CHAPTER 63 – SOCIAL WORK CERTIFICATION

SECTION .0100-GENERAL

21 NCAC 63 .0101 PURPOSE

History Note:  Authority G.S. 90B-2; 90B-6;  Eff. August 1, 1987; Temporary Amendment Eff. October 1, 1999; Repealed Eff. April 1, 2001.

21 NCAC 63 .0102 DEFINITIONS

Whenever used in this Chapter, the definitions set forth in G.S. 90B-3 are herein incorporated by reference. The following definitions apply in this Chapter:

(1) CMSW - this designation represents the certified master social worker level of certification.
(2) CSW - this designation represents the certified social worker level of certification.
(3) CSWM - this designation represents the certified social work manager level of certification.
(4) LCSW - this designation represents the licensed clinical social worker level of certification.
(5) LCSWA - this designation represents the licensed clinical social worker associate level of certification.
(6) NCSWCLB - this designation represents the North Carolina Social Work Certification and Licensure Board.
(7) Censure. Censure is an act involving severe condemnation and a sanction by the Board for practice misconduct. Censuring is typically for severe offenses and may require specific follow-up actions by the social worker.
(8) Client. Client means the individual, couple, family, group, organization, or community that seeks or receives social work services. Client status is not dependent on billing or payment of fees for such services. A power of attorney, legal guardian or person who is responsible for making decisions relative to the provision of social work services for a minor or adult is also deemed a recipient of social work services as part of the client system.
(9) Client system. Client system means the client and those in the client's environment who are potentially influential in contributing to a resolution of the client's issues.
(10) Clinical Case Management. A comprehensive approach to care integrating a broad array of interventions to include planning, implementation and management of care for clients with one or more of the following: mental, emotional, addictive, behavioral, or developmental disorders and conditions. Interventions by the clinical case manager shall involve face-to-face contact with the client on a regular basis, shall be grounded in clinical social work theory, and shall be guided by the client's treatment plan or personal care plan.
(11) Clinical Social Work Experience. As it relates to the work experience required for LCSW licensure, two years of clinical social work experience in direct practice means the professional application of master or doctoral social work theory, knowledge, methods, ethics, and the professional use of self to restore or enhance social, psychosocial, or biopsychosocial function. Clinical social work experience requires the application of specialized clinical knowledge and advanced clinical skills in the areas of assessment, diagnosis, and treatment, including the use of psychotherapy, to treat one or more of the following disorders or conditions: mental, emotional, addictive, behavioral, or developmental disorders and conditions. In addition, the clinical social work experience may also include clinical case management, information and referral, mediation, client education, clinical supervision and clinical consultation that is directly related to the treatment plan or personal care plan of a client or consumer.
(12) Diagnosis. In the context of licensed clinical social work practice diagnosis is the process of distinguishing, beyond the general social work assessment, among one or more of the following: mental, emotional, addictive, behavioral, or developmental disorders and conditions within a psychosocial framework on the basis of their similar and unique characteristics consistent with American Psychiatric Association or World Health Organization classification systems.
(13) Probation. Probation is a period of time in which a license or certification is subject to specific practice conditions determined by the Board. The individual is permitted to continue practice subject
to compliance with the conditions set forth in the order determining the probation status. A violation of the conditions of probation can result in additional disciplinary action taken by the Board.

(14) Reprimand. Reprimand is a public rebuke and sanction by the Board for practice misconduct. A reprimand typically is given for less severe offenses and may require specific follow-up actions by the social worker.

(15) Revocation. Revocation is the withdrawal of privilege to practice as a certified or licensed social worker in the State of North Carolina.

(16) Surrender. Surrender is the voluntary relinquishment of a certification or license by its holder. The surrender of a certification or license shall be accepted only by Consent Order with the Board.

(17) Suspension. Suspension is the withdrawal of privilege to practice for a specific period of time.

(18) Treatment. Clinical social work intervention, including individual, couples, family, or group psychotherapy, that is empirically grounded and used to help resolve symptoms of one or more of the following: mental, emotional, addictive, behavioral, or developmental disorders and conditions.

History Note: Authority G.S. 90B-3; 90B-6;
Eff. August 1, 1987;
Temporary Amendment Eff. October 1, 1999;
Amended Eff. October 1, 2012; July 1, 2011; January 1, 2009; July 1, 2000;

21 NCAC 63 .0103 PROHIBITIONS

History Note: Authority G.S. 90B-4; 90B-6;
Eff. August 1, 1987;
Temporary Repeal Eff. October 1, 1999;

21 NCAC 63 .0104 ORGANIZATION OF THE BOARD
21 NCAC 63 .0105 MEETINGS

History Note: Authority G.S. 90B-5; 90B-6;
Eff. August 1, 1987;
Temporary Amendment Eff. October 1, 1999;

21 NCAC 63 .0106 ANNUAL REPORTS
(a) Not later than October 31 of each year, the Board shall file the reports required by G.S. 93B-2.
(b) In the event the reports required by G.S. 93B-2 are not timely filed, and the Board's authority to expend any funds is suspended, the Board shall continue to issue and renew licenses and deposit any fees or funds received during the period of suspension into an escrow account established by the Board solely for this purpose.
(c) The Board shall not expend the fees or funds until the Board has filed the required reports in accordance with G.S. 93B-2.

History Note: Authority G.S. 93B-2;
Eff. July 1, 2011;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

SECTION .0200 - CERTIFICATION

21 NCAC 63 .0201 DEFINITIONS

History Note: Authority G.S. 90B-3; 90B-5; 90B-6;
Eff. August 1, 1987;
Amended Eff. September 1, 1993;
21 NCAC 63 .0202 APPLICATION PROCESS
Applications, inquiries and forms shall be obtained from and returned to the Board. Applicants must submit only forms obtained directly from the Board office.

History Note: Authority G.S. 90B-6; 90B-7; 
Eff. August 1, 1987; 
Temporary Amendment Eff. October 1, 1999; 
Amended Eff. July 1, 2000; 
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

21 NCAC 63 .0203 TRANSCRIPTS
Applicants must have official transcripts sent from institutions where their highest social work degrees have been conferred. If transcript course titles are ambiguous, or do not adequately convey the pertinent content of the courses, clarifying documents may be requested.

