

House Health & Government Operations Committee

March 30, 2023

Senate Bill 145

State Board of Social Work Examiners - Conditional and Temporary Licenses to Practice Social Work

*****SUPPORT WITH AMENDMENTS*****

Maryland's Chapter of the National Association of Social Workers represents social workers across the State of Maryland. Senate Bill 145 has two components, one of which NASW Maryland supports, and one of which we oppose.

Temporary Licensure - Oppose

As defined in SB 145, a temporary license may be granted to an applicant who has met all qualifications, other than passing an exam as currently required, in order to practice bachelor or masters social work. In essence, the measure would make the exam optional.

NASW Maryland understands this proposal is in response to a recent report from the Association of Social Work Boards (ASWB) showing alarmingly disparate outcomes in its exam, based on race, age, and those for whom English is a second language. We share a sense of urgency to stop the harm. We also strongly believe that the response proposed in SB 145 will create unintended problems. While the result of making the exam optional and issuing a temporary license may create a short-term increase in the number of social workers for a limited period of time, and temporarily address the workforce shortage problem, we are concerned the bill will:

- Create a two-tiered profession - those social workers licensed by testing and those licensed with a temporary license. The disproportionality will emulate the ASWB test results, resulting in licensing via testing for a predominantly White group, and temporary licensure for a predominantly Black and Brown group, older students, and non-native English speakers. Separate but equal never has been and never will;
- Impose barriers that will affect the portability of our social work license when moving to another state, and damage the ability for Maryland social workers to enter into a social work compact with other states;
- Negatively affect temporary licensees' eligibility for insurance reimbursement and ultimately, long-term and stable employment;
- Delegitimize the recognition of social workers as expert witnesses, already more heavily scrutinized for Black and Brown people, those whose first language is not English, and those with diverse abilities; and

- Create the public the perception that requirements are being diluted, which can create economic disenfranchisement for those who are already marginalized. What will the impact be on social workers' ongoing battle for adequate professional salaries and compensation?

We believe we must proceed in a thoughtful manner that provides a quick response to the ongoing systemic bias and oppression in standardized testing but also does not do damage to the hard fought recognition of social work as a profession, and still fragile respect. We therefore oppose this proposal for temporary licensure as defined in SB 145.

Conditional Licensure - Support

SB 145 also creates a conditional licensure when a problem makes the test unavailable. This is a provision NASW Maryland has supported for several years and we support that effort in this bill. That language in SB 145 is consistent with a separate bill passed by the House, HB 103, but for the name of the license.

Conclusion

Providing temporary licenses and eliminating the examination as a measure of competency unintentionally creates a separate but equal measure to enter the field, one that will most harm those this bill wishes to help. We continue to support separate legislation to create a workgroup that will have the opportunity to thoughtfully consider potential options to address a biased national exam, and possibly other inequities that impact the ability of people to enter and remain in the field of social work.

We ask that remove the temporary license option as defined in SB 145.

Background

The field of Social Work has worked hard since its inception in the early 1900s to establish itself as a profession, a struggle that continues to this day. This is despite our now being the greatest provider of behavioral health services in the country, as well as recognized for work in public child welfare, administration, social policy, hospitals, schools, community centers, mobile crisis teams, and so on.

Social work wasn't even recognized as a profession in Maryland until 1975, when the original Social Work Statute was finally passed. Title protection for social workers was a hard-fought win, bringing social workers in line with other professions - law, psychology, medicine, nursing, occupational therapy, physical therapy, licensed certified professional counselors, and so on - who require the education and training necessary to acquire a body of knowledge, a commitment to ethical practice, and that specifically name licensing examination as a measure of professional competency. Despite licensing requirements and title protection, however, respect for the profession is still regularly undermined by those who call people social workers who aren't.