

Nancy Dahlstrom
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
907.465.3520
WWW.LTGOV.ALASKA.GOV



530 West 7th Ave, Suite 1700
Anchorage, Alaska 99501
907.269.7460
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Sara Chambers, Department of Commerce, Community and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor *AS*
465.4081

DATE: October 30, 2024

RE: Filed Permanent Regulations: Board of Social Work Examiners

Board of Social Work Examiners regulations re: Supervision, Continuing Education,
Ethics (12 AAC 18.112)

Attorney General File:	2024200183
Regulation Filed:	10/30/2024
Effective Date:	11/29/2024
Print:	252, January 2025

cc with enclosures: Beth Parsons, Department of Law
Judy Herndon, LexisNexis
Sylvan Robb, Division Director
Stefanie Davis, Regulations Specialist



THE STATE
of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

P.O. Box 110300
Juneau, Alaska 99811
Main: 907.465.3600
Fax: 907.465.2520

October 24, 2024

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: *12 AAC 18.112 - 210: Board of Social Work Examiners - Supervision,
Cont. Education, Ethics*
Our file: 2024200183

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Board of Social Work Examiners against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Board of Social Work Examiners after the close of the public comment period.

The regulations add new requirements for clinical supervisors, update clinical supervision requirements, update continuing education hours for license renewals, and update the social worker code of ethics that is adopted by reference.

The August 4, 2024 public notice and the October 7, 2024 certification of adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

We have made some technical and other corrections necessary to conform the regulations with the board's amendments at its September 30, 2024 meeting and in accordance with AS 44.62.060. The corrections are incorporated into the attached copy of the regulations.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By: **Rebecca C. Polizzotto**
Digitally signed by
Rebecca C. Polizzotto
Date: 2024.10.24
15:29:21 -08'00'

Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

RCP/SCW

CC w/enclosure: Stefanie Davis, Regulations Specialist 2
Department of Commerce, Community and Economic Development

Steven C. Weaver, Assistant Attorney General
Department of Law

Patty C. Burley, Assistant Attorney General
Department of Law

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE BOARD OF SOCIAL WORK EXAMINERS


The attached seven pages of regulations, dealing with adding regulations for clinical supervisors, and updating clinical supervision requirements, the social worker code of ethics, and continuing education hours for renewals, are certified to be a correct copy of the regulation changes that the Board of Social Work Examiners adopted at its September 30, 2024 meeting, under the authority of AS 08.95.030, AS 08.95.040, AS 08.95.110, and AS 08.95.120, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Board of Social Work Examiners paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: 10/7/2024

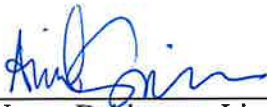
DocuSigned by:

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Ann Applebee, Licensed Clinical Social Worker,
Chair
Alaska Board of Social Work Examiners

April Simpson for

FILING CERTIFICATION

I, [↑]Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on October 30, 2024 at 3:05 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

for 

Nancy Dahlstrom, Lieutenant Governor

Effective: November 29, 2024.

Register: 252, January 2025.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

April Simpson, Regulations and Initiatives Specialist

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

Register 252, January 2025 PROFESSIONAL REGULATIONS

12 AAC 18.112(2)(B) is amended to read:

(B) the continuing education requirements described in **12 AAC 18.210(b)(1), (3), (4), and (5)** [12 AAC 18.210(a)(1), (3), (4), and (5)]. (Eff. 10/14/99, Register 152; am 8/29/2003, Register 167; am 3/26/2020, Register 233; am 10/16/2022, Register 244; am 6/11/2023, Register 246; am 11 / 29 / 2024, Register 252)

Authority: AS 08.95.030 AS 08.95.120

12 AAC 18 is amended by adding a new section to read:

12 AAC 18.113. Clinical supervisor requirements for a licensing period that begins after June 30, 2026. For a licensing period that begins after June 30, 2026,

(1) clinical supervision may only be provided by a clinical social worker, psychologist, or psychiatrist who

(A) has not less than three years of experience as a licensed clinical social worker, psychologist, or psychiatrist;

(B) holds an unrestricted license to practice clinical social work, psychology, or psychiatry in the state or other licensing jurisdiction during the period of supervision; and

(C) has completed not less than six hours of continuing education in supervision or supervisory practices; and

(2) a clinical supervisor shall complete an additional six hours of continuing education in supervision or supervisory practices during each biennial licensing period.

(Eff. 11 / 29 / 2024, Register 252)

Authority: AS 08.95.030 AS 08.95.110

The introductory language of 12 AAC 18.115(b) amended to read:

(b) **Before July 1, 2026, the** [THE] board may approve the supervision of experience of an applicant for a clinical social work license to satisfy the requirements of AS 08.95.110(a)(2) if the clinical supervisor

...

12 AAC 18.115(c) is amended to read:

(c) To be accepted by the board,

(1) **for a licensing period that begins after June 30, 2026, the direct clinical supervision must be conducted by a clinical supervisor who meets the requirements set out under 12 AAC 18.113;**

(2) the applicant's supervised direct clinical supervision experience must be documented by the clinical supervisor on a form provided by the department;

(3) direct clinical supervision must be provided in face-to-face meetings between the supervisor and the applicant unless the board, for good cause shown, has granted an exception to allow [ALLOWING FOR] an alternate supervision method [FORM OF SUPERVISION];

(4) the applicant must provide a written release to the board from the administrator of the applicant's agency for the applicant to be supervised outside the applicant's agency setting [(2)] if direct clinical supervision is not provided to the applicant within the applicant's agency of employment [, THE APPLICANT MUST PROVIDE THE BOARD WITH A WRITTEN RELEASE FROM THE ADMINISTRATOR OF THE APPLICANT'S AGENCY FOR THE APPLICANT TO BE SUPERVISED OUTSIDE THE APPLICANT'S AGENCY SETTING]; and

(5) [(4)] the clinical supervisor must be responsible for **the applicant's** direct clinical supervision [OF THE APPLICANT] within the following content areas:

- (A) clinical skills;
- (B) practice management skills;
- (C) skills required for continuing competence;
- (D) **professional identity** development [OF PROFESSIONAL IDENTITY];
- (E) ethical practice; **and**
- (F) legal and regulatory requirements.

