

UNPROFESSIONAL CONDUCT

The Vermont Statutes

Title 26: Professions and Occupations CHAPTER 61. CLINICAL SOCIAL WORKERS

§ 3210. Unprofessional conduct

(a) The following conduct and the conduct set forth in section 129a of Title 3 by a licensed social worker constitute unprofessional conduct. When that conduct is by an applicant or a person who later becomes an applicant, it may constitute grounds for denial of a license:

1. Failing to use a correct title in professional activity;
2. conduct which evidences unfitness to practice clinical social work;
3. Engaging in any sexual conduct with a client, or with the immediate family member of a client, with whom the licensee has had a professional relationship within the previous two years;
4. Harassing, intimidating, or abusing a client or patient;
5. Practicing outside or beyond a clinical social worker's area of training, experience or competence without appropriate supervision;
6. Engaging in conflicts of interest that interfere with the exercise of the clinical social worker's professional discretion and impartial judgment;
7. Failing to inform a client when a real or potential conflict of interest arises and to take reasonable steps to resolve the issue in a manner that makes the client's interest primary and protects the client's interest to the greatest extent possible;
8. Taking unfair advantage of any professional relationship or exploiting others to further the clinical social worker's personal, religious, political or business interests;
9. Engaging in dual or multiple relationships with a client or former client in which there is a risk of exploitation or potential harm to the client;
10. Failing to take steps to protect a client and to set clear, appropriate and culturally sensitive boundaries, in instances where dual or multiple relationships are unavoidable;
11. failing to clarify with all parties which individuals will be considered clients and the nature of the clinical social worker's professional obligations to the various individuals who are receiving services, when a clinical social worker provides services to two or more people who have a spousal, familial or other relationship with each other;
12. Failing to clarify the clinical social worker's role with the parties involved and to take appropriate action to minimize any conflicts of interest, when the clinical social worker anticipates a conflict of interest among the individuals

receiving services or anticipates having to perform in conflicting roles such as testifying in a child custody dispute or divorce proceedings involving clients.

(b) After hearing, and upon a finding of unprofessional conduct, an administrative hearing officer may take disciplinary action against a licensed clinical social worker or applicant. (Added 1985, No. 253 (Adj. Sess.), § 1; amended 1989, No. 250 (Adj. Sess.), § 4(b); 1993, No. 98, § 30; 1993, No. 222 (Adj. Sess.), § 6; 1997, No. 40, § 36; 1997, No. 145 (Adj. Sess.), § 52; 1999, No. 133 (Adj. Sess.), § 29.)