

201 KAR 23:075. Continuing education for renewal.

RELATES TO: KRS 335.130(4)

STATUTORY AUTHORITY: KRS 335.070(3), (6), 335.130(4)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 335.070(3) authorizes the board to promulgate administrative regulations pursuant to KRS Chapter 13A to carry out the provisions of KRS 335.010 to 335.160 and KRS 335.990. KRS 335.070(6) and KRS 335.130(4) allow the board to require continuing education as a condition of license renewal. This administrative regulation describes the requirements for continuing education for renewal and prescribes methods and standards for the board to approve continuing education courses.

Section 1. Definitions. (1) "Academic course offered by an accredited postsecondary institution" means a graduate level social work course:

- (a) Designated by a social work title or content; or
- (b) A graduate level academic course relevant to social work.

(2) "Approved" means recognized by the Kentucky Board of Social Work.

(3) "Continuing education hour" means fifty (50) clock minutes of participation in continuing education programs.

(4) "Program" means an organized educational experience, which is:

- (a) Planned and evaluated to meet behavioral objectives; and
- (b) Presented in one (1) session or series.

(5) "Provider" means a person or an organization approved by the Kentucky Board of Social Work to provide a single continuing education program over the course of one (1) year.

(6) "Relevant" means having content applicable to the practice of social work.

(7) "Sponsor" means a person or an organization approved by the Kentucky Board of Social Work to provide more than one (1) continuing education program over the course of one (1) year.

(8) "Training program in suicide assessment, treatment, and management" means an empirically supported training program approved by the board that is at least six (6) hours in length and contains suicide assessment including screening and referral, suicide treatment, and suicide management as required by KRS 210.366.

Section 2. Accrual and Computation of Continuing Education Hours for Renewal. (1) Each certified social worker and licensed clinical social worker shall complete a minimum of thirty (30) continuing education hours during the three (3) year period for renewal, which shall be completed in person before a live presenter or through home or self-study, courses delivered through electronic media or technology including distance learning, online, or teleconference courses.

(2) Each licensed social worker shall complete a minimum of fifteen (15) continuing education hours during the three (3) year period for renewal, which shall be completed in person before a live presenter or through home or self-study, courses delivered through electronic media or technology including distance learning, online, or teleconference courses.

(3) All continuing education hours shall be relevant to the licensee's level of licensure.

(4) Kentucky Code of Ethical Conduct. Each renewal period, as part of the required continuing education hours, each licensee shall complete a board approved three (3) hour course on the Kentucky Code of Ethical Conduct established in 201 KAR 23:080, which shall be taken in person before a live presenter or through courses delivered through electronic media or technology including distance learning, online, or teleconference courses.

(5) Clinical Social Work Supervision. Each renewal period, as part of the required continuing

education hours, each licensed clinical social worker who is a board approved supervisor pursuant to 201 KAR 23:070, Section 4(1)(c)2., shall complete a three (3) hour, board approved clinical social work supervision course, which shall be taken in person before a live presenter.

(6) Training Program in Suicide Assessment, Treatment, and Management. Every six (6) years, as part of the required continuing education hours, each licensee shall complete a minimum of six (6) hours of continuing education in a board approved training program in suicide assessment, treatment, and management as required by KRS 210.366(2).

(a) The training program in suicide assessment, treatment, and management shall be approved by the board, by a pre-approved provider or sponsor identified in Section 3(1) of this administrative regulation, or by one (1) of the following boards:

1. Kentucky Board of Licensure of Marriage and Family Therapists;
2. Kentucky Board of Licensed Professional Counselors;
3. Kentucky Board of Licensure for Pastoral Counselors;
4. Kentucky Board of Alcohol and Drug Counselors;
5. Kentucky Board of Examiners of Psychology; or
6. Kentucky Board of Licensure for Occupational Therapy.

(b) Exemptions. A licensee shall be exempted from completion of the training program in suicide assessment, treatment, and management if he or she:

1. Teaches or taught a graduate-level counseling course in suicide assessment, treatment, and management at least once during the six (6) year period; or
2. Teaches or taught a six (6) hour continuing education course in suicide assessment, treatment, and management at least once during the six (6) year period.

