



Board of Social Work Examiners

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2023 SESSION POSITION PAPER

BILL NO: SB 145

COMMITTEE: Health and Government Operations

POSITION: Oppose

TITLE: State Board of Social Work Examiners – Conditional and Temporary Licenses to Practice Social Work

BILL ANALYSIS: SB 145 creates a conditional and temporary license for applicants of the LBSW and LMSW licenses. It permits applicants to practice social work in Maryland without taking or passing the national examination by the Association of Social Work Boards.

POSITION AND RATIONALE: The Maryland Board of Social Work Examiners (the “Board”) opposes SB 145. After three years of this issue being placed before this committee, the Board worked very hard, in a spirit of compromise with stakeholders, to come to agreement with the sponsors of HB 103 on language that we could support. That bill allows a temporary license on a very temporary basis (180 days) in very unusual and extreme circumstances.

The language from HB 103 is included in this amended Senate bill, but has been changed to something called a conditional license. The condition which the term refers to is that the conditional licensee must be supervised. However, EVERY person licensed as an LBSW or LMSW is currently required to be supervised, making the term, conditional license, very confusing to licensees. If the term was changed back to Temporary License and the bill ended there, making it identical to HB 103, it would be acceptable to the Board.

Unfortunately, SB 145 has had significant amendments added which would permit temporary licenses to be awarded to anyone who asks for one at the LBSW and LMSW level. In our opinion, this language is counter to the Board’s mission of protecting the public. The national examination determines if an applicant has the minimum competence to begin practicing a profession in a manner that is safe, competent and ethical. This is different from possessing a social work degree which addresses learned fundamental knowledge and skill needed to practice safely.

Social workers work with and treat vulnerable populations including abused and neglected children, people with behavioral health problems, and survivors of crime and domestic violence. A temporary license would permit these applicants to address these problems without demonstrating competence. The bill presumes that applicants have some level of practice experience which would make a temporary license acceptable, page 4, lines 2-5 “THE BOARD MAY ISSUE A TEMPORARY LICENSE TO AN APPLICANT WHO, EXCEPT FOR PASSING AN EXAMINATION OTHERWISE REQUIRED UNDER THIS SUBTITLE, HAS MET THE APPROPRIATE

EDUCATION AND **EXPERIENCE** REQUIREMENTS OF THIS SUBTITLE...” However, in order to receive the LBSW or LMSW license currently, an applicant simply must show that the required degree has been earned, that the criminal background check provides no impediment and that the applicant has passed the required exam. **No experience** is required for this entry level of licensure. Therefore, it is the Board’s contention that implementation of a temporary license, which does not require an exam, has the potential to expose the public to unethical or incompetent practice. Additionally, the use of the word TEMPORARY is questionable since the license is good for two years and may be renewed for **another two years** on the written recommendation of one social worker and one supervisor. This is not our understanding of what temporary means.

If enacted, it would place a burden on employers who may hire and invest resources in a person who is not capable of meeting the requirements for permanent licensure. This concern will likely result in employers who are reluctant to hire these individuals and would also create a two-tiered system of licensees which run absolutely counter to the intentions of the bill sponsors.

The purpose of the additions to the bill, found on page 4, are to address concerns about the national exam which the board is currently using. Those concerns will be considered by the Workgroup which is being proposed in SB 871. We feel that the Workgroup should have an opportunity to do its work and come up with solutions which can be implemented on a permanent, not temporary basis.

For these reasons the Maryland Board of Social Work Examiners urges an unfavorable report on SB 145. If you need more information, please contact the Board’s Executive Director, Dr. Daphne McClellan at 410-764-4722 or daphne.mcclellan@maryland.gov.

The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.