History Note: Authority G.S. 90B-7; S.L. 1999-313; 
Eff. August 1, 1987; 
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

21 NCAC 63 .0204 REFERENCES
(a) Applicants for the LCSW and CSWM classifications shall have a minimum of three references related to the applicant’s experience, as required by G.S. 90B-7(d) and (e). Applicants for other classifications shall have a minimum of three references. The Board shall not accept references by relatives, clients, or subordinates of applicants. A current Board member shall not submit a reference for an applicant unless he or she is the applicant’s current or only social work supervisor. In such a case the Board member may submit a reference, but he or she shall excuse himself or herself from review of that applicant.
(b) All references shall come from individuals who have or had a professional association with the applicant and have knowledge of the applicant’s professional experience in the practice of social work.
(c) For applicants for LCSWA licensure, at least one reference shall be from one who has been or is currently supervising the applicant in a social work setting.
(d) For applicants from other jurisdictions seeking certification or licensure in accordance with G.S. 90B-8, at least one reference shall be from a registered, certified, or licensed social worker who has been or is currently practicing in a social work setting.

History Note: Authority G.S. 90B-6; 90B-7; 
Eff. August 1, 1987; 
Temporary Amendment Eff. October 1, 1999; 
Amended Eff. January 1, 2009; April 1, 2001; 

21 NCAC 63 .0205 ACADEMIC QUALIFICATIONS
21 NCAC 63 .0206 ACADEMIC EXEMPTIONS
21 NCAC 63 .0207 COMITY

History Note: Authority G.S. 90B-6; 90B-7; 90B-8; 90B-10; 
Eff. August 1, 1987; 
Temporary Repeal Eff. October 1, 1999; 

21 NCAC 63 .0208 APPLICATION FEE
Each applicant for certification or licensure by the Board shall submit an initial application fee of one hundred and fifteen dollars ($115.00) with the application.

**History Note:** Authority G.S. 90B-6; 90B-6.2; Eff. August 1, 1987; Temporary Amendment Eff. October 1, 1999; Amended Eff. August 1, 2012; July 1, 2000; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

**21 NCAC 63 .0209 ELIGIBILITY**

The Board shall review each application to determine an applicant's eligibility for a particular level of certification. An applicant will be notified in writing if he/she is ineligible for the requested level of certification. He/she may then apply for another level of certification. If an applicant is found to be ineligible for any level of certification, he/she may not sit for any examination.

**History Note:** Authority G.S. 90B-6; Eff. August 1, 1987; Temporary Amendment Eff. October 1, 1999; Amended Eff. July 1, 2000; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

**21 NCAC 63 .0210 ASSOCIATE LICENSES**

(a) The Board shall issue an associate license to any person who meets the requirements in G.S. 90B-7(f).

(b) Applications and forms shall be obtained from and returned to the Board Office. The application fee set in Rule .0208 of this Chapter shall be submitted with the application.

(c) Prior to practicing clinical social work, applicants must demonstrate in writing that, in the event of a clinical emergency, they have immediate access to a licensed mental health professional who has agreed to provide to them emergency clinical consultation to assure that standards of clinical social work practice are maintained. Each licensed clinical social worker associate shall notify the Board in writing of any change in such access.

(d) Each associate licensee must be supervised as set forth in G.S. 90B-7(f) and receive on-going appropriate supervision as defined in Rule .0211(a)(2) of this Chapter until the associate licensee is licensed as a Licensed Clinical Social Worker.

(e) All associate licensees shall submit reports of their clinical social work experience and supervision on the appropriate Board form(s) every six months for review and evaluation by the Board.

(f) To prevent a lapse in licensure, associate licensees who desire to become Licensed Clinical Social Workers shall complete the application process for the Licensed Clinical Social Worker classification and submit the application fee as set in Rule .0208 of this Chapter early enough to allow 30 days for administrative processing and Board action prior to the expiration of the associate license.

**History Note:** Authority G.S. 90B-6; 90B-7; Eff. August 1, 1993; Temporary Amendment Eff. October 1, 1999; Amended Eff. October 1, 2012; August 1, 2012; September 1, 2005; April 1, 2001; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

**21 NCAC 63 .0211 WORK EXPERIENCE**

(a) Qualifications as required by G.S. 90B-7(d)(s) for the Licensed Clinical Social Worker (LCSW) credential:

(1) Two years of post-MSW clinical social work experience shall mean 3,000 clock hours of work or employment for a fee or salary while engaged in the practice of clinical social work as defined in this Chapter. The 3,000 hours shall be accumulated over a period of time not less than two years nor more than six consecutive years. Practicum or internship experience gained as part of any educational program shall not be included. Pursuant to G.S. 93B-15.1(a), military applicants may receive credit
for military occupational specialty experience obtained post MSW degree and deemed substantially equivalent to clinical social work practice as defined in this Chapter.

(2) Appropriate supervision shall mean supervision by a MSW who is also a Licensed Clinical Social Worker and who is in good standing with the Board. A supervisor disciplined by any professional credentialing body or professional organization, or who has violated the provisions of an occupational licensing Board may not provide supervision to an associate licensee without the written permission of the Board. The Licensed Clinical Social Worker Associate's (LCSWA) clinical social work supervisor shall have an additional two years of clinical social work experience post LCSW licensure.

(3) Appropriate supervision shall be that which is provided on a regular basis, conducted no less than once every two weeks, with at least one hour of supervision during every 30 hours of experience. A minimum of 100 hours of supervision is required. The clinical supervisor shall make the initial determination whether the applicant's work experience meets the definition of clinical social work in accordance with the rules of this Chapter. The Board shall make the final determination whether or not the applicant's work experience meets the definition of clinical social work practice. Appropriate supervision may be individual or group supervision. Individual supervision shall mean one on one, face-to-face supervision by a MSW who is also a LCSW where the supervisor reviews and discusses clinical social work cases, reviews documentation, and provides evaluative comments and direction to the LCSWA. Group supervision shall mean face-to-face supervision provided by a MSW who is also a LCSW in a group setting, during which the supervisor reviews and discusses clinical social work cases, reviews documentation, and provides feedback and direction to each LCSWA in the group. A maximum of 25 hours of group supervision may be applied toward meeting the supervision requirements for the LCSW.

(4) Unless otherwise preapproved by the Board, no more than 20 hours of supervision may be provided through the use of technology. The clinical supervisor may seek approval by providing a written request to the Board. The request shall include the parties' information, including name, license number, and business address; and the circumstances for which the additional hours are needed. Approval of the request shall be determined on a case by case basis, based upon the circumstances provided in the request. All supervision provided through the use of technology shall be synchronous, involve visual and audio interactions throughout the entire session, and shall take place in such a manner as to maintain the confidentiality of the communication.

