



**Rules of
Department of Economic
Development
Division 263—Licensed Clinical
Social Workers
Chapter 1—General Rules**

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**Title 4—DEPARTMENT OF
ECONOMIC DEVELOPMENT**
Division 263—Licensed Clinical
Social Workers
Chapter 1—General Rules

4 CSR 263-1.010 Definitions

PURPOSE: This rule defines terms used in 4 CSR 263.

Editor's Note: The forms mentioned in this chapter follow 4 CSR 263-2.070.

(1) The words defined in sections 337.600—337.639, RSMo shall have the same meaning when used in these rules, unless the context plainly requires a different meaning.

(A) The phrase acceptable educational institution shall mean—

1. A school, college, university or other institution of higher learning in the United States which, at the time the applicant was enrolled and graduated, was accredited by a regional accrediting commission recognized by the United States Department of Education or the Council on Post-Secondary Accreditation (COPA); or

2. A school, college, university or other institution of higher learning outside the United States which, at the time the applicant was enrolled and graduated, maintained a standard of training substantially equivalent to the standards of training of those institutions accredited by one (1) of the regional accrediting commissions recognized by the United States Department of Education or COPA.

(B) Advisory committee shall mean the advisory committee for licensed clinical social workers.

(C) Advisory Committee for Licensed Clinical Social Workers is the group of individuals appointed by the director of the Division of Professional Registration to assist in determining the requirements for licensure as a licensed clinical social worker, establishing the ethical standards for clinical social workers and any other duties assigned to them by the director of the division.

(D) Applicant shall mean an individual who has submitted an application for licensure as a clinical social worker.

(E) Client means any individual, couple, family, group, organization or community who receives or contracts, or both, for clinical social work services.

(F) Confidential information means information revealed by a client or otherwise obtained by a clinical social worker in the professional relationship.

(G) Continuing education shall mean continuing professional education in the area of clinical social work in seminars, lectures, workshops or in-service training.

(H) Dual relationship means any relationship between a licensed clinical social worker and an individual client other than the professional role, including, but not limited to, the existence of a social, sexual or business relationship between the licensed clinical social worker and the individual client.

(I) Employer shall mean any individual, agency, or organization that provides salary and benefits to a clinical social worker or has the authority to determine the conditions of professional services for the clinical social worker, or both.

(J) Legal resident alien as used in section 337.615.1(3), RSMo means any noncitizen who has been admitted to and remains in the country with the recognitions of the Immigration and Naturalization Service (INS).

(K) Registrant shall mean an individual who has submitted a request for registration of supervision or an individual whose request for registration of supervision has been approved by the committee, who has completed the education requirements for licensure as a clinical social worker, and who is engaged in a program of supervised clinical social work experience in an agency, organization or private setting, but who has not met the other requirements for licensure.

(L) Sexual intimacies means physical or other contact by either the clinical social worker or the client including, but not limited to:

1. Sexual intercourse—any penetration or contact with the female sex organ by a finger, the male sex organ or any object;

2. Sodomy—oral or anal copulation, oral or anal copulation or sexual intercourse between a person and an animal, or any penetration of the anal opening by any body part or object;

3. Kissing or caressing by either the clinical social worker or the client;

4. Touching by either the clinical social worker or the client of the other person's legs, stomach, chest, breasts, genitals or buttocks;

5. Exhibitionism and voyeurism—exposing one's self or encouraging another to expose him/herself for the purpose of sexual gratification; or

6. Deliberate or repeated comments, gestures or physical contacts of a sexual nature that exploits the professional relationship with the client.

(M) Term of licensure means the period between initial licensure and renewal and the period between renewals.

*Auth: sections 337.627 and 337.630, RSMo (1994). *Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. Amended: Filed Dec. 2, 1991, effective June 25, 1992. Amended: Filed Jan. 11, 1995, effective June 30, 1995.*

**Original authority: 337.627, RSMo, amended 1993 and 337.630, RSMo (1989).*

4 CSR 263-1.020 Fees

PURPOSE: This rule establishes the fees for licensed clinical social workers.

(1) The following fees are established by the division and are payable in the form of a cashier's check, personal check or money order:

(A) Application Fee	
1. October—January	\$200.00;
2. February—May	\$150.00;
and	
3. June—September	\$100.00;
(B) Supervision Registration Fee	\$ 50.00;
(C) Two (2)-Year License Renewal Fee	\$110.00;
(D) Delinquency Fee	
1. One (1) day to sixty (60) days late	\$ 50.00;
and	
2. Sixty (60) days to two (2) years late	\$250.00;
(E) Reciprocity Application Fee	\$250.00;
(F) Name Change Fee	\$ 15.00;
(G) Endorsement to Another Jurisdiction Fee	\$ 10.00;
(H) Wall-Hanging Fee Replacement	\$ 15.00;
(I) Computer Printout Fee (per page)	\$.50;
(J) Copy Fee (per page)	\$.50;
and	
(K) Insufficient Funds Check Charge Fee	\$ 50.00.

(2) All fees are nonrefundable.

*Auth: sections 337.612 and 337.627, RSMo (Cum. Supp. 1989). *Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. Amended: Filed Dec. 2, 1991, effective June 25, 1992. Emergency amendment filed June 3, 1993, effective June 13, 1993, expired Oct. 10, 1993. Amended: Filed Jan. 29, 1993, effective Sept. 9, 1993.*

**Original authority 1989.*

4 CSR 263-1.030 Name and Address Change

PURPOSE: This rule outlines the requirements and procedures for notifying the division of name and address changes.

