



Board of Social Work Examiners

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Acting Secretary

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2023 SESSION POSITION PAPER

BILL NO: HB 103

COMMITTEE: HEALTH AND GOVERNMENT OPERATIONS

POSITION: Oppose

TITLE: State Board of Social Work Examiners – Temporary License to Practice Social Work

BILL ANALYSIS: House Bill (HB) 103 creates a temporary license for applicants of the LBSW and LMSW licenses. It permits applicants to practice social work in Maryland without passing the national examination by the Association of Social Work Boards.

POSITION AND RATIONALE: The Maryland Board of Social Work Examiners (the Board) strongly opposes HB 103 and believes it 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 2, lines 19-21 “THE BOARD **SHALL** ISSUE A TEMPORARY LICENSE TO AN APPLICANT WHO, EXCEPT FOR PASSING THE EXAMINATION, 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 our 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 “shall” has been added to that same section of this bill, as opposed to similar bills in the last two years whereby the word “may” was used giving the Board a level of discretion. The Board strongly opposes the lack of discretion in this legislation.

Moreover, the section of the bill which states the circumstances under which a temporary license shall be granted is also concerning; these include an unforeseen circumstance, and an act or occurrence which prevents an examination from being available to the applicant for a period of at least 7 business days. No clear definition of these unforeseen circumstances is given and determining this on an individual basis for each applicant would place an impossible burden on board staff who are already stretched to the limit in their efforts to grant the permanent licenses currently required by statute.

Finally, if enacted, it would place a burden on employers and the Board to ensure that those with a temporary license reapply for a permanent license, or not practice without a permanent license. The temporary license will create confusion for clients and employers who may not understand the nuances of what a temporary license means.

For these reasons the Maryland Board of Social Work Examiners requests an unfavorable report on HB 103. 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.