(7) Domestic Violence and Elder Abuse, Neglect, and Exploitation. During the three (3) year renewal period following initial licensure, as part of the required continuing education hours, each licensee shall complete a three (3) hour course in domestic violence, and elder abuse, neglect, and exploitation as defined by KRS 194A.540.

(8) Pediatric Abusive Head Trauma. At least one (1) time every six (6) years, as part of the required continuing education hours, each licensee shall complete one and one-half (1.5) hours of continuing education covering the recognition and prevention of pediatric abusive head trauma as defined in KRS 620.020.

(9) Academic Credit Equivalency. Academic credit equivalency for continuing education hours shall be based on one (1) credit hour equals fifteen (15) continuing education hours.

Section 3. Methods of Acquiring Continuing Education Hours. Continuing education hours for renewal shall be directly related to the professional growth and development of the licensee. The hours may be earned by completing any of the continuing education programs listed in this section.

(1) Preapproved programs not requiring board review and approval. Except for courses on the Kentucky Code of Ethical Conduct under Section 2(4) of this administrative regulation, and courses on clinical social work supervision under 201 KAR 23:070, Section 4(1)(c)2., which require separate review and approval by the board, an educational program from any of the following providers shall be deemed to be relevant to the practice of social work and shall be approved without further review by the board if it is:

(a) Sponsored or approved by:

1. The Association of Social Work Boards (ASWB);
2. The National Association of Social Workers (NASW) or any of its affiliated state chapters;
3. The National Association of Black Social Workers (NABSW) or any of its affiliated state chapters;
4. The North American Association of Christians in Social Work or any of its affiliated state

chapters; or

5. The Clinical Social Work Association or any of its affiliated state chapters;

(b) Sponsored by:

1. The American Psychological Association or any of its affiliated state chapters;

2. The American Counseling Association or any of its affiliated state chapters;

3. The National Board for Certified Counselors or any of its affiliated state chapters;

4. The American Psychiatric Association or any of its affiliated state chapters; or

5. A college, school, department, or program of social work in Kentucky, which is accredited by the Council on Social Work Education (CSWE); or

(c) An academic course offered by an accredited postsecondary institution directly related to social work, counseling, or psychology.

(2) Programs requiring board review and approval.

(a) A program that is not provided or sponsored by a preapproved provider or sponsor identified in subsection (1) of this section shall be reviewed by the board and approved for continuing education credit if the board determines that it is:

1. Relevant to the practice of social work; and

2. Contributes to the continuing professional competency of licensees.

(b) The board may approve various methods in which a continuing education program is presented including:

1. Home or self-study, courses delivered through electronic media or technology including distance learning, online, or teleconference courses; and

2. In-service training, conferences, or workshops provided by other organizations, educational institutions, or other service providers approved by the board.

(c) Board approval for home or self-study courses, courses delivered through electronic media or technology including distance learning, online, or teleconference courses shall be obtained each year unless the continuing education program does not require board approval under subsection (1) of this section.

(3) Relevant programs or academic courses presented by the licensee. A licensee who presents relevant programs or academic courses shall earn full continuing education credit for each contact hour of instruction, not to exceed one-half (1/2) of the continuing education renewal requirements. Credit shall not be issued for repeated instruction of the same course.

(4) Relevant articles authored by the licensee. A licensee who is an author of a relevant article, which is published in a professionally recognized or juried publication, shall earn seven and a half (7 1/2) hours of the continuing education requirements for renewal if a certified social worker or fifteen (15) hours of the continuing education requirements for renewal if a licensed social worker or licensed clinical social worker, if the article was published within one (1) year immediately preceding his or her renewal date.

(5) The following continuing education courses shall be submitted to the board for approval and shall not be automatically preapproved under subsection (1) of this section:

(a) Kentucky Code of Ethical Conduct required by Section 2(4) of this administrative regulation; and

(b) Clinical social work supervision for board-approved supervisors required by 201 KAR 23:070, Section 4(1)(c)2.

