

**DEPARTMENT OF ADMINISTRATIVE SERVICES**  
**DIVISION OF PROFESSIONAL REGULATION**  
**3900 Board of Clinical Social Work Examiners**  
**Statutory Authority: 24 Delaware Code, Section 3906(1) (24 Del.C. §3906(1)) 24 DE Admin.**  
**Code 3900**

**PROPOSED**

The Delaware Board of Clinical Social Work Examiners in accordance with 24 **Del.C.** §3906(1) has proposed changes to its rules and regulations as mandated by SB 229. The proposal identifies crimes that are substantially related to the provision of social work services.

A public hearing will be held on February 14, 2005 at 9:30 a.m. in the second floor conference room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware where members of the public can offer comments. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Board of Clinical Social Work Examiners, 861 Silver Lake Blvd, Cannon Building, Suite 203, Dover DE 19904. Persons wishing to submit written comments may forward these to the Board at the above address. The final date to receive written comments will be at the public hearing.

The Board will consider promulgating the proposed regulations at its regularly scheduled meeting following the public hearing.

**Proposed Rules and Regulations**

**11.0 Crimes substantially related to the practice of social work:**

**11.1 Conviction of any of the following crimes, or of the attempt to commit or of a conspiracy to commit or conceal or of solicitation to commit any of the following crimes, is deemed to be substantially related to the practice of social work in the State of Delaware without regard to the place of conviction:**

- 11.1.1 Aggravated menacing. 11 Del.C. §602(b).**
- 11.1.2 Reckless endangering in the first degree. 11 Del.C. §604.**
- 11.1.3 Abuse of a pregnant female in the second degree. 11 Del.C. §605.**
- 11.1.4 Abuse of a pregnant female in the first degree. 11 Del.C. §606.**
- 11.1.5 Assault in the second degree. 11 Del.C. §612.**
- 11.1.6 Assault in the first degree. 11 Del.C. §613.**
- 11.1.7 Abuse of a sports official; felony. 11 Del.C. §614.**
- 11.1.8 Assault by abuse or neglect. 11 Del.C. §615.**
- 11.1.9 Terroristic threatening; felony. 11 Del.C. §621.**
- 11.1.10 Unlawfully administering drugs. 11 Del.C. §625.**
- 11.1.11 Unlawfully administering controlled substance or counterfeit substance or narcotic drugs. 11 Del.C. §626.**
- 11.1.12 Manslaughter. 11 Del.C. §632.**
- 11.1.13 Murder by abuse or neglect in the second degree. 11 Del.C. §633.**
- 11.1.14 Murder by abuse or neglect in the first degree. 11 Del.C. §634.**
- 11.1.15 Murder in the second degree. 11 Del.C. §635.**
- 11.1.16 Murder in the first degree. 11 Del.C. §636.**
- 11.1.17 Promoting suicide. 11 Del.C. §645.**
- 11.1.18 Abortion. 11 Del.C. §651.**
- 11.1.19 Incest. 11 Del.C. §766.**
- 11.1.20 Unlawful sexual contact in the third degree. 11 Del.C. §767.**
- 11.1.21 Unlawful sexual contact in the second degree. 11 Del.C. §768.**
- 11.1.22 Unlawful sexual contact in the first degree. 11 Del.C. §769.**
- 11.1.23 Rape in the fourth degree. 11 Del.C. §770.**
- 11.1.24 Rape in the third degree. 11 Del.C. §771.**
- 11.1.25 Rape in the second degree. 11 Del.C. §772.**
- 11.1.26 Rape in the first degree. 11 Del.C. §773.**
- 11.1.27 Sexual extortion. 11 Del.C. §776.**
- 11.1.28 Bestiality. 11 Del.C. §777.**
- 11.1.29 Continuous sexual abuse of a child. 11 Del.C. §778.**