(b) Qualifications as required by G.S. 90B-7(e)(2) for the Certified Social Work Manager (CSWM) credential:

(1) Two years of post social work degree experience shall mean 3,000 clock hours of employment for a salary while engaged in administrative social work duties including, policy and budgetary development and implementation, supervision and management, program evaluation, planning, and staff development. Such duties shall be carried out in an administrative setting where social work or other mental health services are delivered. The 3,000 hours shall be accumulated over a period of time not less than two years nor more than six consecutive years. Practicum or internship experience gained as part of any educational program shall not be included.

(2) Appropriate supervision shall mean face-to-face supervision by a social work administrator certified or licensed by the Board who has a minimum of two years of administrative experience in a social work or mental health setting. Appropriate supervision shall be that which is provided on a regular basis, conducted no less than once every two weeks throughout the applicant's two years of administrative social work experience. A minimum of 100 hours of supervision is required. A maximum of 50 hours of group supervision may be applied toward meeting the supervision requirements for the CSWM. No more than 20 hours of supervision may be provided through the use of technology. All supervision provided through the use of technology shall be synchronous, involve visual and audio interaction throughout the entire session, and shall take place in such a manner to maintain the confidentiality of the communication.

History Note: Authority G. S. 90B-6; 90B-7; Temporary Adoption Eff. October 1, 1999; Eff. July 1, 2000; Amended Eff. October 1, 2012; January 1, 2009; September 1, 2005; Readopted Eff. February 1, 2017.
21 NCAC 63 .0212 DUPLICATE LICENSES OR CERTIFICATES
A duplicate certificate or license shall be issued by the Board to a current certificate holder or licensee upon receipt of a written request and payment of a twenty-five dollar ($25.00) fee.

History Note: Authority G.S. 90B-6; 90B-6.2; Temporary Adoption Eff. October 1, 1999; Eff. July 1, 2000; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

21 NCAC 63 .0213 TEMPORARY LICENSES
The Board may issue a non-renewable temporary reciprocal license pursuant to G.S. 90B-8(b), that is valid for no more than six months, upon receipt of a twenty five dollar ($25.00) fee.

History Note: Authority G.S. 90B-6; 90B-6.2; 90B-8; Temporary Adoption Eff. October 1, 1999; Eff. July 1, 2000; Amended Eff. January 1, 2009; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

21 NCAC 63 .0214 CERTIFICATION AND LICENSURE FOR MILITARY PERSONNEL AND MILITARY SPOUSES
(a) Upon receipt of a request for certification or licensure pursuant to G.S. 93B-15.1 from an applicant with military training and experience, the Board shall issue a certificate or license upon the applicant's satisfying the following conditions:

1. Has completed and submits to the Board, application information as described in Rules .0202, .0203, and .0204 of this Section;
2. Has provided to the Board written documentation to satisfy conditions set out in G.S. 93B-15.1(a) and (c); and
3. Has passed the qualifying examination for the level of certification or licensure for which the applicant is applying.

(b) Upon receipt of a request for certification or licensure pursuant to G.S. 93B-15.1 from a military spouse, the Board shall issue a certificate or license upon the applicant's satisfying the following conditions:

1. Has completed and submits to the Board, application information as described in Rules .0202, .0203, and .0204 of this Section;
2. Has provided written documentation to satisfy conditions set out in G.S. 93B-15.1(b) and (c); and
3. Has passed the qualifying examination for the level of certification or licensure for which the applicant is applying.

(c) Military trained applicants and military spouse applicants may apply for a temporary license as described in Rule .0213 of this Section. A temporary license shall apply only to clinical licensure and requires the following:

1. Submission of an application and official written verification of equivalent licensure, certification, or registration in good standing from the jurisdiction under which the applicant is currently licensed, certified, or registered;
2. Payment of the applicable fee;
3. Prior to the expiration of the temporary license, the applicant shall fulfill all requirements for documentation of education, experience, training, and examination, and pay any additional application fee as described in Rule .0202 of this Section. Upon receipt of all required documentation and applicable fees, the Board shall issue the appropriate clinical license for a period not to exceed two years.

History Note: Authority G.S. 90B-6(h); 93B-15.1; Eff. February 1, 2017.

SECTION .0300-EXAMINATIONS
Any national examination selected by the Board, or any examination developed by the Board, shall serve to evaluate the qualifications of each applicant for certification or licensure. Any such examination shall be administered at least once a year. Applicants for certification or licensure must pass the appropriate qualifying examination within two years of the initial application; failure to do so will necessitate that the applicant reapply to the Board for certification or licensure.

History Note: Authority G.S. 90B-6; 90B-7; 90B-8; Eff. August 1, 1987; Amended Eff. August 1, 1990; Temporary Amendment Eff. October 1, 1999; Amended Eff. April 1, 2001; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

Each applicant for certification or licensure shall be informed in writing whether he/she has passed the examination. If an applicant fails the examination, he/she may have his/her test hand-scored provided that a written request is received by the Board within five days of the date of the examination, and in accordance with the examining body selected by the Board.

History Note: Authority G.S. 90B-6; 90B-8; Eff. August 1, 1987; Temporary Amendment Eff. October 1, 1999; Amended Eff. February 1, 2009; July 1, 2000; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

An applicant who has not passed an examination shall be allowed to retake such examination upon paying the required examination fee of the cost of the examination plus forty dollars ($40.00).

History Note: Authority G.S. 90B-6; Eff. August 1, 1987; Temporary Amendment Eff. October 1, 1999; Amended Eff. July 1, 2000; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

An applicant who provides written cancellation that is received by the Board at least 30 days before the date of examination will receive a refund of the examination fee. An applicant whose written cancellation is received by the Board less than 30 days before the date of examination shall not receive a refund of the examination fee. However, he/she may apply to sit for another examination within 12 months of the missed examination without incurring any additional examination fee. An applicant whose written cancellation is received by the Board on or after the date of the examination, or an applicant who fails to appear for an examination, shall be required to reapply and pay another examination fee.

History Note: Authority G.S. 90B-6; Eff. August 1, 1987; Temporary Amendment Eff. October 1, 1999; Amended Eff. July 1, 2000; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.
21 NCAC 63 .0305  REVIEW OF EXAMINATIONS BY UNSUCCESSFUL APPLICANTS
(a) An applicant who has not successfully passed the certification or licensure exam may request a review in accordance with the policies and procedures of the examining body.
(b) An applicant’s score shall not be changed by the Board, and any questions about the score shall be transmitted to the examining body for review.

