025).

§1037. Evidence and Proof in Adjudicative Hearings

A. In an adjudicative hearing, the hearing panel may give weight to evidence that a reasonable person would find credible and probative. The panel may exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence. Objections to evidence may be made by the parties and shall be noted in the record.

B. Any documents either party desires the hearing panel to consider may be offered as an exhibit and made part of the record of adjudication. Copies or excerpts of documents are competent evidence if they are properly authenticated.

C. When the interests of the parties will not be prejudiced, any part of the evidence may be received in written form.

D. Unless prohibited by law, the hearing panel will honor and receive written and verbal stipulations between the parties as established facts, provided that verbal stipulations are entered on the record of adjudication by all parties or their counsel.

E. The hearing officer shall have the power to administer oaths or affirmations to all witnesses appearing to give testimony. The hearing officer shall regulate the course of the adjudicative hearing, set the time and place of continued

hearings, and fix the time for the filing of post-hearing briefs and other documents (if any are required or requested).

F. In an adjudicative hearing, the Louisiana Code of Evidence may be used as a reference by the hearing panel for admissibility of evidence and other evidentiary issues. The provisions of the Code of Evidence relating to hearsay are not strictly applicable to adjudicative hearings.

G. At an adjudicative hearing, the burden of proof rests with the prosecuting officer. A hearing panel shall not impose a sanction or issue an order except upon consideration of the entire record of adjudication, as supported by and in accordance with reliable, probative, and substantial evidence. The burden of proof related to any issue is that of a preponderance of the evidence.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1602 (October 2025).

§1039. Notice of Generally Recognized Facts and Social Work Principles

A. Upon its own motion or on request of a party, the hearing panel may take notice of and accept facts not disputed.

B. The hearing panel may draw upon its knowledge of social work, social work practice, and social work methodology in evaluating any evidence presented.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1602 (October 2025).

§1041. Closing Arguments; Post-Hearing Filings; Submission of Matter

A. At the close of evidence, the parties may offer closing arguments. The prosecuting officer shall offer closing arguments first, followed by the respondent. The prosecuting officer may provide a rebuttal after the respondent's closing argument.

B. The hearing panel may request the parties file post-hearing memoranda, proposed findings of fact and conclusions of law, or any other post-hearing filings that would assist the hearing panel in adjudicating the matter. All documents shall be filed within the delay prescribed by the hearing panel. A matter will be deemed submitted to the hearing panel when the deadline set by the hearing panel for accepting post-hearing filings has passed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1602 (October 2025).

§1043. Decision on Adjudicative Hearing

A. When a matter has been submitted, the hearing panel shall deliberate and reach its findings of fact and conclusions

of law as soon as practicable. The hearing panel shall render its decision in writing within 60 calendar days after the matter's submission.

B. The hearing panel's findings of fact and conclusions of law, including any sanction if applicable, shall be issued by the hearing officer on behalf of and in the name of the board. In any decision in which the hearing panel's decision was not unanimous, those hearing panel members deciding with the majority shall be noted in the decision. Any panel member disagreeing with any portion of the decision shall note their dissent on the decision and may supply written reasons for the dissent.

C. A copy of the decision and any written reasons shall be served promptly upon respondent or their counsel of record and on the prosecuting officer in the same manner of service prescribed for the service of complaints. The decision shall include deadlines for filing a petition for rehearing and petition for administrative appeal.

D. A decision becomes a final adjudication when delays for rehearing and administrative appeal have run without further action or when a decision has been administratively appealed and resolved by an en banc panel.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1603 (October 2025).

§1045. Rehearing

A. A party may request rehearing by filing a petition for rehearing with the Board pursuant to R.S. 49:959. This petition must be filed within 10 calendar days of the entry and mailing of the decision.

B. A petition for rehearing shall be submitted to the matter's hearing officer, who shall determine whether the matter will be reopened and, if so, the issues to be reopened.

C. On rehearing, the hearing panel in the original adjudicative hearing shall receive evidence as to the reopened issues and shall reach a decision as provided in §1044.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1603 (October 2025).