12 AAC 18.115(e) is amended to read:

(e) For good cause shown, **the board may permit an applicant to receive an alternate supervision method** [TO THE BOARD'S SATISFACTION, THE BOARD WILL ACCEPT AN ALTERNATE PLAN OF SUPERVISION] that varies from the **requirements** [REQUIREMENT] of this section [,] if the applicant

(1) submits the alternate plan [IN WRITING] to the board **on a form provided by the department**; and

(2) receives **the board's** approval of the alternate plan [BY THE BOARD] before the applicant begins the alternate supervised experience.

(Eff. 10/14/99, Register 152; am 10/31/2008, Register 188; am 9/11/2022, Register 243; am

11 / 29 / 2024, Register 252)

Authority: AS 08.95.030 AS 08.95.110

12 AAC 18.150 is amended to read:

12 AAC 18.150. Social worker code of ethics. A social worker licensed in **the** [THIS] state shall adhere to the code of ethics adopted by the board under this section. The board adopts by reference the *Code of Ethics of the National Association of Social Workers, 2021 edition* [CODE OF ETHICS OF THE NATIONAL ASSOCIATION OF SOCIAL WORKERS, INC., 2008 EDITION], as the code of ethics for social workers licensed in **the** [THIS] state. (Eff. 9/26/91, Register 119; am 10/14/99, Register 152; am 8/29/2003, Register 167; am 11/4/2015, Register 216; am 11 / 29 / 2024, Register 252)

Authority: AS 08.95.030 AS 08.95.110

Editor's note: A copy of the *Code of Ethics* adopted in 12 AAC 18.150 is available for inspection at the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, Juneau, Alaska, or may be obtained from the National Association of Social Workers [, INC.], 750 1st Street [,] NE, **Suite 800**, Washington, DC **20002** [20002-4241]; Phone: (800) 638-8799; website: www.socialworkers.org; or from the Alaska Chapter of the National Association of Social Workers at its website at www.naswak.socialworkers.org [WWW.NASWAK.ORG].

12 AAC 18.210 is repealed and readopted to read:

12 AAC 18.210. Continuing education requirement. (a) A licensee applying for renewal of a social worker license shall complete the continuing education contact hours set out in this section for a biennial licensing period. For the licensee's

(1) first biennial renewal, the licensee shall complete

(A) 21 contact hours, if the licensee has been licensed for fewer than 12 months during the concluding biennial licensing period;

(B) 45 contact hours, if the licensee has been licensed for at least 12 months during the concluding biennial licensing period; or

(2) second or subsequent biennial renewal, the licensee shall complete 45 contact hours.

(b) To be eligible for renewal, a licensee shall complete the following minimum continuing education contact hours during each biennial licensing period:

(1) six contact hours in substance abuse education;

(2) six contact hours in cross-cultural education;

(A) for the first biennial renewal, all six hours must include issues relating to Alaska Natives;

(B) for the second or subsequent biennial renewal, at least three hours must include issues relating to Alaska Natives;

(3) three contact hours in professional ethics;

(4) three contact hours in teletherapy practice;

(5) three contact hours in suicide education.

(c) The board will only accept hours earned from an academic course that a licensee audited as continuing education contact hours if

(1) the licensee only claims the hours during which the licensee attended instructional class time; and

(2) the licensee does not claim more contact hours than the academic semester credit, academic quarter credit, or other academic credit hours offered for that course; for purposes of this paragraph,

(A) one academic semester credit equals 15 contact hours;

(B) one academic quarter credit equals 10 contact hours.

(d) A licensee applying for renewal shall complete at least 10 contact hours of the required continuing education contact hours under this section by attending live, live online, or synchronous training courses. The licensee may obtain the remaining hours through

(1) a correspondence program;

(2) a prerecorded videotape, audiocassette, digital medium, or other optical medium program;

(3) an asynchronous program; for purposes of this paragraph, "asynchronous" means non-real-time transmission of instruction, classwork, and discussion between an instructor and a student; or

(4) another individual study program.

(e) A licensee applying for renewal may not earn more than 12 contact hours of continuing education activities required under this section in one day.

(f) A licensee applying for renewal under this section may receive up to three hours of professional ethics continuing education credit under (b)(3) of this section once every biennial licensing period for each 150 minutes that the licensee attends a regularly scheduled board meeting.

(g) For the purposes of this section,

(1) one "contact hour" equals 50 to 60 minutes of classroom instruction between an instructor and a participant;

(2) "relating to Alaska Natives" means a structured educational experience, including a course, lecture, workshop, or other organized training that focuses on the indigenous peoples of Alaska as applicable to social work practice; and

(3) "teletherapy practice" means the use of audio, video, or data communication to perform, while physically separated from a client, the function or practice within the training required for licensure under AS 08.95 and this chapter. (Eff. 9/26/91, Register 119; am 10/14/99, Register 152; am 11/4/2015, Register 216; am 3/26/2020, Register 233; am 6/11/2023, Register 246; am 11 / 29 / 2024, Register 252.)

Authority: AS 08.95.030 AS 08.95.040