History Note:  Authority G.S. 90B-6; Eff. August 1, 1987; Temporary Amendment Eff. October 1, 1999; Amended Eff. September 1, 2005; July 1, 2000; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

21 NCAC 63 .0306  EXAMINATION FEES
An examination fee of forty dollars ($40.00) plus the cost of the examination to the Board shall be assessed for administration and processing of any written examination.

History Note:  Authority G.S. 90B-6; 90B-6.2; Eff. August 1, 1987; Amended Eff. September 1, 1993; Temporary Amendment Eff. January 1, 1996; Amended Eff. April 1, 1997; Temporary Amendment Eff. October 1, 1999; Amended Eff. July 1, 2000; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

SECTION .0400 - RENEWAL OF CERTIFICATION

21 NCAC 63 .0401  CONTINUING EDUCATION REQUIREMENTS
(a) Continuing education for certification or licensure renewal shall be required to maintain professional knowledge and technical competency. Renewal of certification or licensure shall require 40 contact hours of continuing education credits approved by the Board within each two year renewal cycle. If a certification or licensure is for less than a full two-year period, then 30 contact hours of continuing education credits shall be required. Continuing education credits shall be awarded as follows:
(1) Continuing education units awarded that do not reflect contact hours or clock hours of instruction shall be awarded at the rate of one contact hour of credit for each continuing education unit;
(2) One academic course hour of credit shall be equal to 15 contact hours; and
(3) Credit for auditing an academic course shall be for clock hours of instruction attended with one clock hour equal to one contact hour of credit.
(b) During each renewal period all certified and licensed social workers shall engage in a minimum of four contact hours of continuing education focused on ethics related to social work practice and ethical decision-making.
(c) The following activities shall be approved for continuing education:
(1) Academic social work courses taken for credit or audit;
(2) Agency-based staff development, seminars, institutes, workshops, mini courses or conferences oriented to social work practice, values, skills and knowledge;
(3) Cross-disciplinary offerings from medicine, law and the behavioral/social sciences or other disciplines, if such offerings are related to social work practice, values, skills and knowledge;
(4) Distance learning activities including online courses and home study courses that have been pre-approved by the Association of Social Work Boards (ASWB) or the North Carolina Chapter of the National Association of Social Workers (NASW-NC). A list of approved distance learning courses and providers are available online at www.aswb.org and www.naswnc.org. The maximum continuing education credit granted for distance learning activities is one half of the required hours, up to a maximum of 20 contact hours per renewal period. Live synchronous audio-video broadcasts allowing
for real time interaction between the instructor and participants attending through electronic means shall not be considered distance learning activities; and

(5) A group of professionals within the health and human services or related fields organized to come together to study a particular topic focusing on social work practice provided the following can be documented:
(A) study topic;
(B) study material;
(C) facilitator; and
(D) date and hours of attendance.

(d) Continuing education focusing on practitioner self-care and well-being shall not exceed six contact hours of credit during a single renewal cycle.

(e) Up to five contact hours of credit shall be granted per renewal cycle for presenting a training focused on social work practice provided that:
(1) The Board receives confirmation from the organization for which the licensee presented that identifies the licensee as the presenter, confirms the title and date of the presentation, the length of the presentation, and number of attendees; and
(2) the dates of the presentation occur within the renewal cycle;

(f) Credit shall not be granted for:
(1) identical programs completed within the same renewal period;
(2) job orientation or training directed at procedural mandates such as health and safety practices, new hire training, and compliance training; or
(3) supervision and case consultation.

History Note: Authority G.S. 90B-6; 90B-9;
Eff. August 1, 1987;
Amended Eff. September 1, 1993;
Temporary Amendment Eff. October 1, 1999;
Amended Eff. January 1, 2009; September 1, 2005; April 1, 2001;

21 NCAC 63 .0402 FORMS

History Note: Authority G.S. 90B-6; 90B-9;
Eff. August 1, 1987;
Temporary Repeal Eff. October 1, 1999;

21 NCAC 63 .0403 RENEWAL FEES

(a) Fees for renewal of certificates or licenses are as follows:
(1) For Certified Social Workers (CSW’s), the renewal fee is seventy dollars ($70.00).
(2) For Certified Master Social Workers (CMSW’s), the renewal fee is ninety dollars ($90.00)
(3) For Licensed Clinical Social Workers (LCSW’s), the renewal fee is one hundred and fifty dollars ($150.00).
(4) For Licensed Clinical Social Worker Associates (LCSWA’s), the renewal fee is one hundred and forty dollars ($140.00).
(5) For Certified Social Work Managers (CSWM’s), the renewal fee shall be one hundred and fifty dollars ($150.00).

(b) Persons whose applications for renewal are received by the Board after the renewal date of their certificate or license, but no later than 60 days after the renewal date, shall pay a late renewal fee of fifty dollars ($50.00) in addition to any other applicable fees.

History Note: Authority G.S. 90B-6; 90B-6.2; 90B-9(b);
Eff. August 1, 1987;
Amended Eff. August 1, 1990;
Temporary Amendment Eff. October 1, 1999;
21 NCAC 63 .0404  REINSTATEMENT
Persons who apply for reinstatement after temporary retirement from the practice of social work pursuant to G.S. 90B-9(d), or after their certificate or license was suspended for failure to renew, shall pay a reinstatement fee of one hundred and twenty five dollars ($125.00) in addition to any other applicable fees.

History Note:  Authority G.S. 90B-6; 90B-6.2; 90B-9; Temporary Adoption Eff. October 1, 1999; Eff. July 1, 2000; Amendment Eff. August 1, 2012; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

21 NCAC 63 .0405  REQUIRED REPORTING BY LICENSEE OF CHANGES TO BOARD
(a) Each licensee shall notify the Board in writing of the following changes within 30 days of the effective date of the changes:

(1) Change of the licensee's name, which shall be accompanied by documentation such as a certified marriage certificate or driver's license;
(2) Change in the licensee's residence or business address, including street and mailing address;
(3) Change in the licensee's residence or business telephone number; and
(4) Any adverse action or disciplinary action against a licensee or certificate holder from a licensing board, professional certifying body, or professional organization for any conduct described in G.S. 90B-11(a).

(b) Within 30 days of the effective date of a disposition in a criminal matter in which the licensee is defendant, including driving under the influence, each licensee shall send to the Board a certified copy of any plea of guilty, finding of guilty, plea of nolo contendere, or deferred judgment.

