
By: **Senator Hollinger**

Introduced and read first time: February 3, 2006

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Social Work Examiners - Various Licensing and Regulatory**
3 **Requirements**

4 FOR the purpose of altering the quorum requirements for the State Board of Social
5 Work Examiners; altering the educational qualifications for certain licenses to
6 practice social work to allow for the accreditation of certain programs by a
7 certain accreditation organization or an equivalent organization; altering the
8 requirements for which the Board may grant a certain waiver of certain
9 examination requirements for licensure by certain applicants who are licensed
10 or registered to practice social work in another state; making a certain technical
11 correction; and generally relating to the State Board of Social Work Examiners
12 and various licensing and regulatory requirements.

13 BY repealing and reenacting, with amendments,
14 Article - Health Occupations
15 Section 19-204, 19-301, 19-302, and 19-305
16 Annotated Code of Maryland
17 (2005 Replacement Volume)

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 19-204.

22 (a) A majority of the [full authorized membership] APPOINTED MEMBERS of
23 the Board is a quorum to do business.

24 (b) The Board shall meet at least once a year, at the times and places that it
25 determines.

26 (c) Each member of the Board is entitled to reimbursement for expenses at a
27 rate determined by the Board.

28 (d) The Board may employ a staff in accordance with the budget of the Board.

- 1 (e) (1) The Board shall appoint an executive director.
- 2 (2) The executive director:
- 3 (i) Serves at the pleasure of the Board;
- 4 (ii) Is the executive officer of the Board; and
- 5 (iii) Has the powers and duties assigned by the Board.

6 19-301.

- 7 (a) Except as otherwise provided in this title, an individual shall be:
- 8 (1) Licensed by the Board before the individual may practice social work
- 9 in this State while representing oneself as a social worker; OR
- 10 (2) Licensed as a certified social worker-clinical before the individual
- 11 may practice clinical social work in this State.

12 (b) This section does not apply to:

- 13 (1) An individual employed by any agency of the federal government
- 14 while performing the duties of that employment[, unless the individual chooses to
- 15 apply for a license under this subtitle];
- 16 (2) An individual licensed as a social worker in another state while
- 17 responding to an emergency in this State; or
- 18 (3) An individual who:
- 19 (i) Is licensed to practice social work in any other state [or
- 20 possesses social work qualifications in another jurisdiction comparable to § 19-302 of
- 21 this subtitle];
- 22 (ii) Has an application for a license pending before the Board; and
- 23 (iii) Meets requirements established by the Board in regulations.

24 (c) An individual may not practice social work without a license under

25 subsection (b)(3) of this section for more than 6 months.

26 19-302.

27 (a) To obtain a license, an applicant shall demonstrate to the satisfaction of

28 the Board that the applicant:

- 29 (1) Has submitted a complete written application in the form prescribed
- 30 by the Board;
- 31 (2) Is at least 18 years old;

- 1 (3) Is of good moral character;
- 2 (4) Except as otherwise provided in this title, has successfully passed an
3 examination or examinations prescribed by the Board pertinent to the license sought;
4 and
- 5 (5) Has paid all applicable fees specified by the Board relative to the
6 licensure process.
- 7 (b) To obtain a social work associate license, an applicant shall:
- 8 (1) Meet the requirements of subsection (a) of this section; and
- 9 (2) Have received a baccalaureate degree in social work from a program
10 accredited by the Council on Social Work Education OR AN EQUIVALENT
11 ORGANIZATION.
- 12 (c) (1) To obtain a graduate social worker license, an applicant shall:
- 13 (i) Meet the requirements of subsection (a) of this section; and
- 14 (ii) Have received a master's degree from a program accredited by
15 the Council on Social Work Education OR AN EQUIVALENT ORGANIZATION.
- 16 (2) (i) To obtain a provisional graduate social worker license, an
17 applicant shall:
- 18 1. Meet the requirements of subsection (a) of this section;
19 and
- 20 2. Have received a master's degree from a program which
21 had received formal candidacy status from the Council on Social Work Education OR
22 AN EQUIVALENT ORGANIZATION at the time the degree was awarded.
- 23 (ii) A provisional graduate social work license shall be issued for
24 the lesser of a period:
- 25 1. Not to exceed 3 years; or
- 26 2. Until the program has attained accredited status from the
27 Council on Social Work Education OR AN EQUIVALENT ORGANIZATION.
- 28 (iii) Provisional licensees whose degree programs become accredited
29 during the license period shall be permitted to apply for a license as a graduate social
30 worker upon accreditation being granted to the program.
- 31 (d) To obtain a certified social worker license, an applicant shall:
- 32 (1) Meet the requirements of subsection (a) of this section;

1 (2) Have received a master's degree from a program accredited by the
2 Council on Social Work Education OR AN EQUIVALENT ORGANIZATION; and

3 (3) Provide in a form prescribed by the Board, documentation of having
4 completed 2 years as a licensee with supervised experience of at least 3,000 hours
5 after receiving the master's degree with a minimum of 144 hours of periodic
6 face-to-face supervision in the practice of social work under the terms and conditions
7 that the Board determines by regulation.

8 (e) To obtain a certified social worker-clinical license, an applicant shall:

9 (1) Meet the requirements of subsection (a) of this section;

10 (2) Have received a master's degree in social work and documentation of
11 clinical course work from a program accredited by the Council on Social Work
12 Education OR AN EQUIVALENT ORGANIZATION; and

13 (3) Provide in a form prescribed by the Board, documentation of having
14 completed 2 years as a licensee with supervised experience of at least 3,000 hours
15 after receiving the master's degree with a minimum of 144 hours of periodic
16 face-to-face supervision in the assessment, formulation of a diagnostic impression,
17 and treatment of mental disorders and other conditions and the provision of
18 psychotherapy under the terms and conditions that the Board determines by
19 regulation.

20 (f) If the supervision required for a certified social worker license under
21 subsection (d)(3) of this section was not available to the applicant while the applicant
22 was obtaining the required 2 years of experience, the Board may waive the
23 supervision requirement on the request of the applicant.

24 (g) If an applicant who is licensed or registered to practice social work in
25 another state has obtained 2 years of supervised experience under circumstances that
26 are otherwise equivalent to those required under subsection (d) of this section, the
27 Board may waive the supervision requirement.

28 19-305.

29 (a) Subject to the provisions of this section, the Board shall waive the
30 examination requirements of this title for an applicant who is licensed or registered to
31 practice social work in any other state.

32 (b) The Board may grant a waiver under this section only if the applicant:

33 (1) IS OF GOOD MORAL CHARACTER;

34 (2) Pays the application fee required by the Board under § 19-303 of this
35 subtitle;

36 [(2)] (3) Provides adequate evidence that the applicant:

1 (i) Meets the qualifications [otherwise] COMPARABLE TO THOSE
2 required by this title; [and]

3 (ii) IS CURRENTLY LICENSED OR REGISTERED IN ANOTHER STATE;

4 (III) BECAME LICENSED OR REGISTERED IN ANOTHER STATE
5 UNDER REQUIREMENTS SUBSTANTIALLY EQUIVALENT TO THE REQUIREMENTS OF
6 THIS TITLE; AND

7 (IV) Became licensed or registered in the other state after passing in
8 that or any other state an examination that is similar to the examination for which
9 the applicant is seeking the waiver; and

10 [(3)] (4) Did not previously receive a waiver of the examination
11 requirement from the Board.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2006.