

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 1325
Economic Matters

(Delegate McComas, *et al.*)

Finance

Workers' Compensation - Evaluation of Permanent Impairments - Licensed
Social Worker-Clinical

This bill authorizes a licensed certified social worker-clinical, instead of only a licensed psychologist or qualified physician, to perform the required evaluation and report that must take place for a workers' compensation claim that includes a permanent impairment involving a behavioral or mental disorder.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State operations or finances, as discussed below.

Local Effect: The bill is not anticipated to materially affect local government operations or finances.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary: To perform the evaluation and report, a licensed certified social worker-clinical must:

- meet the requirements for evaluation, diagnosis, and treatment of (1) biopsychosocial conditions; (2) mental and emotional conditions and impairments; and (3) behavioral health disorders including substance-related disorders, addictive disorders, and mental health disorders, as defined in § 7.5-101 of the Health – General Article;

- meet the requirements for registration for a rehabilitation counselor or a vocational evaluator established under § 9-6A-09 of the Labor and Employment Article;
- have met the above requirements for a minimum of two years following the initial issuance of the individual's license; and
- be an authorized provider, as defined in COMAR [14.09.08.01](#).

Current Law: If an employee covered under workers' compensation insurance has suffered an accidental personal injury, compensable hernia, or occupational disease, the employee is entitled to compensation benefits paid by the employer, its insurer, the Subsequent Injury Fund, or the Uninsured Employers' Fund, as appropriate. Workers' compensation benefits include wage replacement, medical treatment, death and funeral costs, and vocational rehabilitation expenses.

For workers' compensation claims that includes a permanent impairment that involves a behavioral or mental disorder, a licensed psychologist or qualified physician must (1) perform an evaluation of only the mental or behavioral portion of the permanent impairment and (2) report the evaluation to the Workers' Compensation Commission (WCC), as specified.

[Vocational rehabilitation](#) is a workers' compensation benefit that provides disabled covered employees who cannot return to their former job (due to a work-related injury) assistance in re-entering the workforce. A specialist in vocational rehabilitation provides services that may include testing, job placement, vocational counseling, on-the-job training, and retraining to the injured worker to enable them to return to work. Generally, in order to provide vocational rehabilitation services in conjunction with a workers' compensation case or claim, an individual must register with WCC. WCC must establish the application process and fee by regulation. [The registration fee](#) is currently \$150 (whether for initial issuance or renewal), and the registration is valid for three years from the date of issuance.

To qualify for registration as a rehabilitation practitioner, an individual must meet specified education, experience, and/or certification requirements. For example, to register as a nurse care manager, the individual must simply be certified as a nurse care manager by the State Board of Nursing. However, to register as a rehabilitation counselor, the individual may need a bachelor's, master's, or doctoral degree with relevant experience and/or be certified as a rehabilitation counselor, certified vocational evaluator, or certified disability management specialist, or hold an equivalent national certification. Additionally, under some circumstances, a rehabilitation counselor or vocational evaluator must work under the administrative supervision of another individual registered by WCC, as specified.

State Fiscal Effect: The bill neither modifies the definition of "rehabilitation practitioner" nor expressly requires a licensed certified social worker-clinical to register with WCC to

perform the evaluation and report. As such, this analysis assumes that registration is neither necessary nor required – just that a licensed certified social worker-clinical must be able to *meet* the requirements for registration. Thus, the bill is not anticipated to materially affect WCC operations or finances. (If registration were required, special fund revenues could increase minimally beginning in fiscal 2027.)

Small Business Effect: Small businesses that employ licensed certified social workers-clinical staff may experience increased business through the State’s workers’ compensation system.

Additional Information

Recent Prior Introductions: Legislation with similar provisions has been introduced within the last three years. See HB 1210 of 2025 and HB 694 of 2023.

Designated Cross File: SB 522 (Senator M. Washington) - Finance.

Information Source(s): Maryland Department of Health; Maryland Department of Labor; Subsequent Injury Fund; Uninsured Employers’ Fund; Department of Legislative Services

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Analysis by: Eric F. Pierce

Direct Inquiries to:
(410) 946-5510
(301) 970-5510