(c) The licensee's failure to report the dispositions addressed by Subparagraph (a)(4) and Paragraph (b) of this Rule to the Board shall be considered a violation of the Ethical Guidelines, Section .0500.

History Note:  Authority G.S. 90B-6; 90B-6.2; 90B-9; Eff. September 1, 2005; Amended Eff. January 1, 2014; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

21 NCAC 63 .0406  MILITARY WAIVER OR EXTENSION OF TIME FOR RENEWAL OF CERTIFICATION OR LICENSURE
(a) If a social worker is currently certified or licensed in good standing by this Board and is serving in the armed forces of the United States and who has been granted an extension of time to file a tax return under G.S. 105-249.2, the Board shall grant a waiver or the same extension of time to fulfill the requirements for renewal of his or her certification or licensure.

(b) Prior to the expiration of his or her license or certificate, the licensee or certificate holder shall submit a written request for extension to the Board to include a copy of the social worker's military orders and the extension approval granted by the Internal Revenue Service or the State Department of Revenue.

(c) During the extended time period, the existing license or certification shall not expire until a decision on the renewal application is made by the Board. If the application is denied or the terms of the license or certification are limited, the existing license or certification shall not expire until the last day for applying for judicial review of the Board order.

(d) Continuing education credits approved during the extended time period shall not be utilized for future renewal periods.

History Note:  Authority G.S. 90B-6; 90B-6.2; 93B-15; Eff. July 1, 2011;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

SECTION .0500 - ETHICAL GUIDELINES

21 NCAC 63 .0501 PURPOSE AND SCOPE
(a) Ethical principles affecting the practice of social work are rooted in the basic values of society and the social work profession. The principal objective of the profession of social work is to enhance the dignity and well-being of each individual who seeks its services. It does so through the use of social work theory and intervention methods including case management, advocacy, community organization, administration, and psychotherapy.
(b) The primary goal of the rules in this Section is to set forth principles to guide social workers' conduct in their profession. Violation of these Rules may be considered gross unprofessional conduct and may constitute dishonest practice or incompetence in the practice of social work. Such violations may result in disciplinary action by the Board.
(c) The rules in this Section serve as a standard for social workers in their various professional roles, relationships and responsibilities. Social workers shall consider all the principles in the rules in this Section that bear upon any situation in which ethical judgment is to be exercised, and shall select a course of action consistent with the rules in this Section.
(d) Upon approval of certification or licensure, each applicant shall review the rules in this Section and return a signed statement to the Board agreeing to abide by these Rules.

History Note: Authority G.S. 90B-6; 90B-11; Eff. August 1, 1987; Amended Eff. March 1, 1994; Temporary Amendment Eff. October 1, 1999; Amended Eff. September 1, 2005; July 1, 2000; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

21 NCAC 63 .0502 PRACTICE AND CONDUCT

History Note: Authority G.S. 8-53.7; 90B-2; Eff. August 1, 1987; Repealed Eff. March 1, 1994.

21 NCAC 63 .0503 GENERAL PROFESSIONAL RESPONSIBILITIES
(a) Social workers shall practice only within their sphere of competence. They shall accurately represent their abilities, education, training, credentials, and experience. They shall engage in continuing professional education to maintain and enhance their competence.
(b) As employees of institutions or agencies, social workers are responsible for remaining alert to and attempting to moderate institutional pressures or policies that conflict with the standards of their profession. If such conflict arises, social workers' responsibility shall be to uphold the ethical standards of their profession.
(c) Social workers shall not practice, facilitate or collaborate with any form of discrimination on the basis of race, sex, sexual orientation, age, religion, socioeconomic status, or national origin.
(d) Social workers shall practice their profession in compliance with legal standards.
(e) Social workers shall not engage in settlement agreements that preclude reporting of ethical misconduct to the Board.

History Note: Authority G.S. 90B-6; 90B-11; Eff. March 1, 1994; Temporary Amendment Eff. October 1, 1999; Amended Eff. April 1, 2001; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

21 NCAC 63 .0504 RESPONSIBILITIES IN PROFESSIONAL RELATIONSHIPS
(a) Social workers shall not misuse their professional relationships sexually, financially or for any other personal advantage. They shall maintain this standard of conduct toward all who are professionally associated with them such as clients, colleagues, supervisees, employees, students and research participants.

(b) Social workers shall inform clients of the extent and nature of services available to them as well as the limits, rights, opportunities and obligations associated with service which might affect the client’s decision to enter into or continue the relationship.

(c) Social workers shall obtain consent (agreement to participate in social work intervention) from all clients or their legally authorized representative except when laws require intervention to insure client's and community's safety and protection.

(d) Social workers shall terminate a professional relationship with a client when, after careful evaluation and assessment, it is determined that the client is not likely to benefit from continued services or the services are no longer needed. The social worker who anticipates the termination or interruption of services shall give reasonable notice to the client. The social worker shall provide referrals as needed or upon the request of the client. A social worker shall not terminate a professional relationship for the purpose of beginning a personal or business relationship with a client.

(e) Social workers shall respect the integrity, protect the welfare, and maximize self-determination of clients they serve. They shall avoid entering treatment relationships in which their professional judgment will be compromised by the prior association with or knowledge of a client. Examples include treatment of one's family members; close friends; associates; employees; or others whose welfare could be jeopardized by such a dual relationship.

(f) Social workers shall not initiate, and shall avoid when possible, personal relationships or dual roles with current clients, or with any former clients whose feelings toward them may still be derived from or influenced by the former professional relationship. When a social worker may not avoid a personal relationship with a client, the social worker shall take appropriate precautions, such as documented discussion with the client about the relationship, consultation or supervision to ensure that the social worker's objectivity and professional judgment are not impaired. In instances when dual or multiple relationships are unavoidable, social workers shall set clear and culturally sensitive boundaries.

(g) Social workers shall not engage in sexual activities with clients or former clients.

(h) Social workers shall be solely responsible for acting in accordance with G.S. 90B and these Rules in regard to relationships with clients or former clients. A client's or former client's initiation of a personal, sexual or business relationship shall not be a defense by the social worker for failing to act in accordance with G.S. 90B and these Rules.

**History Note:** Authority G.S. 90B-6; 90B-11; Eff. March 1, 1994; Amended Eff. April 1, 2001; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

**21 NCAC 63 .0505 RELATIONSHIPS WITH COLLEAGUES**

Social workers shall act with integrity in their relationships with colleagues and other professionals. They shall consider the practice areas and knowledge or expertise of other professionals to whom they make referrals and with whom they collaborate in serving clients.