11.1.30 Dangerous crime against a child. 11 Del.C. §779.  
11.1.31 Female genital mutilation. 11 Del.C. §780. 11.1.32 Unlawful imprisonment in the first degree. 11 Del.C. §782.  
11.1.33 Kidnapping in the second degree. 11 Del.C. §783.  
11.1.34 Kidnapping in the first degree. 11 Del.C. §783A.  
11.1.35 Acts constituting coercion. 11 Del.C. §791.  
11.1.36 Arson in the first degree. 11 Del.C. §803.  
11.1.37 Burglary in the third degree. 11 Del.C. §824.  
11.1.38 Burglary in the second degree. 11 Del.C. §825.  
11.1.39 Burglary in the first degree. 11 Del.C. §826.  
11.1.40 Possession of burglar's tools or instruments facilitating theft. 11 Del.C. §828.  
11.1.41 Robbery in the second degree. 11 Del.C. §831.  
11.1.42 Robbery in the first degree. 11 Del.C. §832.  
11.1.43 Carjacking in the second degree. 11 Del.C. §835.  
11.1.44 Carjacking in the first degree. 11 Del.C. §836.  
11.1.45 Extortion. 11 Del.C. §846.  
11.1.46 Identity theft. 11 Del.C. §854.  
11.1.47 Forgery. 11 Del.C. §861.  
11.1.48 Falsifying business records. 11 Del.C. §871.  
11.1.49 Tampering with public records in the second degree. 11 Del.C. §873.  
11.1.50 Tampering with public records in the first degree. 11 Del.C. §876.  
11.1.51 Issuing a false certificate. 11 Del.C. §878.  
11.1.52 Criminal impersonation. 11 Del.C. §907.  
11.1.53 Criminal impersonation, accident related. 11 Del.C. §907A.  
11.1.54 Criminal impersonation of a police officer. 11 Del.C. §907B.  
11.1.55 Insurance fraud. 11 Del.C. §913.  
11.1.56 Health care fraud. 11 Del.C. §913A.  
11.1.57 Misuse of computer system information. 11 Del.C. §935.  
11.1.58 Dealing in children. 11 Del.C. §1100.  
11.1.59 Endangering the welfare of a child. 11 Del.C. §1102.  
11.1.60 Endangering the welfare of an incompetent person. 11 Del.C. §1105.  
11.1.61 Sexual exploitation of a child. 11 Del.C. §1108.  
11.1.62 Unlawfully dealing in child pornography. 11 Del.C. §1109.  
11.1.63 Possession of child pornography. 11 Del.C. §1111.  
11.1.64 Sexual offenders; prohibitions from school zones. 11 Del.C. §1112.  
11.1.65 Sexual solicitation of a child. 11 Del.C. §1112A.  
11.1.66 Perjury in the second degree. 11 Del.C. §1222.  
11.1.67 Perjury in the first degree. 11 Del.C. §1223.  
11.1.68 Making a false written statement. 11 Del.C. §1233.  
11.1.69 Terroristic threatening of public officials or public servants. 11 Del.C. §1240.  
11.1.70 Assault in a detention facility; Class B felony. 11 Del.C. §1254.  
11.1.71 Sexual relations in a detention facility. 11 Del.C. §1259.  
11.1.72 Bribing a witness. 11 Del.C. §1261.  
11.1.73 Bribe receiving by a witness. 11 Del.C. §1262.  
11.1.74 Tampering with a witness. 11 Del.C. §1263.  
11.1.75 Interfering with child witness. 11 Del.C. §1263A.  
11.1.76 Bribing a juror. 11 Del.C. §1264.  
11.1.77 Bribe receiving by a juror. 11 Del.C. §1265.  
11.1.78 Tampering with physical evidence. 11 Del.C. §1269.  
11.1.79 Criminal contempt of a domestic violence protective order. 11 Del.C. §1271A.  
11.1.80 Hate crimes. 11 Del.C. §1304.  
11.1.81 Aggravated harassment. 11 Del.C. §1312.  
11.1.82 Stalking; felony. 11 Del.C. §1312A.  
11.1.83 Cruelty to animals; felony. 11 Del.C. §1325.

