

**House Health & Government Operations Committee
House Bill 103 – State Board of Social Work Examiners –
Temporary License to Practice Social Work
SUPPORT WITH AMENDMENTS**

February 9, 2023

The National Association of Social Workers-Maryland Chapter, an organization representing social workers statewide, is asking for your support for House Bill 103 with amendments. With our amendments, this bill will authorize the State Board of Social Work Examiners (BSWE) to issue temporary licenses to applicants who have met all requirements, except for passing an examination, for licensure at the bachelor and master social worker levels. The intent of this bill is that it be used at the sole discretion of the BSWE when the licensing exam is not accessible as was the case in 2020 during the pandemic.

In order to work as a social worker in Maryland one must:

- Earn a master social work (MSW) degree or a bachelor social work (BSW) degree from an accredited school of social work
- Pass a criminal background check; and
- Pass a national exam.

The Maryland Social Work Practice Act and its regulations provide that a student may begin their licensure application and take the licensing exam in the last semester of one's MSW or BSW program so that the license can be conferred as soon as the BSWE has evidence that the required degree was awarded. This process permits students to begin applying for and accepting jobs which are available to them immediately upon graduation. In 2020, the process hit a roadblock when graduating students found that they were unable to schedule exam appointments and therefore were unable to apply for jobs or take jobs which were offered to them.

The employment problem is exacerbated by the fact that our practice act not only prohibits an unlicensed person from using the title of social work but it also prohibits a person with a social work degree from performing any tasks which are within the very wide scope which is defined as the "practice of social work." Therefore, a recent graduate could not accept a position which could be accepted by any number of competitors who did not have to have a license in order to

engage in specified activities. The BSWE has leveled huge fines against people with social work degrees who perform these tasks and are in positions which are not titled as social work positions.

There are a number of other states that have the ability to issue temporary social work licenses, including Connecticut, West Virginia, New York, Texas, Arkansas, Indiana, New Mexico, and Wisconsin. These are all states that use the same national exam used in Maryland and all have temporary or provisional licensure as a permanent part of their licensing laws. Temporary licenses are also supported by our national social work organization.

We are also aware of other Health Occupation boards in Maryland that currently have statute provisions for temporary licensure, including the State Board of Dental Examiners, the State Board of Morticians and Funeral Directors, the State Board of Nursing, the State Board of Examiners of Nursing Home Administrators, the State Board of Occupational Therapy Practice, the State Board of Physicians the State Board of Podiatric Medical Examiners. As each practice act is different, the requirements and circumstances for temporary licensure vary greatly across professions and licensing types. This bill most closely matches the statute for Occupational Therapists, which have a temporary licensure category for applicants who have not yet met the examination requirements

Given the unfortunate probability that emergency events will happen in the future, whether related to health or technology, we feel that it is imperative that the BSWE have all of the tools necessary to assure that social work services can be provided to the public regardless of the immediate availability of a national exam which is outside of its control. With the amendments below, it will be up to the BSWE whether or not it chooses to use this particular tool in any given situation.

Amendments

On page 2, in line 16 strike beginning with the word "IF" through "DAYS," in line 19.

On page 2, in line 19, strike "SHALL" and replace with MAY.

We ask that the committee to vote favorably on House Bill 103 with these amendments.