§1047. Administrative Appeal

A. A respondent aggrieved by a decision of a hearing panel may administratively appeal the decision to an en banc panel.

B. A respondent commences an administrative appeal by filing a petition for administrative appeal with the board no less than 30 calendar days after the expiration of the time to file a petition for rehearing or after a decision on rehearing is rendered. The petition for appeal need only give notice of the grounds for the appeal and the relief sought.

C. The en banc panel may request written briefs, oral argument, or both. If written briefs are requested, the en banc

panel shall provide the parties with a reasonable briefing schedule.

D. On appeal, the en banc panel may reverse or modify factual determinations only if they are clearly wrong. The en banc panel may reverse or modify legal conclusions, rulings on evidence, and sanctions imposed only if it finds the hearing panel or hearing officer abused its discretion.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1603 (October 2025).

§1049. Informal Resolution through Consent Discipline

A. At any point after the administrator's receipt of a complaint but before final adjudication, the respondent may resolve the complaint through consent discipline, provided that any consent discipline must be approved by the prosecuting officer and the board.

B. Upon approval by the board, consent discipline is deemed to be a final adjudication of the complaint and is not subject to rehearing or administrative appeal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1603 (October 2025).

§1051. Voluntary Relinquishment of Credential in Lieu of Discipline

A. A licensee may request to resolve any complaint pending against them by filing with the board at any time a petition for voluntary relinquishment of credential. The petition shall include the licensee's name, credential number, and a statement that the licensee wishes to voluntarily surrender their registration, certification, or license in lieu of answering the complaint against them.

B. A petition for voluntary relinquishment of credential may be granted by the board in its discretion. The board may grant the petition based only on the complaint and written submissions of the respondent or may order the respondent to appear for a hearing.

C. If the board grants a petition for voluntary relinquishment of credential, the order granting such petition must contain the following information:

1. identification of the respondent and any credential number held by the respondent;
2. a statement of the respondent's alleged conduct, including the underlying material facts and the statutes or rules the respondent is alleged to have violated;
3. a statement that the respondent has chosen to petition the board for voluntary relinquishment of their credential rather than answer the allegations against them;
4. instructions to the respondent as required to complete the surrender;

- 5. amounts to be paid to the board, including costs and attorney's fees, as part of the surrender, if any;
- 6. additional conditions of the surrender, if any;
- 7. conditions imposed upon the respondent's reapplication for any credential, including any moratorium on reapplication; and
- 8. a statement that the order is a public record and will become part of the respondent's permanent disciplinary record.

D. A licensee who has voluntarily relinquished their credential shall be treated as a new applicant if they seek any credential from the board after such relinquishment. The licensee shall be ineligible for any credential unless and until all conditions of their relinquishment, such as payment of costs or fees, have been satisfied.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1603 (October 2025).

§1053. Default

A. When notice has been sent to a respondent's address of record via U.S. Certified or Registered Mail and the respondent fails to appear without good cause, the adjudicative hearing may proceed in the absence of the respondent. When the respondent fails to appear, the hearing panel shall first conduct an evidentiary hearing to determine whether the respondent was sent notice of the hearing as required by this Part.

B. When an adjudicative hearing proceeds according to this section, the rules concerning evidence and proof remain applicable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1604 (October 2025).

§1055. Withdrawal of Complaint

A. A complainant may withdraw a complaint at any time prior to submission of the matter to the hearing panel under §1042. The complainant withdraws a complaint by written notice to the administrator.

B. When a complaint is withdrawn, the administrator shall provisionally dismiss the complaint if there are no remaining violations to be adjudicated. The administrator shall then transmit the claim file to a reviewing board member pursuant to the procedures outlined in §1012.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1604 (October 2025).

§1057. Summary Suspension and Other Interim Action

A. Pursuant to R.S. 37:2717(B)(6), when the administrator or prosecuting officer believes that protection of the public health, safety, or welfare imperatively requires emergency action on a complaint at any stage of the disciplinary process, the administrator, prosecuting officer, or both may petition the chair for a summary suspension of a licensee or any other temporary, interim action against a licensee or applicant.

