

Document: Proposed Rule, **Register Page Number:** 26 IR 874

Source: December 1, 2002, Indiana Register, Volume 26, Number 3

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**TITLE 839 SOCIAL WORKER, MARRIAGE AND
FAMILY THERAPIST, AND MENTAL HEALTH
COUNSELOR BOARD**

Proposed Rule
LSA Document #02-271

DIGEST

Amends 839 IAC 1-2-2.1 concerning licensure retirement. Amends 839 IAC 1-2-5 concerning fees. Effective 30 days after filing with the secretary of state.

839 IAC 1-2-2.1

839 IAC 1-2-5

SECTION 1. 839 IAC 1-2-2.1, AS ADDED AT 25 IR 1633, SECTION 3, IS AMENDED TO READ AS FOLLOWS:

839 IAC 1-2-2.1 Licensure retirement

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-8-9

Sec. 2.1. (a) An individual who is licensed to practice social work, clinical social work, marriage and family therapy, or mental health counseling, and who would like to retire the license, shall notify the board in writing, when the individual retires from practice. ~~Upon receipt of notice, the board shall release the individual from further payment of renewal fees and continuing education requirements while the license is in retirement.~~

(b) An individual who has placed their license in retirement may not practice as a social worker, clinical social worker, marriage and family therapist, or mental health counselor until the license has been reinstated by the board.

~~(b)~~ **(c) In order to reinstate a retired license,** an individual ~~who is licensed to practice social work, clinical social work, marriage and family therapy, or mental health counseling, and would like to reinstate the retired license~~ shall do the following:

~~(1) Notify the board in writing.~~ **Complete a retirement reinstatement application, provided by the board, which must be approved by the board.**

(2) Pay a reinstatement fee established by the board.

~~(2)~~ **(3) Submit proof of continuing education requirements, as outlined by the board, depending on the number of years the license has been in retirement as follows:**

(A) Zero (0) to three (3) years, no continuing education shall be required twenty (20) hours of continuing education shall be required and must be completed within twelve (12) months prior to the petition for reinstatement.

(B) Three (3) to six (6) years, one (1) year forty (40) hours of continuing education shall be required and must be completed within twelve (12) twenty-four (24) months prior to the petition for reinstatement.

(C) Six (6) to ten (10) years, two (2) years sixty (60) hours of continuing education shall be required and must be completed within twenty-four (24) thirty-six (36) months prior to the petition for reinstatement.

(D) Ten (10) years or more shall require board determination of the continuing education needed and may require a personal appearance before the board, prior to reinstatement.

(E) Retirement years shall be calculated from the receipt of request to retire the license until reinstatement of the

license.

(Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-2-2.1; filed Dec 18, 2001, 9:11 a.m.: 25 IR 1633)

SECTION 2. 839 IAC 1-2-5, AS READOPTED AND AMENDED AT 25 IR 1307, SECTION 1, IS AMENDED TO READ AS FOLLOWS:

839 IAC 1-2-5 Fees

Authority: IC 25-1-8-2; IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 5. (a) Candidates for examination shall pay the examination fee directly to the examination service.

(b) The application/issuance fee for licensure to practice as a social worker, clinical social worker, marriage and family therapist, or mental health counselor shall be fifty dollars (\$50).

(c) The fee for issuance of a temporary permit shall be twenty-five dollars (\$25).

(d) The fee for verification of licensure to another state or jurisdiction shall be ten dollars (\$10).

(e) The fee for renewal of license to practice as a social worker, clinical social worker, marriage and family therapist, or mental health counselor shall be fifty dollars (\$50) **biennially**.

(f) The fee for reinstatement of a retired license to practice as a social worker, clinical social worker, marriage and family therapist, or mental health counselor shall be fifty dollars (\$50).

(g) The application fee for approval as a sponsor of continuing education shall be fifty dollars (\$50).

(h) The renewal fee for approval to sponsor continuing education shall be fifty dollars (\$50) biennially.

~~(f)~~ **(i)** The fee for a duplicate wall certificate shall be ten dollars (\$10).

~~(g)~~ **(j)** The penalty fee for late renewal, and any additional health professions bureau administrative fees, shall be set in accordance with the health professions bureau fee schedule.

~~(h)~~ **(k)** All application fees are nonrefundable. *(Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-2-5; filed Nov 4, 1992, 5:00 p.m.: 16 IR 870; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1505; readopted filed Dec 2, 2001, 12:35 p.m.: 25 IR 1307) NOTE: 839 IAC 1-2-6 was renumbered by Legislative Services Agency as 839 IAC 1-2-5.*

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on January 27, 2003 at 9:15 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room 1, Indianapolis, Indiana the Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board will hold a public hearing on proposed amendments concerning licensure retirement and fees. Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Lisa R. Hayes
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