Section 4. Procedures for Approval and Renewal of Continuing Education Providers and Programs. (1) Provider Approval. A provider seeking approval of a continuing education program shall apply to the board no less than thirty (30) days in advance of the commencement of the program, and provide the information required by subsection (3) of this section.

(2) The board shall approve a continuing education program if it determines that the pro-

gram being presented:

- (a) Is relevant to the practice of social work;
- (b) Contributes to the continuing professional competency of a licensee; and
- (c) Has competent instructors with appropriate academic training, professional license or certification, or professionally recognized experience.

(3) The board may approve a provider of a continuing education program for one (1) year if the provider:

(a) Files a completed Provider or Sponsor Application for Continuing Education Approval, which includes:

- 1. A published program outline that includes an explanation of the program objectives;
- 2. The names and qualifications of the instructors presented in the form of resumes or curriculum vitas;
- 3. A copy of the evaluation sheet by which the licensee can assess and comment on the program;
- 4. A copy of the program agenda stating the number of continuing education credit hours, including all breaks;
- 5. The number of continuing education credit hours requested;
- 6. A copy of the official certificate of completion or attendance from the provider; and
- 7. A statement whether the provider is requesting approval to meet the requirements of the following courses:

a. Kentucky Code of Ethical Conduct required by Section 2(4) of this administrative regulation; or

b. Clinical social work supervision for board-approved supervisors required by 201 KAR 23:070, Section 4(1)(c)2.; and

(b) Pays an application fee, payable to the Kentucky State Treasurer, of:

- 1. \$100 for each one (1) day program of eight (8) hours or less; and
- 2. \$100 for each additional one (1) day program of eight (8) hours or less.

(4) If the provider is requesting approval to meet the requirements of the Kentucky Code of Ethical Conduct course required for renewal by Section 2(4) of this administrative regulation, a minimum of one (1) presenter or instructor for the course shall:

- (a) Hold a degree in social work;
- (b) Hold an active license to practice social work in the Commonwealth of Kentucky;
- (c) Not have an unresolved, pending disciplinary action before the board; and
- (d) Not be practicing social work under terms or conditions of supervision imposed by the board.

(5) If the provider is requesting approval to meet the requirements of the clinical social work supervision course required for board approved supervisors by 201 KAR 23:070, Section 4(1)(c)2., each presenter and instructor for the course shall:

- (a) Hold a degree in social work;
- (b) Hold an active social work license in the Commonwealth of Kentucky;
- (c) Be a board approved supervisor;
- (d) Not have an unresolved, pending disciplinary action before the board; and
- (e) Not be practicing social work under terms or conditions of supervision imposed by the board.

(6) A provider of continuing education shall be responsible for providing documentation in the form of a certificate of attendance or completion directly to the licensee, as established in Section 7(5) of this administrative regulation.

(7) A provider of a continuing education program requiring board approval shall not advertise that a course has been approved before written board approval has been received.

(8) Provider Renewal. An approved provider shall submit a Provider or Sponsor Renewal Application for Continuing Education Approval for a subsequent one (1) year period by:

(a) Notifying the board that the original information required in this section for each program remains current; and

(b) Paying a renewal fee, payable to the Kentucky State Treasurer, of:

1. Fifty (50) dollars for each one (1) day program of eight (8) hours or less; and
2. \$100 for each additional one (1) day program of eight (8) hours or less.

Section 5. Procedures for Approval and Renewal of Continuing Education for Sponsors and Programs. (1) Sponsor Approval. A sponsor seeking approval of continuing education programs shall apply to the board no less than thirty (30) days in advance of the commencement of the program, and provide the information required by subsection (3) of this section.

(2) The board shall approve a continuing education program if it determines that the program being presented meets the following criteria:

(a) Is relevant to the practice of social work;

(b) Contributes to the professional competency of the licensee; and

(c) Has competent instructors with appropriate academic training, professional licenses or certifications, or professionally recognized experience.