B. The petition must be in writing, must clearly identify the threat to the public health, safety, or welfare presented by the licensee, and must state the interim action sought. The petition must be filed with the chair.

C. Upon receipt of a petition pursuant to this section, the chair will immediately appoint a limited panel who will hear and adjudicate the petition. The limited panel will convene a hearing no more than 10 days after the chair's receipt of the petition.

D. The respondent shall be notified of the petition and the hearing as quickly as reasonably possible by the administrator or prosecuting officer. The respondent must be permitted to be heard if the respondent requests it. A hearing without notice to the respondent and an opportunity to be heard is null except under the most extraordinary of circumstances whereby advance notice of the petition and hearing to the respondent would result in additional harm to the public health, safety, or welfare.

E. The limited panel shall render its decision in writing and serve it on all parties as quickly as practicable.

F. The respondent may, at any time, move to dissolve any interim action taken against them by filing a motion to dissolve with the chair. To dissolve the interim action, the respondent must establish that either:

- 1. The petition for interim action was improvidently granted, or
- 2. The threat to the public health, safety, or welfare occasioned by the respondent's acts or omissions no longer exists.

G. Motions to dissolve must be heard by the same limited panel that heard the initial petition for interim action.

H. Interim action may be modified upon motion of a party or on the limited panel's own motion. Interim action dissolves upon dismissal or final adjudication of the underlying complaint.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1604 (October 2025).

§1059. Meetings and Hearings by Videoconference

A. Testimony may be received in any hearing or meeting pursuant to this Chapter via teleconference or videoconference when necessary for the interests of justice

and expediency, provided the hearing or meeting is conducted in compliance with relevant open meetings laws.

B. No teleconference or videoconference may proceed under this Chapter if the respondent, licensee, or applicant whose credential or application is at issue cannot meaningfully participate in the teleconference or videoconference.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1604 (October 2025).

§1061. Letter of Concern or Education; National Database Reporting

A. The board may issue a letter of concern or education when there is insufficient evidence of a violation.

B. Notwithstanding the board's reporting obligations under 45 CFR 60.4 et seq., a letter of concern or education will not result in a "disciplinary flag" as that term is described in this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1604 (October 2025).

Chapter 11. Procedural Rules for Other Hearings

§1101. Compliance Hearing; Purpose; Scope; Burden of Proof

A. Pursuant to R.S. 37:2710, an applicant or licensee whose application for a credential or renewal of a credential is denied may petition the board for a compliance hearing.

B. The purpose of a compliance hearing is to provide a forum for the applicant or licensee to present documentary evidence through affidavits, court records, official records, letters, or other papers or things, along with sworn testimony to establish that the applicant in fact meets the lawful requirements for the application or for the retention or renewal of the credential.

C. In a compliance hearing, the burden of proof rests with the applicant or licensee to establish that they meet the criteria for the application or renewal of their credential or that the renewal was timely.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1605 (October 2025).

§1103. Petition for Compliance Hearing

A. A compliance hearing is instituted by the timely filing of a petition for compliance hearing with the board. Any written request for a compliance hearing will be accepted as a petition under this Rule.

B. A petition for a compliance hearing must be filed with the board within 30 days after notice of an application or renewal denial is sent and must contain specific objections to the denial.

C. The administrator may reject a petition for a compliance hearing that does not comply with these rules or is untimely. If the administrator rejects a petition for a compliance hearing on grounds other than untimeliness, the administrator shall notify the applicant or licensee in writing and provide an extension of seven days within which the applicant or licensee may cure the defect in the petition.

D. All petitions for a compliance hearing received by the administrator and not rejected pursuant to subsection C shall be assigned a compliance hearing number in accordance with a numbering system prescribed by the administrator.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1605 (October 2025).