1. When expressing judgment on the views, qualifications and findings of colleagues, social workers shall not misrepresent the colleague's license level, degree, or other professional qualification in any written or oral communication and shall avoid the use of demeaning or derogatory language.

2. Social workers shall maintain knowledge of the professional and community resources available to the client population they serve and when referring clients, social workers shall refer to professionals and community resources that are able to provide the services required.

3. If a social worker's services are sought by an individual who is already receiving similar services from another professional, the client's welfare shall be the primary consideration before agreeing to provide services. To minimize confusion and conflict, social workers shall discuss with the prospective client the nature of the existing professional relationship, the client's needs, the therapeutic issues involved, and the benefits and risks associated with entering into a relationship with a new service provider.

4. Social workers shall provide competent professional guidance to colleagues, employees, supervisees, and students. They shall foster working conditions that provide fairness, privacy and protection from physical or mental harm. Social workers supervising associate licensees shall evaluate without bias, the work performance of those under their supervision, and share evaluations with supervisees. Social Workers shall not engage in sexual relationships with supervisees, students, trainees, or other
colleagues over whom they exercise professional authority. They shall not abuse the power inherent in
their supervisory position for personal or financial gain.

A social worker certified or licensed under this Chapter who has knowledge of conduct that would
constitute grounds for disciplinary action under this Chapter or the Chapter governing the practice of
another licensed healthcare provider shall report the conduct to the licensing authority that oversees
the healthcare provider believed to be engaged in misconduct. Social workers shall provide
information to assist colleagues defending themselves against allegations of unethical or incompetent
practice.

History Note: Authority G.S. 90B-6; 90B-11;
Eff. March 1, 1994;
Amended Eff. February 1, 2017.

21 NCAC 63 .0506 REMUNERATION
(a) Financial arrangements shall be explicitly established and agreed upon by the social worker and the client in the
initial stage of intervention.
(b) Social workers shall not give or receive any fee or other consideration to or from a third party for referrals. Clinical
social workers may, however, participate in contractual arrangements in which they agree to discount their fees.
(c) Social workers employed by an agency or clinic and also engaged in private practice shall conform to agency
regulations regarding private practice.
(d) Legal measures to collect fees may be taken if a client does not pay for services as agreed, provided notice of such
action is given beforehand.

History Note: Authority G.S. 90B-6; 90B-11;
Eff. March 1, 1994;
Amended Eff. April 1, 2001;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

21 NCAC 63 .0507 CONFIDENTIALITY AND RECORD KEEPING
(a) Social workers shall protect the client's right to confidentiality as established by law.
(b) Social workers shall reveal confidential information to others only with the informed consent of the client, except in
those circumstances in which not to do so would violate other laws or would result in clear and imminent danger to the
client or others. Unless specifically contraindicated by such situations, clients shall be informed and written consent shall
be obtained from clients, or their legally authorized representative, before confidential information is revealed.
(c) When confidential information is used for the purpose of professional education, research, or consultation, the
identity of the client shall be concealed. Presentations shall be limited to material necessary for the professional purpose.
(d) Social workers shall maintain records adequate to provide proper diagnosis and treatment and to fulfill other
professional responsibilities.
(e) Social workers shall take precautions to protect the confidentiality of material stored or transmitted through
computers, electronic mail, facsimile machines, telephones, telephone answering machines, and all other electronic or
computer technology. When using these technologies, disclosure of identifying and confidential information regarding
current client(s) or former client(s) shall be avoided whenever possible.

History Note: Authority G.S. 90B-6; 90B-11;
Eff. March 1, 1994;
Temporary Amendment Eff. October 1, 1999;
Temporary Amendment Expired July 28, 2000;
Amended Eff. April 1, 2001;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

21 NCAC 63 .0508 PURSUIT OF RESEARCH AND SCHOLARLY ACTIVITIES
In planning, conducting and reporting a study, the investigator shall make a careful evaluation of its ethical acceptability,
taking into account the following additional principles for research with human subjects. To the extent that this appraisal,
weighing scientific and humane values, suggests a compromise of ethical principles, the investigator shall protect the 
rights of the research participants.

(1) Social workers shall obtain authorization from administrative superiors and clients who agree to be 
subjects in the study. Social workers shall also acknowledge accurately any other persons who 
contribute in a scholarly manner to their research in any reports concerning their research, whether 
published or unpublished.

(2) An agreement shall be established between the investigator and the research participant clarifying their 
roles and responsibilities.

(3) The rights of an individual to decline to participate in or withdraw from the research shall be respected 
and the participant shall not be penalized for such action.

(4) The investigator shall inform the participant of all the features of the research that would affect his/her 
participation in the study.

(5) Information obtained about the participant during the course of the study shall be confidential unless 
informed consent for release of information is obtained in advance.

(6) Research findings shall be presented accurately. Social workers shall not distort or misrepresent 
research.

History Note: Authority G.S. 90B-6; 90B-11; 
Eff. March 1, 1994; 
Temporary Amendment Eff. October 1, 1999; 
Amended Eff. April 1, 2001; 
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 
2015.

21 NCAC 63 .0509  PUBLIC STATEMENTS
(a) Public statements, announcements of services and promotional activities of social workers serve the purpose of 
providing sufficient information to aid consumers in making informed judgments and choices. Social workers shall state 
accurately, objectively and without misrepresentation their professional qualifications, affiliations and functions as well 
as those of the institutions or organizations with which they or their statement may be associated. They shall correct 
misrepresentations by others with respect to these matters.
(b) In announcing availability for professional services, a social worker shall use his or her name, type and level(s) of 
certification and licensure; and may use highest relevant academic degree from an accredited institution; specialized post-
graduate training; address and telephone number; office hours; type of services provided; appropriate fee information; 
foreign languages spoken; and policy with regard to third-party payments.
(c) Social workers shall not offer to perform any service beyond the scope permitted by law or beyond the scope of their 
competence. They shall not engage in any form of advertising which is false, fraudulent, deceptive, or misleading. They 
shall neither solicit nor use recommendations or testimonials from clients.
(d) Social workers shall respect the rights and reputations of professional organizations with which they are affiliated. 
They shall not falsely imply sponsorship or certification by such organizations. When making public statements, the 
social worker shall make clear which are personal opinions and which are authorized statements on behalf of an 
an organization.
(e) A social worker shall display his or her license or certificate at the social worker's primary place of practice as 
required by G.S. 90B-15.

