

MARYLAND REGISTER

Emergency Action on Regulations

TO BE COMPLETED BY AELR COMMITTEE	EMERGENCY Transmittal Sheet	TO BE COMPLETED BY DSD
Date Received by AELR Committee		Date Filed with Division of State Documents
06/05/2015		
Emergency Status Approved		Document Number
_ -Yes _ -No		Date of Publication in MD Register
Emergency Status Begins On		
Emergency Status Ends On		
Name of AELR Committee Counsel		

1. COMAR Codification

Title Subtitle Chapter Regulation

10 42 06 02-.04, .07, .08, .10 and .11

2. Name of Promulgating Authority

Department of Health and Mental Hygiene

3. Name of Regulations Coordinator

Michele Phinney

Telephone Number

410-767-5623

Mailing Address

201 W. Preston Street

City	State	Zip Code
Baltimore	MD	21201

Email

michele.phinney@maryland.gov

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Ari Elbaum, Assistant Attorney General, (telephone #410-767-1871) on May 27, 2015. A signed copy of the approval is on file at this agency.

Name of Authorized Officer

Van T. Mitchell

Title

Secretary

Telephone No.

410-767-6500

Date

June 5, 2015

Title 10
DEPARTMENT OF HEALTH AND MENTAL HYGIENE
Subtitle 42 BOARD OF SOCIAL WORK EXAMINERS

10.42.06 Continuing Education Requirements

Authority: Health Occupations Article, §§19–205 and 19–308, Annotated Code of Maryland

Notice of Emergency Action

[]

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to amend Regulations .02—.04, .07, .08, .10, and .11 under COMAR 10.42.06 Continuing Education Requirements.

Emergency status began:

Emergency status expires:

Comparison to Federal Standards

There is no corresponding federal standard to this emergency action.

Estimate of Economic Impact

The emergency action has no economic impact.

Economic Impact on Small Businesses

The emergency action has minimal or no economic impact on small businesses.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2016

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

This proposal does not change the number of continuing education credits required or increase a fee. It gives licensees more time to ask for an extension than they have now.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

It is incumbent upon a licensee to request an extension of time for completion of continuing education units, not upon a small business.

G. Response to small business worksheet:

Attached Document:

Title 10

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 42 BOARD OF SOCIAL WORK EXAMINERS

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Authority: Health Occupations Article, §§19–205 and 19–308, Annotated Code of Maryland

10.42.06 (downloaded 5/20/2015)

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(8) (text unchanged)

(9) “*Exception*” means that the Board may grant an exception for any of the continuing education requirements for circumstances set forth in Regulation .06 of this chapter.

[(9)] (10)—[(11)] (12) (text unchanged)

.03 Continuing Education Requirements.

A. The Board shall renew a license for an additional 2-year period if the social worker:

(1) Completes 40 (30 for Licensed [Social Work Associates] *Bachelor Social Workers*) continuing education units within the renewal period, of which a minimum of:

(a) 20 (15 for Licensed [Social Work Associates] *Bachelor Social Workers*) continuing education units shall be obtained from approved programs which are Category I; and

(b) (text unchanged)

(2)—(3) (text unchanged)

B. (text unchanged)

.04 Continuing Education Activities.

A.—C. (text unchanged)

D. Of the 40 (30 for Licensed [Social Work Associates] *Bachelor Social Workers*) required continuing education units, 20 (15 for Licensed [Social Work Associates] *Bachelor Social Workers*) shall be earned and all may be earned from one or any combination of the following Category I activities:

(1)—(7) (text unchanged)

E. Of the 40 (30 for Licensed [Social Work Associates] *Bachelor Social Workers*) required continuing education units, a maximum of 20 (15 for Licensed [Social Work Associates] *Bachelor Social Workers*) continuing education units may be earned from one or any combination of the following Category II activities:

(1)—(8) (text unchanged)

.07 Reporting, Documenting, and Auditing Compliance with Continuing Education Requirements.

A.—D. (text unchanged)

E. Record Retention for Active, Expired, or Inactive License.

(1) Active Licenses.

(a) A social worker with an active license shall retain records documenting completion of continuing education requirements for [2] 3 years after the licensing renewal date for which the report of continuing education was submitted to the Board.

(b) The documentation required in §E(1)(a) of this regulation may be requested by the Board at any time within that [2-year] 3-year period.

(2) Expired Licenses. A social worker with an expired, non-renewed license shall:

(a) Retain records documenting completion of continuing education requirements for each 2-year period that the license was expired, up to a maximum of 40 (30 for Licensed [Social Work Associates] *Bachelor Social Workers*) continuing education units; and

(b) (text unchanged)

(3) Inactive Licenses. A social worker with an inactive license shall:

(a) Retain records documenting completion of continuing education requirements for the [2] 3 years immediately preceding reactivation; and

(b) (text unchanged)

F. (text unchanged)

.08 Extension of Time.

A. A social worker shall file a request for an extension of time, including the supporting documentation, with the Board. The request shall be in writing and filed before [August 31] *October 1* of the renewal year.

B. The Board shall consider and render a decision on the request within [45] *21* days of receiving the written request.

C. The Board may grant an extension and conditionally renew a license for up to 6 months *or reactivate or reinstate a license with an extension not to exceed 1 year* if the Board determines that:

(1)—(2) (text unchanged)

D. Failure to obtain the required continuing education units on or before the 6-month extension *expires* shall result in [the]:

(1) *The social worker's inability to practice social work in Maryland*[. Alternatively, the social worker may submit an application for]; *and*

(2) *The Board placing the license on inactive status.*

[E. The Board may grant an exception for all or part of the continuing education requirements for circumstances set forth in Regulation .06 of this chapter.]

[F.] *E.*—[G.] *F.* (text unchanged)

.10 Reinstatement of Licenses.

A social worker whose license has not been renewed is entitled to reinstatement within 5 years of the date the license expired, by:

A. (text unchanged)

B. Demonstrating to the Board that the social worker has met all continuing education requirements by obtaining 40 (30 for Licensed [Social Work Associates] *Bachelor Social Workers*) continuing education units in the 2 years preceding the social worker's application for reinstatement.

.11 Reactivation of Licenses.

A social worker whose license was placed on inactive status is entitled to reactivation within 5 years of the date the license expired, by:

A. (text unchanged)

B. Demonstrating to the Board that the social worker has met all continuing education requirements by obtaining 40 (30 for Licensed [Social Work Associates] *Bachelor Social Workers*) continuing education units in the 2 years preceding the social worker's application for reactivation.

VAN T. MITCHELL

Secretary of Health and Mental Hygiene