§1105. Docketing of Compliance Hearings; Panels; Hearing Officer

A. Upon receiving a petition for a compliance hearing, the administrator shall docket the compliance hearing for the next regularly scheduled board meeting and notify the applicant or licensee of the date and time of the hearing in writing. In the event the petition is received less than seven days prior to the next regularly scheduled board meeting, the administrator may, in their discretion and in consultation with the applicant or licensee, docket the compliance hearing for the following regularly-scheduled board meeting.

B. A compliance hearing shall be conducted before the limited panel assigned pursuant to §1024 of Chapter 10. However, in the event more than one compliance hearing is docketed for the same date, the administrator may constitute a second limited panel to conduct compliance hearings. When two limited panels are constituted for the same date, the administrator shall randomly assign the docketed compliance hearings to the panels. These two limited panels may meet simultaneously.

C. Prior to each compliance hearing, the limited panel shall designate one of its members as hearing officer. The hearing officer shall administer oaths, maintain order at the hearing, fix new hearing dates as required, and rule on other matters relating to the hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1605 (October 2025).

§1107. Compliance Hearing; Record

A. The administrator will maintain a record of each compliance hearing.

B. The compliance hearing may be transcribed by a court reporter. If the applicant or licensee requests that the hearing

be transcribed, the applicant or licensee shall pay such court reporter's fees.

C. The record shall consist of the applicant or licensee's application, letter of denial, any documents provided by the applicant or licensee, and the transcript of the hearing, if any.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1605 (October 2025).

§1109. Compliance Hearing; Right to Counsel

A. An applicant or licensee may be represented by counsel at a compliance hearing.

B. The hearing panel may consult with the general counsel on any legal issues emerging from a compliance hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1605 (October 2025).

§1111. Compliance Hearing; Decision

A. Upon conclusion of the applicant's or licensee's presentation of evidence, the hearing officer will deem the compliance hearing concluded and the matter submitted. The limited panel shall not receive any additional evidence or testimony once the matter is submitted.

B. Within 15 business days after the compliance hearing concludes, the panel will render its final decision in writing, including findings of fact and conclusions of law. The decision will be delivered by certified or registered mail, return receipt requested, to the applicant or licensee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1605 (October 2025).

§1113. Compliance Hearing; Appeal from Decision of Limited Panel

A. In the event that the limited panel's decision is adverse to the applicant or licensee, the applicant or licensee may appeal to an en banc panel. To appeal, the applicant or licensee must submit a written notice of appeal to the administrator within 10 calendar days of mailing of the limited panel's decision. The notice must contain a brief statement as to the grounds for the appeal and the reason(s) the limited panel's decision was error.

B. Upon receipt of a timely filed notice of appeal, the administrator shall docket the appeal for the next regularly-scheduled board meeting and notify the applicant or licensee of the date and time of the hearing in writing. In the event the notice of appeal is received less than seven days prior to the next regularly-scheduled board meeting, the administrator may, in their discretion and in consultation with the applicant

or licensee, docket the appeal for the following regularly-scheduled board meeting.

C. Appeals will be conducted on the record made before the limited panel, including the panel's findings of fact, conclusions of law, and recommendations. The en banc panel will review the findings of fact and conclusions of law of the limited panel and the evidence and exhibits as submitted, as well as any written submissions or assignments of error.

D. The chair will deem the appeal submitted once the en banc panel has had sufficient time to review the record and submissions and arguments of the parties, if any.

E. The en banc panel will have 30 calendar days from submission of the appeal to render a decision on the appeal. The decision shall be in writing and shall be transmitted to the applicant or licensee in the same manner as the original decision on the compliance hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1605 (October 2025).

§1115. Miscellaneous Orders and Rules to Show Cause

A. When necessary to protect the public health, safety, or welfare against the unauthorized, unqualified, and improper practice of social work, or otherwise in furtherance of its duties under the Practice Act or this Part, the board may issue such orders or rules to show cause to any licensee or applicant as it deems necessary.

B. The board may not use this rule to circumvent any process described in La. R.S. 37:2717(C) or set forth in this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1606 (October 2025).

