

BOARD OF SOCIAL WORKER LICENSURE
REVISED POLICY STATEMENT
REGARDING LICENSEES WHO FAIL TO OBTAIN CONTINUING EDUCATION

The Board of Social Worker Licensure realizes that an individual may unintentionally fail to obtain Continuing Education in a timely manner. However, statute prohibits an individual from working as a Licensed Baccalaureate Social Worker, Licensed Master's in Social Work, Licensed Advanced Practice Social Worker, or Licensed Clinical Social Worker unless he/she has obtained appropriate Continuing Education. Acknowledgement is given to the fact that this problem exists; however, the Board cannot overlook an individual failing to obtain Continuing Education. With this in mind, the Board has adopted the following procedures for discipline:

1. When it is discovered by the Board or its staff that a licensee has failed to obtain Continuing Education credits in a timely manner, the licensee shall be assessed a one hundred dollar (\$100.00) civil penalty and ninety (90) days from the date that appears on the deficiency letter to obtain the required continuing education, and submit proof of completion to the Board's staff.
2. The one hundred dollar (\$100.00) civil penalty will be assessed in the form of an Agreed Citation which is an offer of settlement to pay the penalty. The licensee will have the option to accept the Agreed Citation, waiving the right to appear before the Board, or the licensee shall have the right to a contested case before the Board. The one hundred dollar (\$100.00) civil penalty constitutes formal discipline against a practitioner's license, and as such it is reportable on the Department's Disciplinary Action Report ("DAR") and will be noted on the practitioner's licensure profile.
3. Should the licensee fail to pay the one hundred dollar (\$100.00) civil penalty or obtain the appropriate number of continuing education hours within the ninety (90) day period, the Tennessee Department of Health, Office of General Counsel will take further disciplinary action, which may include filing a formal notice of charges against the licensee which will require the licensee to appear before the Board in a contested case proceeding and could result in additional penalties, costs, and disciplinary action against the license, up to, and including revocation.

Pursuant to Rule 1365-01-.09, a licensee may request a waiver from the Board for Continuing Education requirements. These requests are considered on an individual basis. The Board realizes that a newly licensed individual may struggle to fulfill Continuing Education requirements during the first year of licensure. For licensed baccalaureate social workers by examination and licensed master's social workers by examination the Board may grant a waiver for all Continuing Education required during the calendar year in which the license is issued, if the examination was taken in that calendar year. The waiver will be granted only after a proper request has been made pursuant to Rule 1365-01-.09.

This Policy Statement was adopted by the Board of Social Worker Licensure, on the 12th day of February, 2009.

This Policy Statement was amended by the Board of Social Worker Licensure, on the 5th day of May, 2011.

This Policy Statement was further amended by the Board of Social Worker Licensure on the 2nd day of August, 2012.