**02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL SERVICES**

**416 BOARD OF SOCIAL WORKER LICENSURE**

**Chapter 15: SCOPE OF PRACTICE**

**Summary:** This chapter contains restrictions on the permissible scope of practice applicable to the different categories of licenses issued by the board, and related provisions.

**1. Restrictions on Scope of Practice**

 1. **Organic Mental Illness; Organic Therapy**

 Pursuant to 32 M.R.S. §7053-A, no social worker at any level may diagnose organic mental illness, as that term is defined in board rules in Chapter 10, subsection 12, or treat any illness by organic therapy.

 2. **Mental Illness**

 No licensed social worker - conditional, licensed social worker, or licensed master social worker may diagnose or treat mental illness or emotional disorders.

 3. **Mental Illness** **– Licensed Master Social Worker - Conditional Clinical**

 No licensed master social worker - conditional clinical may diagnose or treat mental illness or emotional disorders without the consultation required by Chapter 13, section 4(2)(B) or section 5(1)(D) of the board’s rules.

 4. **Private Practice - General**

No licensed social worker or licensed social worker - conditional may engage in the private practice of social work.

 5. **Private Practice - Clinical**

 No licensed social worker, licensed social worker - conditional, licensed master social worker or licensed master social worker - conditional clinical may engage in the private practice of clinical social work.

**2. Assurance of Examination by Physician**

 For purposes of “psychosocial evaluation” as defined in 32 M.R.S. §7001-A(10), a licensee has assured that a client has been examined by a physician in the course of psychosocial evaluation when the client has been encouraged to be examined and has been informed of the law requiring such assurance. If the client refuses this recommendation, or if a physician decides that an examination is not warranted or otherwise declines to provide the examination, the decision must be documented.

STATUTORY AUTHORITY:

 32 M.R.S. §§ 7030(2) and 7053-A

EFFECTIVE DATE:

 October 23, 2004 – filing 2004-465

REPEALED AND REPLACED:

 October 11, 2022 – filing 2022-201