

CHAPTER 850-X-4
APPLICATIONS FOR LICENSURE AND CERTIFICATION

850-X-4-.01 Form of Application.

(1) All applications for licensure and certification shall be made on a form provided by the Board and no applications made otherwise will be accepted. Application forms are available on-line. Where space does not permit an applicant to present his record of experience, education or practice on the application form provided by the Board, the applicant may duplicate the experience and education record part of the application form. All forms must be signed and dated. Applications must be clearly typewritten or printed in black suitable for photostatic copy and all questions must be answered. An application not properly completed, or not containing all of the information required, or not accompanied by the required fee will be returned with a statement of the reasons for return.

(2) Requests for application packets shall be made to the Alabama State Board of Social Work Examiners. The application packet, including necessary forms with instructions and a copy of pertinent rules will be provided by the office of the Board to the applicant.

(3) To allow time for processing, all applications for licensure for any social work licensure and certification shall be filed with the Board at least fourteen (14) days prior to the next scheduled meeting of the Board.

(4) The applicant has the responsibility for providing documentation that his/her positions constitute "social work practice" and that the applicant is identified with the profession.

(5) It is the responsibility of the applicant to ensure that all documents have been received. Any person who knowingly makes, or causes to be made, false or misleading statements during the Board's investigation of his/her application shall be denied licensure. The existence of such false or misleading statements on the applicant's application or supporting documents shall be prima facie evidence of the violation of this rule. Whenever it appears that a person has violated this rule, the Board shall, after proper notice having been given, conduct a show-cause hearing for the purpose of denial of any license of said person. If the facts substantiate the violation of this rule, reapplication may not be made for a period of one year during which time the person shall not practice social work utilizing the rights and privileges granted to a licensed social worker.

(6) Applications for licensure by reciprocity shall be reviewed by the Executive Director of the Board. Applications for licensure for PIP shall be reviewed by at least two Board members. Board members shall not review applications for applicants who are relatives, personal friends or work in the same agency or setting with the Board member. If an application is denied, the Board shall submit a written notice stating the reason(s) for the denial. If the Board determines that the applicant does not qualify for the level applied for, it shall approve licensure at the maximum level for which the applicant is eligible. This is not to be construed to deny the applicant the right to appeal the Board's decision.

(7) Progression to a new level of licensure constitutes a new application. The applicant or licensee must make formal application for each level and meet all requirements established for that level of licensure. Documentation already presented for determining eligibility for a previous level of licensure will be applied to the new application and need not be resubmitted.

(8) Licensure is a matter between the individual applicant and the Board. Applications and supporting documentation are confidential. The Board has no obligation to inform agencies or employers of Board decisions regarding applicants employed in their agencies. Ordinarily, written authorization

shall be obtained from applicants or licensees prior to any necessary communication with any individual or agency regarding an applicant. However, agency supervisors, or employers, in their efforts to verify compliance with the licensing requirements, may be informed of the status of an application or the currency of an individual's license. In such instances, a note should be made in the applicant or licensee's file as to who inquired, what information was given, and by whom the information was released.

(9) The Board requires an official transcript confirming the completion of the degree as required by the Code of Alabama 34-30-22. Transcripts must bear the official seal and be mailed directly from the college or university to the Board or other Board approved authority.

(10) Withholding information, misrepresentation, or untrue statements will be cause for denial of an application.

Author: Alabama Board of Social Work Examiners

Statutory Authority: Code of Ala. 1975, §§34-30-232 (1991); 41-22-4(a) (2) (1991).

History: Repealed and Replaced: Filed: October 31, 1997; Operative December 5, 1997; effective January 1, 1998; March 8, 2007; effective April 12, 2007; effective October 4, 2014; September 15, 2016; effective October 21, 2016.

850-X-4-.02 Reciprocity and Applications from Non-Residents.

(1) Reciprocity. Reciprocity shall be granted by the Board to applicants holding active licenses from other states provided equivalency of standards exists. A comparison shall be made between the requirements for licensure under Alabama law and requirements for licensure under the law in the state where the licensee holds an active license. Reciprocity will be granted for whatever level is applicable. Where necessary the Board shall request additional information from the applicant in order to clarify whether or not equivalency exists.

(2) Non-Alabama residents who hold an active social work license from another state of the United States may apply for licensure or certification provided:

(a) the state in which the applicant holds a license or certification requires standards equivalent to Alabama's for licensing or certification;

(b) the applicant agrees to be bound by all the provisions of the State of Alabama law governing social workers, and submits to the jurisdiction of the Board, and agrees to be subject to the investigations and disciplinary actions by the Board; and

(c) The applicant otherwise complies with the provisions of Alabama law and the rules pertaining to the application and certification of social workers in Alabama.