- 11.1.84 Violation of privacy. 11 Del.C. §1335.
- 11.1.85 Bombs, incendiary devices, Molotov cocktails and explosive devices. 11 Del.C. §1338.
- 11.1.86 Adulteration. 11 Del.C. §1339.
- 11.1.87 Promoting prostitution in the first degree. 11 Del.C. §1353.
- 11.1.88 Possessing a destructive weapon. 11 Del.C. §1444.
- 11.1.89 Unlawfully dealing with a dangerous weapon; felony. 11 Del.C. §1445.
- 11.1.90 Organized Crime and Racketeering. 11 Del.C. §1504.
- 11.1.91 Victim or Witness Intimidation 11 Del.C. §3532 & 3533.
- 11.1.92 Abuse, neglect, mistreatment or financial exploitation of residents or patients. 16 Del.C. §1136(a), (b) and (c).
- 11.1.93 Prohibited acts A under the Uniform Controlled Substances Act. 16 Del.C. §4751(a), (b) and (c).
- 11.1.94 Prohibited acts B under the Uniform Controlled Substances Act. 16 Del.C. §4752(a) and (b).
- 11.1.95 Trafficking in marijuana, cocaine, illegal drugs, methamphetamines, Lysergic Acid Diethylamide (L. S. D.), designer drugs, or 3,4-methylenedioxymethamphetamine (MDMA). 16 Del.C. §4753A (a)(1)-(9).
- 11.1.96 Distribution to persons under 21 years of age. 16 Del.C. §4761.
- 11.1.97 Purchase of drugs from minors. 16 Del.C. § 4761A.
- 11.1.98 Drug paraphernalia; delivery to a minor 16 Del.C. §4774 (c).
- 11.1.99 Obtaining benefit under false representation. 31 Del.C. §1003.
- 11.1.100 Reports, statements and documents. 31 Del.C. §1004.
- 11.1.101 Kickback schemes and solicitations. 31 Del.C. §1005.
- 11.1.102 Conversion of payment. 31 Del.C. §1006.
- 11.1.103 Driving a vehicle while under the influence or with a prohibited alcohol content; third and fourth offenses. 21 Del.C. §4177 (3) and (4).
- 11.1.104 Prohibited trade practices against infirm or elderly. 6 Del.C. §2581.
- 11.1.105 Prohibition of intimidation [under the Fair Housing Act]; felony. 6 Del.C. §4619.
- 11.1.106 Auto Repair Fraud victimizing the infirm or elderly. 6 Del.C. §4909A.
- 11.1.107 Interception of Communications Generally; Divulging Contents of Communications 11 Del.C. §2402.
- 11.1.108 Manufacture, Possession or Sale of Intercepting Device. 11 Del.C. §2403.
- 11.1.109 Breaking and Entering, Etc. to Place or Remove Equipment 11 Del.C. §2410.
- 11.1.110 Obstruction, Impediment or Prevention of Interception. 11 Del.C. §2412.
- 11.1.111 Obtaining, Altering or Preventing Authorized Access. 11 Del.C. §2421.
- 11.1.112 Divulging Contents of Communications. 11 Del.C. §2422.
- 11.1.113 Installation and Use Generally [of pen trace and trap and trace devices]. 11 Del.C. §243.
- 11.1.114 Attempt to Intimidate. 11 Del.C. §3534.
- 11.1.115 Disclosure of Expunged Records. 11 Del. C. § 4374.
- 11.1.116 Providing false information when seeking employment in a public school. 11 Del.C. §8572.
- 11.1.117 Failure of Physician to file report of abuse of neglect pursuant to 16 Del.C. §903.
- 11.1.118 Coercion or intimidation involving health-care decisions and falsification, destruction of a document to create a false impression that measures to prolong life have been authorized; felony. 16 Del.C. §2513 (b).
- 11.1.119 Failure of Physician to report persons subject to loss of consciousness. 24 Del.C. §1763.
- 11.1.120 Abuse, neglect, exploitation or mistreatment of infirm adult. 31 Del.C. §3913(a), (b) and (c).
- 11.2 Crimes substantially related to the practice of social work shall be deemed to include any crimes under any federal law, state law, or valid town, city or county ordinance, that are substantially similar to the crimes identified in this rule.

**\*Please Note: As the rest of the sections were not amended, they are not being published. A complete set of the rules and regulations for the Board of Clinical Social Work Examiners is available at:**

**<http://www.professionallicensing.state.de.us/boards/socialworkers/index.shtml>**

**8 DE Reg. 966 (1/1/05)**