§1117. Declaratory Rulings

A. Any person subject to the Practice Act or this Part may petition the board for a declaratory ruling regarding the applicability of any portion of the Practice Act or this Part.

B. A petition for a declaratory ruling shall include all of the following:

1. the name of the person requesting the declaratory ruling;
2. the specific statute(s) or rule(s) upon which a declaratory ruling is requested;
3. a succinct statement of facts and circumstances upon which the board is requested to base its declaratory ruling; and
4. a request for a declaratory ruling.

C. The administrator shall receive all petitions for declaratory rulings and shall assign each a number in accordance with a numbering system prescribed by the administrator. Upon receiving a petition for declaratory

ruling, the administrator shall docket the petition for the next regularly scheduled board meeting and notify the petitioner of the date and time of the hearing in writing. In the event the petition is received less than seven days prior to the next regularly scheduled board meeting, the administrator may docket the petition for the following regularly-scheduled board meeting.

D. Petitions for declaratory rulings shall be considered by the board in open session.

E. The board shall issue a declaratory ruling upon majority vote of those board members present and voting. The ruling shall be reduced to writing and issued in the name of the board. In any decision in which the board's decision was not unanimous, those board members deciding with the majority shall be noted in the decision.

F. The board may deny a petition for a declaratory ruling if the board determines:

1. the petition requests a declaratory ruling on matters outside the scope of the Practice Act or this Part;
2. the facts and circumstances upon which the board is requested to base its ruling are incomplete or unclear; or
3. the petition concerns an ongoing disciplinary matter, pending litigation, or a pending application.

G. The board's decision on a petition for declaratory ruling shall be rendered within 60 calendar days after the hearing on the petition.

H. All decisions on petitions for declaratory ruling shall be public record.

I. Nothing in this section shall prevent the board from responding to informal correspondence from applicants, licensees, or entities requesting information or clarification of board actions, policies, practices, or rules. Such correspondence shall not be deemed to constitute a petition for declaratory ruling unless the requirements of this section are met.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1606 (October 2025).

Chapter 13. Continuing Education Requirements

§1301. Purpose

A. The purpose of continuing education is to protect the public by ensuring that social workers have formal opportunities to upgrade and update professional knowledge and skills, encouraging social workers to learn from other professionals, and assigning social workers to expand their professional resources network. Consequently, approved learning situations emphasize opportunities for professional interaction and relationship-building.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:305 as §317(A) and (B) (February 2000), amended LR 29:2385 (November 2003), LR 34:248 (February 2008), LR 37:2618 (September 2011), amended by the Department of Health, Board of Social Work Examiners, LR 43:959 (May 2017), amended and redesignated to §1301 by the Department of Health, Board of Certified Social Work Examiners, LR 51:1606 (October 2025).

§1303. Continuing Education Approval Organizations

A. The board may delegate approval of continuing education programming to one or more continuing education approval organizations.

B. Any provider of social work services, professional social work organization, or school of social work approved by the Council for Social Work Education may apply to the Board to become a continuing education approval organization, provided that such organization must have a significant and continual affiliation with the social work profession to be approved.

1. The application must be submitted in writing on a form provided by the Board.

2. The application must be accompanied by no fewer than three letters of reference, on a professional letterhead and bearing an original wet or electronic (not typewritten) signature, from any of the following, none of which may be directly personally related to the applicant nor hold a personal or professional stake in the outcome of the application:

- a. a provider of social work services;
- b. a professional social work organization; or
- c. a school of social work approved by the Council for Social Work Education.

3. The application must succinctly state:

- a. the nature and purpose of the organization;
- b. the organization's connection to the social work profession;
- c. the timeframe for the organization to make a decision on continuing education submissions; and
- d. the fee structure the organization will use and the fees the organization will charge to evaluate continuing education submissions.

4. The application must be signed by the chief executive officer or agency head of the organization.

5. The application must include the name, credential, credential number, and curriculum vitae or resume of the social worker who will review and approve or deny continuing education submissions.

