

**Department of Legislative Services**

Maryland General Assembly

2022 Session

**FISCAL AND POLICY NOTE**

**First Reader**

House Bill 173

(Delegate Bagnall)

Health and Government Operations

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**State Board of Social Work Examiners - Temporary License to Practice Social Work**

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This bill authorizes the State Board of Social Work Examiners to issue a temporary license to an applicant who, except for passing the required examination, has otherwise completed the appropriate education and experience required for a license to practice bachelor social work or master social work. The board may issue a temporary license if a required examination is unavailable to an applicant for a period of at least seven days. A temporary license is valid until 90 days after the examination becomes readily available to the applicant. A temporary license authorizes the holder to practice bachelor social work or master social work in the State only under the supervision of a board-approved supervisor while the temporary license is effective.

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**Fiscal Summary**

**State Effect:** The bill's requirements can be handled with existing budgeted resources, as discussed below. Revenues are not materially affected.

**Local Effect:** None.

**Small Business Effect:** None.

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## Analysis

**Bill Summary:** Unless the board agrees to accept the surrender of a license, the holder of a temporary license may not surrender the license or allow the license to lapse while the licensee is under investigation or while charges are pending against them.

**Current Law:** In general, to obtain a license from the State Board of Social Work Examiners, an applicant must (1) submit a written application on a board-prescribed form; (2) be at least 18 years old; (3) be of good moral character; (4) successfully pass required examinations pertinent to the license sought; (5) pay any applicable fees; (6) complete a criminal history records check; and (7) if required, complete a mental or physical examination by a board-appointed health care practitioner.

A licensed bachelor social worker (LBSW) must have a baccalaureate degree in social work from an accredited social work program. A licensed master social worker (LMSW) must have a master's degree in social work from an accredited social work program. Generally, a LBSW or a LMSW must practice social work under the supervision of another social worker, unless given approval to engage in independent practice.

The board may fine, reprimand, place on probation, suspend, or revoke a license for several reasons. Unless the board agrees to accept the surrender of a license, a licensed social worker may not surrender the license or allow the license to lapse while the licensee is under investigation or while charges are pending against the social worker. The board may set conditions on its agreement with the social worker to accept surrender of the license while the social worker is under investigation or while charges are pending against them.

**State Fiscal Effect:** The board advises that additional staff is needed to process temporary license applications and that board revenues will increase by approximately \$175 for each application received. However, the Department of Legislative Services (DLS) notes that, although there may be an initial influx of temporary license applications, such applications should not require significantly more administrative work than a regular license application. Additionally, the estimated application and license fees for the temporary license are the same amount for regular licenses issued by the board.

Ultimately, a temporary license allows an individual who meets all other licensure criteria to begin practicing prior to passing the required examination. As these individuals would otherwise apply after passing the required examination, the number of overall applications is not likely to significantly increase. Once a temporary license holder passes the required examination, the board will likely issue a permanent license at no additional cost to the licensee. Thus, revenues are not expected to be materially affected.

To the extent that the number of temporary license applications increases significantly, special fund expenditures increase to provide additional contractual support to process applications, and special fund revenues may increase from application fees. However, DLS notes that this scenario is unlikely.

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### **Additional Information**

**Prior Introductions:** SB 167 of 2021, a similar bill, passed in the Senate with amendments and passed in the House with amendments, but no further action was taken.

**Designated Cross File:** None.

**Information Source(s):** Maryland Department of Health; Department of Human Services; Department of Legislative Services

**Fiscal Note History:** First Reader - January 31, 2022  
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