(3) The board may approve a sponsor of continuing education programs for one (1) year if the sponsor:

(a) Files a completed Provider or Sponsor Application for Continuing Education Approval, which includes:

1. A published program outline that includes an explanation of the program objectives;

2. The names and qualifications of each presenter and instructor documented in the form of resumes or curriculum vitas;

3. A copy of the evaluation sheet by which the licensee can assess and comment on the program;

4. A copy of the program agenda stating the number of continuing education credit hours, including all breaks;

5. The number of continuing education credit hours requested;

6. A copy of the official certificate of completion from the sponsor; and

7. A statement whether the sponsor is requesting approval to meet the requirements of the following courses:

a. Kentucky Code of Ethical Conduct required by Section 2(4) of this administrative regulation; or

b. Clinical social work supervision for board-approved supervisors required by 201 KAR 23:070, Section 4(1)(c)2.; and

(b) Pays an initial application fee of \$250 made payable to the Kentucky State Treasurer.

(4) If the sponsor is requesting approval to meet the requirements of the Kentucky Code of Ethical conduct course required for renewal by Section 2(4) of this administrative regulation, a minimum of one (1) presenter or instructor for the course shall:

(a) Hold a degree in social work;

(b) Hold an active license to practice social work in the Commonwealth of Kentucky;

(c) Not have an unresolved, pending disciplinary action before the board; and

(d) Not be practicing social work under terms or conditions of supervision imposed by the board.

(5) If the sponsor is requesting approval to meet the requirements of the clinical social work supervision course required for board approved supervisors by 201 KAR 23:070, Section 4(1)(c)2., each presenter or instructor for the course shall:

- (a) Hold a degree in social work;
- (b) Hold an active social work license in the Commonwealth or Kentucky;
- (c) Be a board approved supervisor;
- (d) Not have an unresolved, pending disciplinary action before the board; and
- (e) Not be practicing social work under terms or conditions of supervision imposed by the board.

(6) The board shall periodically review the programs that a sponsor has provided to determine if the sponsor continues to meet the requirements of this administrative regulation.

(7) An approved sponsor shall submit an annual report to the board of the continuing education programs offered during that calendar year and shall include copies of attendance sheets and evaluations (or evaluation summaries) for each program.

(8) A sponsor of a continuing education program shall be responsible for providing documentation in the form of a certificate of attendance directly to the licensee, as established in Section 7(5) of this administrative regulation.

(9) A sponsor of a continuing education program requiring board approval shall not advertise that the course has been approved before written board approval has been received.

(10) Sponsor Renewal. An approved sponsor shall submit a Provider or Sponsor Renewal Application for Continuing Education Approval for a subsequent one (1) year period by notifying the board that the original information required in this section for each program remains current and by paying \$150 renewal fee made payable to the Kentucky State Treasurer.

Section 6. Individual Request for Board Review and Approval of Continuing Education Courses. (1) A licensee may request an individual review of a continuing education program that was otherwise not approved if it was completed during the three (3) year renewal period if the individual licensee:

(a) Applies for individual review by submitting the Individual Application for Continuing Education Approval that includes the:

- 1. Certificate of completion or attendance;
- 2. Resume of each instructor; and
- 3. Program agenda indicating hours of instruction; and

(b) Pays a fee of ten (10) dollars made payable to the Kentucky State Treasurer.

(2) The board's review shall be based on the standards for continuing education established by this administrative regulation.

(3) The board's approval of a continuing education program under this section shall:

(a) Qualify as if it has been obtained from an approved provider or sponsor; and

(b) Be limited to the particular program upon which the request for individual review is based.

Section 7. Responsibilities and Reporting Requirements of Licensees. Each licensee shall be responsible for obtaining the required continuing education hours for her or his renewal. The licensee shall identify his or her own continuing education needs, seek continuing professional education activities to meet those needs, and develop ways to integrate new knowledge, skills, and attitudes. Each licensee shall:

(1) Select approved programs by which to earn continuing education hours for renewal;

(2) Submit to the board, if applicable, a request for continuing education programs requiring approval by the board as established in Section 3 of this administrative regulation;

(3) Maintain her or his records of continuing education hours;

(4) At the time of renewal, list the continuing education hours obtained during that licensure renewal period; and

(5) If requested by the board, furnish documentation of continuing education courses completed at the time of his or her renewal.