C. Only a licensed, certified, or registered social worker may review and approve or deny continuing education submissions on behalf of a continuing education approval organization. Clinical continuing education offerings may only be approved by a licensed clinical social worker.

D. Continuing education approval organizations must comply with this Chapter in evaluating continuing education submissions, including, without limitation, §1305 relating to approved educational offerings and assessment of continuing education programs.

E. The board's delegation of authority under this section shall be effective for three calendar years from the date the board approves the application.

F. The board may revoke its delegation of authority under this section to any continuing education approval organizations at any time and for any reason.

G. The board shall not discriminate against any person or organization seeking to become a continuing education approval organization based upon race, religion, creed, national origin, age, sex, sexual orientation, gender expression, differing abilities, or political beliefs. No continuing education approval organization shall discriminate against any person or organization seeking approval of continuing education programming based upon race, religion, creed, national origin, age, sex, sexual orientation, gender expression, differing abilities, or political beliefs.

H. The board may audit any continuing educational approval organization by requiring the organization to submit documentation to the Board on all programs the organization approved in a collection year.

I. The board may charge an application fee not to exceed two hundred fifty dollars for applications and reapplications to become a continuing education approval organization.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1606 (October 2025).

**§1305. Criteria for Approval of Continuing Education Offerings
[Formally §317(M) and (P)]**

A. The following learning forums are approved for continuing education as long as they contain content applicable to social work practice:

1. in-person educational offerings and synchronous interactive webinars sponsored by or approved by social work licensing bodies, a Board authorized pre-approval organization, state and national professional social work organizations, and schools accredited by the Council on Social Work Education;

2. educational offerings sponsored by or offered by entities approved by the Association of Social Work Boards;

3. asynchronous virtual learning (teleconferences, telecourses, home-study courses and pre-recorded or internet courses) sponsored by entities listed in this section, or pre-approved by a Board-authorized pre-approval organization cannot exceed a total of 10 clock hours of the required 20 clock hours of continuing education required annually for renewal of social work credentials;

4. continuing education activities or academic courses provided by accredited schools of social work. Academic course work counts per actual class hour;

5. presentations of content applicable to social work practice at professional conferences, staff development meetings, and other appropriate forums in which the licensee is the primary presenter;

6. attendance at staff development presentations with content applicable to social work practice (such as a staff meeting with a formal and in-depth presentation on working with clients who present borderline symptoms, etc.). The presenter's name, credentials, date of presentation and nature of the content covered must be provided. Case based staffing meetings are not included as appropriate continuing education experiences;

7. attendance at professional social work meetings, Association of Social Work Boards (ASWB) item writing workshops, symposiums, panel discussions, or conferences sponsored by the professional associations suggested in this section. The dates and nature of content or consultation covered must be provided;

8. formal study groups of three or more participants. Licensees must submit names, addresses, telephone numbers and credentials of group members to the board. Study groups must maintain records of topics, attendance, meeting times, and presenters for audit purposes;

9. contracted professional consultation which the credentialed social worker receives. Licensees must provide the paid consultant's name, address, telephone number, credentials, and the dates and focus of the consultation;

10. preparation of substantial written material with content applicable to social work practice which requires literature search, research, and explication of social work content (such as writing a social work article or book for publication, or a major grant application). Specific information about the nature of the written work, the effort required, and the publisher or funding agency must be provided. These activities may be counted for no more than five hours continuing education.

11. reading books or journal articles with content applicable to social work and followed by a face-to-face discussion as part of an organized workshop. A maximum of one hour credit can be obtained from reading a book if the licensee signs a statement that they read the book, attended the discussion about the book, and passed the pre-test administered prior to the face-to-face discussion with at least 70 percent. The one-hour credit for reading is considered asynchronous virtual learning. Credit for the discussion counts as actual time spent in the discussion and counts as in-person continuing education.

