

Secretary of State  
**STATEMENT OF NEED AND FISCAL IMPACT**

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

State Board of Clinical Social Workers  
Agency and Division

877  
Administrative Rules Chapter Number

Amends rules for clinical social workers; adds requirement for criminal records check.

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of: The adoption of rules in Oregon Administrative Rules, Chapter 877, Divisions 022 and 025, the amendment of Divisions 020 and 030 and the repeal of various rules in Divisions 020 and 025.

Statutory Authority: ORS 675.510(3), 675.530(1), 675.530(3), 675.535(1), 675.537(1), 675.537(3), 675.560(2) 675.571(4), 675.595(3), 675.600(1)(a)

Other Authority:

Stats. Implemented: ORS 675.510 to 675.600

Need for the Rule(s): These changes accomplish the following: (1) Clarify process for certification and licensing; (2) Change the period for passing tests for licensure; (3) Establish the same fee for issue of initial and renewal of certificate; (4) Establish the same fee for issue of initial and renewal of license; (5) Increases License renewal from \$90 to \$96; (6) Repeals the designations of "formal" and "informal" continuing education; (7) Allows the Board to require national FBI fingerprint background check for all applicants and other specific categories; (8) Reduces the lead-time needed for submission of non-credentialed continuing education; (9) Requires licensees to timely self-report in-patient psychiatric hospitalization or psychiatric day treatment; and (10) Requires private practice licensees to have specific information in client records, keep records in a secure, safe, retrievable and legible condition, and establishes record retention protocols.

Documents Relied Upon, and where they are available: '07-'09 Legislative Adopted Budget (Board office); Information from Oregon State Police about FBI fingerprint process (Board office); Notes of and feedback from Advisory Committee meeting and process (Board office).

Fiscal and Economic Impact:

- The fiscal and economic impact for the increased renewal fees rests with each individual Licensed Clinical Social Worker (LCSW). The cost for annual Renewal of License goes from \$90 to \$96 per year, a \$6/year increase.
- The fiscal and economic impact for implementing the FBI national data bank fingerprint background check rests with each person who applies to become a CSWA or an LCSW. The current charge is \$47.25 and will be paid prior to taking the fingerprints.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): Variable. If the agency pays for LCSW renewal fees, they will pay \$6/year more for renewal for each LCSW employed by the agency. The other impact will be on agencies that pay for supervision while a person seeks licensure. Supervision will now be required for Associates who have been approved to take the national exam until they have successfully passed the exam. They will have up to two years to pass the exam, and will be required to be supervised at least once a month for at least an hour. This might cost up to \$100/month for agencies that continue to pay for supervision until an Associate passes the exam.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule: 800. Clinical social workers in private practice or employed in private, non-profit or for-profit mental health agencies.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: Variable. If the business pays for the cost of annual licensure renewal, their cost will increase \$6/year for each LCSW in the business.

c. Equipment, supplies, labor and increased administration required for compliance: Variable. Cost of storing client records in a safe, secure, and retrievable condition if clinical social workers in private practice do not currently keep records in that manner.

How were small businesses involved in the development of this rule? N/A. The Board licenses individuals, not businesses.

Administrative Rule Advisory Committee consulted?: Yes. 7 people from across the state, plus 2 board members and the Administrator  
If not, why?:

\_\_\_\_\_  
Signature

Jon F. Langenwaller  
Printed name

January 9, 2008  
Date