(a) In each calendar year, the board shall require up to fifteen (15) percent of all licensees to furnish documentation of the completion of continuing education hours for the current renewal period;

(b) Documentation of continuing education hours shall not otherwise be reported to the board;

(c) Documentation shall take the form of official documents including:

1. Transcripts;
2. Certificates of completion or attendance;
3. Affidavits signed by instructors; or
4. Receipts for fees paid to the provider or sponsor; and

(d) Each licensee shall retain copies of his or her documentation for a period of one (1) year following the date of his or her last renewal.

Section 8. Board to Approve Continuing Education Hours; Appeal if Approval Denied. If an application for approval of continuing education hours is denied, in whole or part, a licensee, provider, or sponsor may request the board to reconsider its decision. The request shall be in writing and shall be received by the board within thirty (30) days after the date of the board's decision denying approval of continuing education hours.

Section 9. Waiver or Extensions of Continuing Education Requirements. (1) In individual cases involving medical disability, illness, or undue hardship as determined by the board, the board may grant waivers of the minimum continuing education requirements or extensions of time to fulfill the requirements for renewal or make the required reports of continuing education credits.

(2) A licensee may submit a written request to the board for a waiver or extension of time involving medical disability, illness, or undue hardship.

(a) If the request is based on medical disability or illness, the licensee shall include a written statement signed by a licensed physician.

(b) If the request is based upon undue hardship, the licensee shall submit a written explanation of the nature of the undue hardship.

(c) The board may request that a licensee provide additional information and verification by a third party.

(3) The board may grant a waiver of the minimum continuing education requirements or an extension of time to a licensee to fulfill the continuing education requirements for renewal for a period of time not to exceed one (1) calendar year.

(4) If the medical disability, illness, or undue hardship upon which a waiver or extension has been granted continues beyond the period of the waiver or extension, the licensee may reapply for the waiver or extension.

(a) If the reapplication is based on medical disability or illness, the licensee shall include a written statement signed by a licensed physician.

(b) If the reapplication is based upon undue hardship, the licensee shall submit a written explanation of the nature of the undue hardship.

(c) The board may request that a licensee provide additional information and verification by a third party to support the reapplication.

Section 10. Continuing Education Requirements for Reinstatement of Expired License. (1) A certified social worker or a licensed clinical social worker who requests reinstatement of an ex-

pired license shall submit documentation of completion of thirty (30) hours of continuing education within the three (3) year period immediately preceding the date he or she submits the request for reinstatement to the board.

(2) A licensed social worker who requests reinstatement of an expired license shall submit documentation of completing fifteen (15) hours of continuing education within the three (3) year period immediately preceding the date he or she submits the request for reinstatement to the board.

(3) If the licensee requesting reinstatement cannot provide evidence of completion of the required hours of continuing education, the board may reinstate the license for six (6) months on the condition that the licensee obtain the required hours of continuing education for his or her level of licensure within six (6) months of the date the license is reinstated.

(a) The continuing education hours completed for reinstatement shall be in addition to the continuing education requirements for renewal established in Section 2 of this administrative regulation and shall not be used to comply with the requirements of that section.

(b) Failure to obtain the required continuing education hours within the approved six (6) month period shall result in termination of the reinstated license.

Section 11. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "Provider or Sponsor Application for Continuing Education Approval", 2/2017;

(b) "Provider or Sponsor Renewal Application for Continuing Education Approval", 2/2017; and; and

(c) "Individual Application for Continuing Education Approval", 2/2017.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at Kentucky Board of Social Work, 43-44 Fountain Place, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. or on the board's Web site bsw.ky.gov. (26 Ky.R. 277; Am. 720; eff. 10-20-1999; 29 Ky.R. 505; 981; eff. 10-16-2002; 36 Ky.R. 635; 1195; eff. 1-4-2010; 37 Ky.R. 1335; 1692; 1974; eff. 3-4-2011; 38 Ky.R. 818; eff. 12-7-2011; 42 Ky.R. 2812; 43 Ky.R. 235, 1021, 1580, 1716; eff. 5-5-2017.)