

By: Moody

To: Public Health and
Welfare

HOUSE BILL NO. 968
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 43-27-107, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO USE FEDERAL FUNDS
3 TO EMPLOY ADDITIONAL SOCIAL WORKERS IN TIME-LIMITED POSITIONS AND
4 TO DELETE CERTAIN RESTRICTIONS REGARDING THE ESTABLISHMENT OF SUCH
5 TIME-LIMITED POSITIONS; TO AMEND SECTION 73-53-7, MISSISSIPPI CODE
6 OF 1972, TO PROVIDE THAT CERTAIN PERSONS WHO HAVE AT LEAST EIGHT
7 YEARS OF SOCIAL WORK PRACTICE AS AN EMPLOYEE OF A PUBLIC ENTITY
8 BEFORE JULY 1, 1993, WHO IS ACTIVELY ENGAGED IN SOCIAL WORK
9 PRACTICE AS AN EMPLOYEE OF A PUBLIC ENTITY ON JULY 1, 2000, SHALL
10 BE ISSUED A LICENSE AS A SOCIAL WORKER IF THE PERSON APPLIES FOR
11 THE LICENSE BEFORE SEPTEMBER 1, 2000; AND FOR RELATED PURPOSES.

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

13 SECTION 1. Section 43-27-107, Mississippi Code of 1972, as
14 amended by Senate Bill No. 2143, 1999 Regular Session, which
15 became law after veto by approval of the Legislature during the
16 2000 Regular Session, is amended as follows:[RDD1]

17 43-27-107. The Department of Human Services is authorized to
18 set the qualifications necessary for all social workers employed
19 by the department, which shall at a minimum require state
20 licensure as a social worker, and shall not be required to go
21 through the State Personnel Board or use the qualifications set by
22 the Personnel Board in employing social workers for the
23 department. All social workers employed by the department shall
24 be state service employees from the date of their employment with
25 the department; however, to carry out its responsibilities, the
26 department may use any available federal funds to employ such
27 additional social workers as it can employ in time-limited * * *
28 positions. All social worker positions existing before July 1,
29 1998, will remain state service.

30 SECTION 2. Section 73-53-7, Mississippi Code of 1972, is

31 amended as follows:[RF2]

32 73-53-7. (1) Except as hereinafter provided, all
33 individuals not exempt from licensure who are not licensed under
34 this chapter are prohibited from performing services for
35 compensation for which licensure is required by this chapter, and
36 are also prohibited from holding themselves out to the public by
37 any title or description of services set out in this chapter or by
38 any title or description of services likely to cause public
39 confusion with any title or description of services set out in
40 this chapter.

41 (2) Any person not licensed under this chapter on July 1,
42 1993, who is actively engaged in the practice of social work
43 before July 1, 1994, as an employee of the State of Mississippi or
44 any agency, political subdivision or municipality thereof or any
45 community action agency or Head Start agency, and who is not
46 eligible to be issued a license under subsection (3) of this
47 section, shall be issued a provisional license as a licensed
48 social worker by the board, if the person applies for such
49 provisional license before July 1, 1994, and, at the time that the
50 application is made, the person is so actively engaged. The
51 license shall be issued by the board upon application therefor,
52 the submission of proof satisfactory to the board of the
53 applicant's employment in the practice of social work as provided
54 in this subsection, and the payment of the appropriate fee. Such
55 license shall be valid for a maximum period of two (2) years, but
56 not to extend past June 30, 1995, during which time the
57 provisional licensee must pass the AASSWB social work examination
58 at the basic level.

59 (3) Any person not licensed under this chapter on July 1,
60 1993, who has been actively engaged in the practice of social work
61 for not less than five (5) years before July 1, 1993, as an
62 employee of the State of Mississippi or any agency, political
63 subdivision or municipality thereof or any community action agency

64 or Head Start agency, shall be issued a license as a social worker
65 by the board, if the person applies for such license before
66 September 1, 1994, and at the time that the application is made,
67 the person is so actively engaged. Any person born on May 24,
68 1949, who has eight (8) years of social work practice as an
69 employee of any of the specified entities before July 1, 1993, who
70 is an employee of any of the specified entities on July 1, 2000,
71 regardless of whether the current employment position is
72 designated as a social worker, shall be issued a license as a
73 social worker by the board if the person applies for the license
74 before September 1, 2000. The license shall be issued by the
75 board upon application therefor, the submission of proof
76 satisfactory to the board of the applicant's employment in the
77 practice of social work as provided in this subsection, and the
78 payment of the appropriate fee.

79 SECTION 3. This act shall take effect and be in force from
80 and after its passage.