

Mankato Mental Health Associates, P.A.

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KNOW YOUR RIGHTS: As a consumer of psychological services, you have specific rights regarding professional involvement with a therapist. These rights begin with the initial inquiry, remain in effect through all appointments and unscheduled contacts and continue to remain in effect through termination of your professional relationship with a therapist. Their rights are as follow:

1. You have the right not to be discriminated against in provision of professional services on the basis of race, age, sex, ethnic origin, creed, disabilities, affectional preference and other civil liberties.
2. You have the right to know the following about your therapist:
 - A. Professional competence, training, experience, education and any other relevant professional or personal information that may be important to the services provided.
 - B. The proposed fees, method of payment and any other practices regarding payment of the services.
 - C. The policies, practices and limitations of the privacy of the information that you will share with the therapist.
 - D. The method for presenting a complaint or grievance about the clinical social worker not only within the agency or organization where services are delivered, but also to the Minnesota Board of Social Work.
3. You have the right to negotiate an understanding of the purpose of the psychological services including an estimate of the number of therapy sessions, the length of time involved, the method of treatment and the expected outcomes of the therapy.
4. You have the right to confidential treatment of personal records and may approve or refuse their release to anyone, except as provided by law.
5. You have the right to read your own records. The therapist shall assist you in understanding your written records by being available to answer questions and to explain the meaning of test scores and technical terminology.
6. You have the right to refuse recommended treatment and refuse participation in experimental research.
7. You have the right to voice grievances and request changes in your treatment without restraint, interference, coercion, discrimination or reprisal.
8. You have the right not to be subjected to sexual harassment, physical or verbal.
9. Your therapist shall make reasonable efforts to involve a close relative or friend prior to providing emergency services.
10. If you are a minor or judged not able to give informed consent, your parent or guardian must provided permission for the services, except as provided by law.
11. You have the right not to be referred or terminated without explanation and notice. You have the right to active assistance from your therapist in referring you to other resources.

Who Must Be Licensed and What Is Social Work Practice?

Board Authority: Title & Practice Protection

The Social Work Practice Act is both a title and a practice act. The Act requires that persons 1) who use a title which incorporates the words “social work” or “social worker,” or 2) who practice social work in Minnesota, with a social work degree, be licensed, unless exempted as described above. Persons may not begin social work practice in a setting where licensure is required until they hold a valid license.

The Board has statutory authority to determine whether a person in a specific position is engaged in social work practice, thereby requiring licensure, even if an employer does not require social work licensure for a position. Again, licensure is required by persons who use the title of “social work” or “social worker”, provide social work services in a position for which the educational basis is the individual’s degree in social work, or practice in a position, under licensing supervision, which has been approved and applied to a licensing requirement. If you are unsure whether a license is required in a specific position, contact the Board for a determination.

Current Licensing Exemptions

A social work license is required to practice in Minnesota except as provided in [Minnesota Statutes, Section 148E.065](#) which exempts the following persons from licensure:

- Persons employed by city, county, and state agencies
- Persons employed by federally recognized tribes
- Persons employed by private, nonprofit agencies with a primary service focus specific to an ethnic minority population and the social worker is a member of the same population
- Students engaged in practice in an internship program required for a social work degree
- Persons employed by an agency with “special regional hiring problems” that has submitted a written request to the Board for a geographic waiver
- Other licensed professionals

Definition of Social Work Practice and Clinical Social Work Practice

As stated in [Minnesota Statutes, Section 148E.010](#), subdivision 11 the “practice of social work” means working to maintain, restore, or improve behavioral, cognitive, emotional, mental, or social functioning of clients, in a manner that applies accepted professional social work knowledge, skills, and values, including the person-in-environment perspective, by providing in person or through telephone, video conferencing, or electronic means one or more of the social work services described in clauses (1) to (3). Social work services may address conditions that impair or limit

behavioral, cognitive, emotional, mental, or social functioning. Such conditions include, but are not limited to, the following: abuse and neglect of children or vulnerable adults, addictions, developmental disorders, disabilities, discrimination, illness, injuries, poverty, and trauma. Practice of social work also means providing social work services in a position for which the educational basis is the individual's degree in social work described in subdivision 13. Social work services include:

1) providing assessment and intervention through direct contact with clients, developing a plan based on information from an assessment, and providing services which include, but are not limited to assessment, case management, client-centered advocacy, client education, consultation, counseling, crisis intervention, and referral;

2) providing for the direct or indirect benefit of clients through administrative, educational, policy, or research services including, but not limited to:

- advocating for policies, programs or services to improve the well-being of clients;
- conducting research related to social work services;
- engaging in community organization to address social problems through planned collective action;
- supervising individuals who provide social work services to clients;
- supervising social workers in order to comply with the supervised practice requirements specified in sections 148E.100 to 148E.125; and
- teaching professional social work knowledge, skills, and values to students; and

3) engaging in clinical practice. As stated in [Minnesota Statutes, Section 148E.010, subdivision 6](#), "clinical practice" means applying professional social work knowledge, skills, and values in the differential diagnosis and treatment of psychosocial function, disability, or impairment, including addictions and emotional, mental, and behavioral disorders. Treatment includes a plan based on a differential diagnosis. Treatment may include, but is not limited to, the provision of psychotherapy to individuals, couples, families, and groups.

Standards for Practice

A person licensed as a social worker is legally recognized as a professional and is required to practice within professional standards established by the Legislature, including minimum standards for licensure, standards of practice and ethical conduct, and continuing competence standards regarding supervised practice and continuing education.

Reporting Unethical or Illegal Practice

If you have a concern about the practice of a social worker, there are several steps that you may take if you need additional information:

- Telephone the Board at 612.617.2100, 888.234.1320 (toll-free), or (800) 627-1359 (TTY) to find out if the social worker is licensed. The Board doesn't have the authority to investigate or to take corrective or disciplinary action against persons who aren't licensed - unless they're practicing social work or using the title "social worker" illegally. Board staff can tell you whether the social worker is licensed and, if not, whether the Board has jurisdiction over the unlicensed person.
- For instant service, visit the Board's website to find out if the social worker is licensed. The Board doesn't have the authority to investigate or to take corrective or disciplinary action against persons who aren't licensed - unless they're practicing social work or using the title "social worker" illegally. Board staff can tell you whether the social worker is licensed and, if not, if the Board has jurisdiction over the unlicensed person. You can get this information instantly, 24-7. Please go to the Board's website, www.socialwork.state.mn.us, and then click on "SEARCH/VERIFY A LICENSE."
- Look at the laws governing social work practice. Although the Compliance Panel or the Board will decide whether a report is factually valid and whether the acts or conduct that you allege violates Minnesota law, many people find reviewing the law helpful in deciding whether they should file a report with the Board and what kind of information to provide to the Board with their report. You can find the Social Work Practice Act, Minnesota Statutes chapter 148D, at www.socialwork.state.mn.us
- Call the Board at 612.617.2100, 888.234.1320 (toll-free), or 800.627.1359 (TTY) if you need advice. Board staff can't tell you whether or not a social worker violated Minnesota law, what action the Board may take, or how long an investigation might take. That decision is made by the Board's Compliance Panels or by the full Board after a complete investigation. But we can tell you what information we'll need from you to conduct an investigation.
- If you want to file a complaint against a social worker, download the "Social Worker Report Form" at www.socialwork.state.mn.us. We need the information on the Social Worker Report Registration Form to open the complaint, to know how to contact you, to determine if the social worker is licensed, and to know how to contact the social worker.