
By: **Delegates Bonsack and Bozman**
Introduced and read first time: February 26, 1998
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Out-of-State Certified Social Worker-Clinical Licensees - Exemption from**
3 **Licensure**

4 FOR the purpose of authorizing an exemption from a certain licensure requirement
5 for an out-of-state certified social worker-clinical licensee under certain
6 circumstances; and generally relating to a certain exemption from licensure for
7 certain out-of-state social workers.

8 BY repealing and reenacting, without amendments,
9 Article - Health Occupations
10 Section 19-101
11 Annotated Code of Maryland
12 (1994 Replacement Volume and 1997 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article - Health Occupations
15 Section 19-301
16 Annotated Code of Maryland
17 (1994 Replacement Volume and 1997 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article - Health Occupations**

21 19-101.

22 (a) In this title the following words have the meanings indicated.

23 (b) "Board" means the State Board of Social Work Examiners.

24 (c) (1) "License" means, unless the context requires otherwise, a license
25 issued by the Board to practice social work.

26 (2) "License" includes:

- 1 (i) 1. A certified social worker license; or
2 2. A certified social worker-clinical license;
3 (ii) Graduate social worker license; and
4 (iii) A social work associate license.

5 (d) "Licensed social worker" means, unless the context requires otherwise, a
6 social worker who is licensed by the Board to practice social work.

7 (e) "Practice social work" means to engage professionally and for
8 compensation in the following activities while representing oneself to be a social
9 worker:

10 (1) Helping individuals, groups, or communities to enhance or restore
11 their capacity for social functioning;

12 (2) Seeking to create societal conditions favorable to this goal; and

13 (3) By the application of social work values, principles, and techniques:

14 (i) Helping people obtain tangible services;

15 (ii) Helping persons, communities, and groups provide or improve
16 social and health services; and

17 (iii) Counseling with individuals, families, and groups.

18 (f) (1) "Practice clinical social work" means to engage professionally and for
19 compensation in the application of social work principles and methods for the
20 alleviation of social, mental, and emotional conditions through treatment designed to
21 provide psychotherapy for a mental disorder.

22 (2) "Practice clinical social work" includes rendering a diagnosis based
23 on a recognized manual of mental and emotional disorders.

24 (g) "Social worker" means an individual who practices social work.

25 19-301.

26 (a) Except as otherwise provided in this title, an individual shall be licensed
27 by the Board before the individual may practice social work in this State.

28 (b) This section does not apply to:

29 (1) An individual employed by any agency of the federal government
30 while performing the duties of that employment, unless the individual chooses to
31 apply for a license under this subtitle;

1 (2) Any individual who does not use any title, abbreviation, sign, card, or
2 other representation that the individual is a "social worker" or is engaged in the
3 practice of "social work";

4 (3) A student while pursuing a supervised course of study in social work
5 that the Board approves as qualifying training and experience under this title;

6 (4) An individual who recently has become a resident of this State and
7 has an application for a license pending before the Board;[or]

8 (5) An individual who is an attorney or a member of the clergy:

9 (i) While the individual is working within the standards and ethics
10 of the individual's respective profession; and

11 (ii) If the individual does not represent to the public by title or
12 description of services that the individual is a social worker; OR

13 (6) AN INDIVIDUAL WHO, ON APPLICATION TO THE BOARD FOR AN
14 EXEMPTION UNDER THIS PARAGRAPH, DEMONSTRATES THAT:

15 (I) THE INDIVIDUAL HAS A CURRENTLY VALID CERTIFIED SOCIAL
16 WORKER-CLINICAL LICENSE ISSUED BY ANOTHER STATE;

17 (II) THE INDIVIDUAL HAS PASSED THE NATIONAL EXAMINATION
18 GIVEN BY THE AMERICAN ASSOCIATION OF STATE SOCIAL WORKER BOARDS; AND

19 (III) THE STATE THAT ISSUED THE LICENSE TO THE INDIVIDUAL
20 ACCORDS A CERTIFIED SOCIAL WORKER-CLINICAL LICENSEE FROM THIS STATE THE
21 BENEFIT OF A SIMILAR EXEMPTION FROM LICENSURE.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 1998.