12. viewing documentary film with content applicable to social work practice not deemed for the general public and followed by a face-to-face discussion. The film shall be pre-approved by the board and must rate a ten or higher on the Guide for Assessment of Continuing Education to qualify for continuing education credit;

13. independent study pre-approved by the board;

14. attendance at regular meetings of the board, for which social workers may receive credit for actual time spent attending the public portion of the meeting—one hour of this time will be designated as an ethics hour and all other time will be designated as general continuing education provided, however, that no social worker may receive more than ten hours of continuing education per collection period from attending meetings of the board or its committees;

15. attendance at meetings of the committees of the board, for which social workers may receive credit for actual time spent attending the meeting—the chair of the committee shall designate in advance the nature of the continuing education credit received by attendees, provided, however, that no social worker may receive more than ten hours of continuing education per collection period from attending meetings of the board or its committees.

B. Should the individual licensee make the determination that an education offering which is not pre-approved by one of the approval organizations has content applicable to social work practice, the Guide for Assessment of Continuing Education in this Section must be used. This document, as well as all the relevant course materials, and the certificate of completion must be maintained in the event the licensee is audited.

C. The following learning situations will not be accepted for continuing education credit:

1. banquet speeches;
2. non-social work content courses not directly related to enhancement of social work skills or performance as a social work employee. (Example: Computer, financial or business management courses designed to enhance the business of private practice);
3. staff orientation, administrative staff meetings and case management meetings;
4. book reports or critiques of professional journal articles; and
5. a continuing education offering that rates a zero in any category of the Guide for Assessment of Continuing Education in this Section.

D. Guide for Assessment of Continuing Education. As continuing education events vary across the categories listed below, the appropriateness of considering them as acceptable continuing education also varies. Continuing education approval organizations must use the criteria in this Subsection to evaluate continuing education offerings. An event must receive a total score (combination of all three sections) of at least 10 to be acceptable for continuing education to renew a social work credential. If any category below rates a zero, the education offering is not acceptable for social work continuing education.

PROGRAM CONTENT

(Clearly Acceptable)

- ___ 6) Mainstream social work knowledge, skills and values
- ___ 6) Specialized social work knowledge, skills and values
- ___ 4) Information from related fields that is useful for social work practice
- ___ 2) Developing areas that may lack strong research, support or clear application
- ___ 0) Content that is specifically not acceptable or not related to social work practice

(Clearly Not Acceptable)

PROGRAM PRESENTER

(Clearly Acceptable)

- ___ 5) Social worker with appropriate expertise in content area
- ___ 4) Related professional with ability to connect content to social work practice
- ___ 2) Lay-person (e.g., client) on the impact of needing/receiving services
- ___ 0) Presenter with no apparent professional qualifications nor link to social work practice

(Clearly Not Acceptable)

PROGRAM AUDIENCE

(Clearly Acceptable)

- ___ 4) Social work practitioners/students
- ___ 4) Interdisciplinary professional audience that may include social workers
- ___ 3) Audience presumed to be primarily from another profession (e.g., nursing)
- ___ 1) Audience open to the general public
- ___ 0) Audience presumed to be primarily the general public

(Clearly Not Acceptable)

Total Score ___ (add score from each section to get Total Score)

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C and (G) and 37:2714.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:305 as §317(M)(P)(O) (February 2000), amended and redesignated to §1305(A)(B)(C) and (D) by the Department of Health, Board of Social Work Examiners, LR 51:1607 (October 2025).

§1307. Continuing Education Teaching Credit

A. Continuing education credit may be earned through teaching in an approved continuing education activity, provided that the social worker is the primary presenter.

1. Presentations accompanied by thorough, high quality, readable, and carefully prepared written materials will qualify for continuing education credit on the basis of six hours of credit for each instructional hour of presentation. The continuing education approval organization must review the submitted materials for sufficiency in order for the presenter to qualify for credit under this Subparagraph.

2. Presentations accompanied by one- or two-page outlines or not accompanied by written materials will qualify for continuing education credit on the basis of three hours of credit per hour of presentation.