History Note: Authority G.S. 90B-6; 90B-11; 
Eff. March 1, 1994; 
Temporary Amendment Eff. October 1, 1999; 
Amended Eff. January 1, 2009; July 1, 2000; 
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 
2015.

SECTION .0600 - DISCIPLINARY PROCEDURES

21 NCAC 63 .0601  GROUNDS FOR DISCIPLINARY PROCEDURES
In addition to the conduct set forth in G.S. 90B-11, the Board may take disciplinary action upon the following grounds:
(1) offering a check to the Board in payment of required fees which is returned unpaid;
(2) obtaining or attempting to obtain compensation by fraud or deceit;
(3) violation of any order of the Board.

**History Note:**
Authority G.S. 90B-2; 90B-6; 90B-11;
Eff. August 1, 1987;
Temporary Amendment Eff. October 1, 1999;
Amended Eff. April 1, 2001;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

**21 NCAC 63 .0602 INVESTIGATION**
(a) Upon receipt of a complaint, the Board shall notify the social worker against whom the complaint was filed, noting the report of a violation and the specific ethical standard brought into question.
(b) Upon receipt of a complaint, or upon its own motion, the Board, its staff, or designee(s) may investigate whether a person certified or licensed by the Board has violated any provision of G.S. 90B or these Rules.
(c) The complainant and social worker against whom a complaint was filed shall be notified in writing of the Board's decision as to whether an investigation is warranted.
(d) Any Board member who conducts the investigation of a specific case shall not participate in the Board's adjudication of that case.

**History Note:**
Authority G.S. 90B-6; 90B-11;
Eff. September 1, 1989;
Temporary Amendment Eff. October 1, 1999;
Amended Eff. July 1, 2000;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

**21 NCAC 63 .0603 NOTICE OF CHARGES AND HEARING**
If an investigation produces any credible evidence indicating a violation of G.S. 90B or these Rules the Board may initiate disciplinary proceedings. Disciplinary proceedings conducted by the Board are governed by G.S. 90B. Prior to any Board action, written notice outlining the particular statutes and rules involved, the alleged facts, and the date, location and nature of any hearing shall be sent to the social worker involved and the complainant. Nothing herein shall abridge the right of the Board to summarily suspend a certificate or license pursuant to G.S. 150B-3(c).

**History Note:**
Authority G.S. 90B-6; 90B-11; 150B-38;
Eff. September 1, 1989;
Temporary Amendment Eff. October 1, 1999;
Amended Eff. July 1, 2000;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

**21 NCAC 63 .0604 LOCATION OF HEARING**

**History Note:**
Authority G.S. 90B-6(h); 150B-9;
Eff. September 1, 1989;
Temporary Repeal Eff. October 1, 1999;

**21 NCAC 63 .0605 INTERVENTION**
The intervention of persons not initially parties to a contested case is governed by G.S. 150B-38(f). Petitions or motions to intervene must be in writing. The Board shall promptly determine whether to grant or deny intervention and shall so notify the petitioner and all parties in writing.

**History Note:**
Authority G.S. 90B-6(h); 150B-38(f); S.L. 1999-313;
21 NCAC 63 .0606  SUBPOENAS
The authority of the Board to issue or revoke subpoenas in preparation for, or in the conduct of, contested cases is governed by G.S. 150B-39. If a subpoena is issued at the request of a party and not on the Board's own motion, that party shall bear the cost of service.

History Note: Authority G.S. 90B-6(h); 150B-39(c); S.L. 1999-313; Eff. September 1, 1989; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

21 NCAC 63 .0607  CONDUCT OF HEARING
(a) Disciplinary hearings shall be conducted by a majority of the Board. The Chairperson shall serve as presiding officer unless he or she is absent or disqualified, in which case the Vice-chairperson shall preside. Hearings shall be conducted as prescribed by G.S. 150B-40.
(b) Disqualification. An affidavit seeking disqualification of any Board member, if filed in good faith and in a timely manner, will be ruled on by the remaining members of the Board. An affidavit is considered timely if it is filed:
   (1) Prior to the hearing; or
   (2) As soon after the commencement of the hearing as the affiant becomes aware of the facts which give rise to his belief that a Board member should be disqualified.
(c) Evidence. The admission of evidence in a hearing on a contested case shall be as prescribed in G.S. 150B-41.

History Note: Authority G.S. 90B-6(h); 150B-40; Eff. September 1, 1989; Temporary Amendment Eff. October 1, 1999; Amended Eff. July 1, 2000; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

21 NCAC 63 .0608  DECISION OF BOARD
(a) The form and content of the Board’s decision in a contested case shall be as prescribed by G.S. 150B-42(a), and its decision shall be served upon the parties in a manner consistent with said statute.
(b) The official record of the hearing in a contested case shall contain those items specified in G.S. 150B-42(b).

History Note: Authority G.S. 90B-6(h); 150B-42; S.L. 1999-313; Eff. September 1, 1989; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

21 NCAC 63 .0609  REPORTING OF DISCIPLINARY ACTIONS
The Board shall report all disciplinary actions specified in G.S. 90B-11 through the Public Protection Database (PPD), the National Practitioner Data Bank – Healthcare Integrity and Protection Data Bank (NPDB-HIPDB), and may report them to any requesting public or private entity. Disciplinary actions do not include complaints.
   (1) In compliance with NPDB-HIPDB requirements, the N.C. Social Work Certification and Licensure Board shall report negative action or finding that is publicly available. Consistent with 45 C.F.R. 60.3, the following negative actions shall be reported:
      (a) Injunctions for unlicensed practice;
      (b) Issuance of a cease and desist order;
      (c) Revocation;
      (d) Suspension;
      (e) Censure;
(f) Reprimand;
(g) Probation;
(h) Withdrawal or denial of initial applications or reapplications proximate to an ethics matter;
(i) Surrender of certification or license during an investigation;
(j) Practice limitations connected to the delivery of health care services as defined by 45 C.F.R. 60.3; and
(k) Limitations on the right of a licensee or certificate holder to supervise.

(2) For purposes of this Rule, the following matters shall not constitute negative actions:
(a) monitoring independent of restrictions or discipline; and
(b) letters of concern.

