

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-THREE

—
H.P. 895 - L.D. 1400

**An Act to Allow Certain Social Workers to Diagnose Organic Mental
Illnesses**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 32 MRSA §7001-A, sub-§10, as enacted by PL 1985, c. 736, §2, is amended to read:

10. Psychosocial evaluation. "Psychosocial evaluation" includes the determination and examination by social workers of the psychosocial situation of an individual or group related to interpersonal and intrapersonal stress, family background, family interaction, living arrangements and socioeconomic problems and treatment, evaluation, plans and goals, including the diagnosis of mental illness and emotional disorders for the purpose of treatment and therapeutic intervention, but excluding the ~~diagnosis of organic mental illness or treatment of any illness by organic therapy, to the extent permitted by the licensure provision of this chapter. In the process of making a diagnosis and formulating a treatment plan for mental illness or emotional disorder, the social worker shall assure, consistent~~ comply with rules to be promulgated adopted by the board, ~~that the person is examined by a physician and may take into account the physician's opinion in forming the psychosocial evaluation. When a person has been seen by a physician within 3 months prior to seeking mental health treatment, a telephone conversation between that physician and the social worker may be held in lieu of the examination required by this subsection. The medical visit or the telephone conversation shall be documented in the clinical records of the person. This requirement shall apply only in cases where there is a presence of psychopathology.~~ The board shall define standards by rule, in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, for implementation of this subsection.

Sec. 2. 32 MRSA §7031, as enacted by PL 1993, c. 584, §1, is repealed.

Sec. 3. 32 MRSA §7053-A, first ¶, as enacted by PL 1985, c. 736, §12, is repealed and the following enacted in its place:

A person licensed under this chapter may act in accordance with the following requirements.