(3) Upon payment of all fees, non-resident applicants who meet all the above requirements and have taken a social worker licensure examination are not required to take the Alabama examination. The non-resident applicant shall complete an Alabama application and provide the necessary information from the resident state that the applicant holds a valid license or certification in good standing issued by the licensing or regulatory agency in the state as attested to by a statement under seal from the agency setting forth:

(a) the type of license or certification held by the applicant and the license or certification number;

(b) the date of licensure or certification and the expiration date of the applicant's current license or certification;

(c) proof of the examination taken by the applicant;

(d) verification of supervision in that state; and

(e) a complete record of any disciplinary actions taken or pending against the applicant.

(4) Reciprocity filed under a State of Emergency proclaimed by the Governor of Alabama upon request a person with a valid and active social work license may be issued a temporary license to practice in this state as long as the State of Emergency is in effect.

Author: Alabama Board of Social Work Examiners

Statutory Authority: Code of Ala. 1975, §34-30-24 (1991).

History: Repealed and Replaced: Filed October 31, 1997; effective January 1, 1998; March 8, 2007; effective April 12, 2007; effective October 4, 2014; September 15, 2016; effective October 21, 2016.

850-X-4-.03 Disposition of Applications.

(1) Approved Applications. When the Board, after due consideration of an application and of information pertaining thereto, is satisfied that the applicant is eligible for licensure or certification the applicant will be granted licensure or certification, and the applicant will be notified by the executive director.

(2) Deferred Applications. If an applicant's education or experience is considered inadequate upon Board review, but the Board believes the applicant may meet the minimum legal requirements within one year, such application may be held by the Board for up to one year without approval or denial. The applicant will be advised of the basis for holding the application, of additional information to be submitted, and of the approximate date on which the application will be formally considered again. The Board may require additional information pertaining to background and qualification. If more than one additional year of experience or additional education is considered necessary, the application will be denied, and for further consideration, the applicant will be required to submit a new application after having acquired the necessary qualifications.

(3) Denied Applications. When the Board, after due consideration of an application and of information pertaining thereto finds that the applicant is not eligible for licensure or certification under any section of the law, the applicant will be given notice of the denial, and shall be advised of the appellate procedures set forth in Rule 850-X-4-.05 The board may deny an application upon proof that the person has engaged in unprofessional conduct within the last five years, including, but not limited to:

- (a) Conviction of a felony;
- (b) Habituation or addiction to habit-forming drugs, either of which impairs the ability to perform his or her work;
- (c) Conviction of fraud or deceit in connection with services rendered as a social worker licensed under this chapter or in establishing qualifications under this chapter;
- (d) Aiding or abetting a person not licensed under this chapter who is falsely representing himself as a social worker licensed under this chapter;
- (e) Failing to be relicensed and continuing to represent himself or herself as licensed after the expiration of his or her license; or
- (f) Being found guilty of unprofessional conduct by the rules established by the Board of Social Work Examiners.

Author: Alabama State Board of Social Work Examiners **Statutory Authority:** Code of Ala. 1975 §41-22-4(a)(2) (1991). **History: Repealed and Replaced:** Filed October 31, 1997, effective January 1, 1998; March 8, 2007; effective April 12, 2007; March 9, 2010; effective June 15, 2010; effective October 4, 2014; September 15, 2016; effective October 21, 2016.

850-X-4-.04 Reconsideration of Denied Application.

(1) A denied application may be reconsidered by the Board, if notice of appeal is filed with the executive director within thirty (30) days after the applicant has been notified of the ruling of the Board.

(2) A hearing shall be held as soon as practicable after filing of the notice of appeal, or at such time agreed upon by stipulation between the applicant and the executive director.

(3) The hearing shall be held by at least a quorum of the Board.

(4) Evidence, including oral testimony, shall be freely admitted. The applicant shall be allowed to have counsel present if desired.

(5) In a reconsideration of denied application, the applicant shall have the burden of establishing to the reasonable satisfaction of the Board that the applicant is entitled to the specific relief requested.

(6) The Board shall issue a final decision within thirty (30) days of the date of the hearing, which shall include findings of fact and official notice taken. The applicant shall be delivered a copy of the decision by first class mail.

(7) The decision of the Board may be appealed as provided in ALA. CODE §34-30-5 (1991) within thirty (30) days of the decision of the Board.

(8) The record on appeal shall be certified by the executive director of the Board, and shall include the entire record and transcript of the hearing.

Author: Alabama Board of Social Work Examiners

Statutory Authority: Code of Ala. 1975, §41-22-4(a)(2) (1991).

History: Repealed and Replaced: Filed October 31, 1997; effective January 1, 1998; March 8, 2007; effective April 12, 2007; October 4, 2014; September 15, 2016; effective October 21, 2016.