History note: Authority G.S. 90B-6(h); 90B-11;
Temporary Adoption Eff. October 1, 1999;
Eff. July 1, 2000;
Amended Eff. July 1, 2011;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

21 NCAC 63 .0610 CONTINUANCES
(a) All motions for continuance shall be addressed to the Chair.
(b) Motions for a continuance of a hearing may be granted in accordance with the North Carolina Rules of Civil Procedure as set forth in G.S. 1A-1. The Board is not required to grant a motion to continue.
(c) In determining whether good cause exists, the presiding officer shall consider the ability of the party requesting a continuance to proceed without a continuance.
(d) Motions for a continuance shall be in writing and shall be received in the office of the Board no less than seven calendar days before the hearing date.
(e) A motion for a continuance filed less than seven calendar days from the date of the hearing shall be denied if a continuance has been previously granted unless the reason for the motion could not have been ascertained earlier.

History Note: G.S. 90B-6(h); 150B-38(h);

SECTION .0700 – ADMINISTRATIVE PROCEDURES

21 NCAC 63 .0701 PETITIONS FOR ADOPTION OF RULES
(a) The procedure for petitioning the Board to adopt, amend, or repeal a rule is governed by G.S. 150B-20.
(b) Submission. Rule-making petitions shall be sent to the executive director of the Board. Contact information for the Board can be found on the Board's website at www.ncswboard.org. No special form is required. The rule-making petition shall contain the following information:
   (1) the name and address of the person making the request;
   (2) the proposed text of any requested rule change; and
   (3) a statement of the effect of the requested change.
(c) The Board does not require the following information to be submitted with the petition, but does consider the following information to be pertinent:
   (1) the reason for its proposal;
   (2) data supporting the proposed rule;
   (3) practices likely to be affected by the proposed rule; and
   (4) persons likely to be affected by the proposed rule.
(d) Disposition. The executive director shall present the petition and his or her recommendation to the Board at its next regular meeting following receipt of the petition, and the Board shall render its decision to either deny the petition or initiate rule-making. The Board shall notify the petitioner of its decision in writing within the 120-day period set by G.S. 150B-20.

History Note: G.S. 90B-6(h); 150B-20;
Eff. September 1, 1989;

21 NCAC 63 .0702    PROCEDURE FOR ADOPTION OF RULES

History Note:    Authority G.S. 90B-6; 150B-21.2; Eff. September 1, 1989; Temporary Amendment Eff. October 1, 1999; Repealed Eff. April 1, 2001.

21 NCAC 63 .0703    TEMPORARY RULES

The power of the Board to adopt temporary rules and the procedure by which such rules are put into effect are governed by G.S. 150B-21.1.

History Note:    Authority G.S. 90B-6(h); 150B-21.1; Eff. September 1, 1989; Temporary Amendment Eff. October 1, 1999; Amendment Eff. July 1, 2000; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

21 NCAC 63 .0704    DECLARATORY RULINGS

(a) General. The issuance of declaratory rulings by the Board is governed by G.S. 150B-4.
(b) Contents of a Request for Declaratory Ruling. A request for a declaratory ruling shall be in writing and addressed to the executive director of the Board. The request shall contain the following information:
   (1) The name and address of the person making the request;
   (2) The statute or rule to which the request relates;
   (3) A concise statement of the need for a declaratory ruling as set forth in G.S. 150B-4(a);
   (4) A statement as to whether a hearing is desired, and if desired, the reason therefore.
(c) Refusal to Issue Ruling. The Board may refuse to issue a declaratory ruling under the following circumstances:
   (1) When the Board has already made a controlling decision on substantially similar facts in a contested case;
   (2) When the facts underlying the request for a ruling were specifically considered at the time of the adoption of the Rule in question; or
   (3) When the subject matter of the request is involved in any pending litigation in North Carolina.

History Note:    Authority G.S. 90B-6(h); 150B-4; Eff. September 1, 1989; Temporary Amendment Eff. October 1, 1999; Amended Eff. January 1, 2014; July 1, 2000; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

SECTION .0800 - DISCIPLINARY PROCEDURES

21 NCAC 63 .0801    REPORTING COMPLAINTS
21 NCAC 63 .0802    CONFIDENTIALITY
21 NCAC 63 .0803    INVESTIGATION
21 NCAC 63 .0804    NOTICE OF HEARING AND CHARGES
21 NCAC 63 .0805    INFORMAL CONFERENCE
21 NCAC 63 .0806    HEARINGS
21 NCAC 63 .0807    DECISION OF THE BOARD
21 NCAC 63 .0808    SUMMARY SUSPENSION
SECTION .0900 - PROFESSIONAL CORPORATION OR LIMITED LIABILITY COMPANY

21 NCAC 63 .0901 APPLICATIONS FOR A CERTIFICATE OF REGISTRATION

Social Work Licensees who wish to form a Professional Corporation or Limited Liability Company must apply to the North Carolina Social Work Certification and Licensure Board for a Certificate of Registration, pursuant to Chapter 55B of the North Carolina General Statutes. The following fees apply:

1. Fifty dollars ($50.00) – application fee for a certificate of registration for a professional corporation or limited liability company;
2. Twenty-five dollars ($25.00) – annual renewal fee for the certificate of registration for a professional corporation or limited liability company; and
3. Twenty-five ($25.00) – fee for amendments(s) to the certificate of registration for a professional corporation or limited liability company. An amendment to the Certificate of Registration shall be required for a change in name, address, or professional services provided; changes to the articles of organization or incorporation; change in ownership or members. Any social workers who has been granted a Certificate of Registration from this Board shall inform the Board of other changes in writing and at no additional cost within 30 days from the effective date of the change.

History Note: Authority G.S. 55B-10; 55B-11; 57C-2-01(c); 90B-6.2; 90B-11; Eff. January 1, 2009; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.
21 NCAC 63 .0902 RENEWAL OF CERTIFICATE OF REGISTRATION
(a) A Certificate of Registration issued by the Board shall be renewed annually prior to the expiration date printed on the certificate.
(b) A Certificate of Registration will be suspended for failure to renew within 30 days after the expiration date and will be reported to the Office of the Secretary of State.
(c) The Board may reinstate a Certificate of Registration suspended under this subsection within the calendar year upon payment of the required renewal fee plus an additional fee for late renewal as provided in G.S. 55B-11.

History Note: Authority G.S. 55B-11; 57C-2-01(c); 90B-6; 90B-6.2; 90B-11;
Eff. January 1, 2009;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

21 NCAC 63 .0903 DISOLVING THE PROFESSIONAL ENTITY
Professional entities registered with the Board and who dissolve, shall provide written notice to the Board within 30 days of the effective date the entity dissolved.

History Note: Authority G.S. 55B-10; 57C-2-01(c); 90B-6; 90B-11;
Eff. January 1, 2009;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.