3. Repeat presentations qualify for one half of the credits available for the initial presentation.

4. In the event more than one social worker presents a continuing education presentation, teaching credit shall be divided among the number of presenters for each hour of presentation.

5. The social worker is responsible for securing and retaining appropriate documentation for teaching credit from the continuing education approval organization that approves the teaching credit.

B. Credit may also be earned through teaching a course in a Council on Social Work Education-accredited program.

1. A social worker will earn six hours of continuing education credit for each hour of academic credit awarded by the college or university for the course.

2. Repeat courses taught qualify for one half of the credits available for the initial course taught unless the material has been substantially changed or updated.

3. The social worker is responsible for securing and retaining appropriate documentation for teaching credit.

4. Credit will be awarded upon completion of the course.

C. Subject to the additional limitations of §1313 of this Chapter, no social worker may earn more than eighteen hours of continuing education credit per collection period through teaching.

D. Teaching credit awarded pursuant to this section will retain the designation of the material taught. For example, social workers giving a clinical continuing education presentation will receive clinical continuing education credit pursuant to this section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1609 (October 2025).

§1309. Audit

A. The board may audit any credential social worker. Random audits ensure that the continuing education mandate is applied fairly to all credential social workers.

B. Social workers must keep records of continuing education experiences for at least one year and be able to explain the nature of the content covered. For audit purposes, only certificates of attendance, sign-in sheets signed by a representative of the sponsoring organization, or an original letter from the sponsoring organization will be accepted as proof of attendance for continuing education.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:305 as §317(C) (D), and (E) (February 2000), amended LR 29:2385 (November 2003), LR 34:248 (February 2008), LR 37:2618 (September 2011), amended by the Department of Health, Board of

Social Work Examiners, LR 43:959 (May 2017), amended and redesignated to §1309(A) and (B) by the Department of Health, Board of Certified Social Work Examiners, LR 51:1609 (October 2025).

§1311. Collection Period

A. The collection period for continuing education hours is commensurate with the annual license, certificate, and registration renewal period. Continuing education must be completed, and proof of completion submitted to the Board no later than the last day of the renewal period.

B. Social workers may carry over up to ten surplus hours of continuing education from one collection period into a subsequent collection period. Hours will retain their designation in the subsequent collection period except for the following:

1. Ethics hours; and
2. BACS supervision hours.

C. The two-year collection period for ethics continuing education hours and clinical supervision training hours required to maintain board-approved clinical supervisor designation ends in even-numbered years with the close of the continuing education collection period. Social workers must complete these hours during the two years preceding the close of this collection period to be in compliance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1609 (October 2025).

§1313. Distance or Virtual Learning Limit; Approval to Exceed

A. Social workers may not submit more than ten hours of continuing education via asynchronous virtual learning or teaching in any collection period except as provided in this Section. Synchronous, interactive webinars are considered in-person learning and are not contemplated by this Section.

B. The board may grant a social worker approval to complete more than 10 hours of continuing education via asynchronous virtual learning in the case of debilitating, disabling, or other medical conditions making travel impossible or extremely inconvenient, if the social worker resides outside of United States territories where no in-person continuing education is available, or for other good cause shown. The social worker shall provide satisfactory documentation for the grant of approval.

C. The board may, by motion adopted at a regular or special meeting of the board, temporarily suspend the limitations of this section in the event of a public emergency or other extenuating circumstances.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1609 (October 2025).

§1315. Pro-Rated Continuing Education for Initial Year of Credential

A. Continuing education hours are pro-rated as follows during the initial year of registration, certification or licensure.

Month Received	Hours Required
June, July, August	0
September, October, November	20
December, January, February	15
March, April, May	10

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR

26:305 as §317(G) (February 2000), amended by the Department of Health, Board of Certified Social Work Examiners, LR 51:1610 (October 2025).

§1317. Request for Modification of Continuing Education Requirements

A. Social workers seeking modification of generally applicable continuing education requirements pursuant to R.S. 37:2714(G) or this Chapter must submit a request in writing to the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1610 (October 2025).