- (1) All individuals licensed as clinical social workers shall ensure that the license bears the current legal name of that individual.
- (2) A licensee whose name is changed shall promptly—
 - (A) Notify the division of the change and provide a copy of the appropriate document indicating the change;
 - (B) Pay the name change fee as prescribed in 4 CSR 263-1.020;
 - (C) Request from the division a new license bearing the individual's new legal name; and
 - (D) Return the current license and the original wall-hanging certificate bearing the former name.
- (3) A licensee may request a replacement wall-hanging certificate by paying the wall-hanging replacement fee.
- (4) A licensee whose address has changed from that printed on the license must inform the division of those changes by sending a letter to P.O. Box 85, Jefferson City, MO 65102 within thirty (30) days of the effective date of the change.
- (5) Changes in telephone numbers should also be reported in the same manner as that described for changes in address.

*Auth: section 337.627, RSMo (1994).**
Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. Amended: Filed Jan. 11, 1995, effective June 30, 1995.

**Original authority 1989, amended 1993.*

4 CSR 263-1.040 Policy for Handling Release of Public Records

PURPOSE: This rule sets forth the advisory committee's written policy in compliance with sections 610.010—610.030, RSMo regarding the release of information on any meeting, record or vote of the advisory committee.

- (1) The Advisory Committee for Licensed Clinical Social Workers is a public governmental body as defined in Chapter 610, RSMo and adopts the following as the written policy for

compliance with the provisions of that chapter. This policy is open to public inspection and implements Chapter 610, RSMo provisions regarding the release of information of any meeting, records or vote of the advisory committee which is not closed under the chapter.

- (2) All public records of the Advisory Committee for Licensed Clinical Social Workers shall be open for inspection and copying by any member of the general public during normal business hours (8 a.m. to 5 p.m., Monday through Friday (holidays excepted)) except for those records closed pursuant to the provisions of section 610.021, RSMo. All public meetings of the Advisory Committee for Licensed Clinical Social Workers not closed under that section will be open to the public.

- (3) The Advisory Committee for Licensed Clinical Social Workers establishes the executive director as the custodian of its records as required by section 610.023, RSMo. The executive director is responsible for maintaining agency records and responding to requests for access to public records.

- (4) The advisory committee may charge a reasonable fee for the cost of inspecting and copying the records. Charges and payments of the fees shall be based on the following:

(A) A fee for copying public records shall not exceed the actual cost of the document search and duplication;

(B) The advisory committee may require payment of fees prior to making the copies; and

(C) All fees collected shall be remitted to the director of revenue for deposit to the credit of the Clinical Social Work Fund.

- (5) If the custodian believes that requested access is not required under Chapter 610, RSMo, the custodian shall consult with the Office of the Attorney General before deciding whether to deny access to the records. If contact with that office is not practicable or is impossible, the custodian may decide whether to deny access. However, in that case, the custodian shall consult with the Office of the Attorney General within five (5) working days of the decision. When access is denied, the custodian will comply with the requirements in section 610.023, RSMo concerning informing the individual requesting access to the records and shall supply to the director of the division copies of the written denial. The division director shall either affirm or reverse the decision of the custodian. If the director reverses the decision, s/he shall direct the custodian to so advise the requesting party and supply the access to the information during regular business hours at the party's convenience.

- (6) The custodian shall maintain a file of copies of all written requests for access to records and responses to the requests. That file shall be maintained as a public record open for inspection by any member of the general public during regular business hours.

*Auth: sections 337.627, RSMo (Cum. Supp. 1989) and 610.030, RSMo (1986).**
Original rule filed Sept. 18, 1990, effective Feb. 14, 1991.

**Original authority: 337.627, RSMo (1989) and 610.030, RSMo (1973), amended 1982.*

4 CSR 263-1.050 Advisory Committee

PURPOSE: This rule defines the Advisory Committee for Licensed Clinical Social Workers.

- (1) The Advisory Committee for Licensed Clinical Social Workers shall be composed of six (6) licensed clinical social workers and one (1) public member.

- (2) The public member shall not be a licensed clinical social worker or employed in the field of social work or be in partnership with any licensed clinical social workers.

- (3) The committee shall include at least two (2) members who are engaged in the private practice of clinical social work.

- (4) The committee members are appointed by the director of the Division of Professional Registration and serve four (4)-year terms, except that the first committee appointed shall consist of two (2) members who shall be appointed for four (4) years, two (2) members who shall be appointed for three (3) years, two (2) members who shall be appointed for two (2) years and one (1) member who shall be appointed for one (1) year.

- (5) A vacancy in the office of a member shall be filled by appointment by the director of the Division of Professional Registration for the remainder of the unexpired term.

- (6) The advisory committee is responsible for evaluating license applications, defining ethical standards for clinical social workers, establishing fees, determining which doctoral degree programs are acceptable, defining supervised clinical experience and any other duties assigned to them by the Division of Professional Registration.

*Auth: sections 337.627 and 610.010—610.030, RSMo (1994). *Original rule filed Dec. 2, 1991, effective June 25, 1992. Amended: Filed Jan. 11, 1995, effective June 30, 1995.*

**Original authority: 337.627, RSMo (1989), amended 1993; 610.010, RSMo (1973), amended 1977, 1978, 1982, 1989, 1993; 610.011, RSMo (1987); 610.015, RSMo (1973), amended 1987, 1993; 610.020, RSMo (1973), amended 1982, 1987; 610.021—610.022, RSMo (1987); 610.023, RSMo (1987); 610.024, RSMo (1993); 610.026, RSMo (1987); 610.027, RSMo (1982), amended 1987, 1990; 610.028, RSMo (1982), amended 1987; 610.029, RSMo (1993); and 610.030, RSMo (1973), amended 1982.*