

SENATE BILL 83

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(PRE-FILED)

By: **Chair, Finance Committee (By Request - Departmental - Human Resources)**

Requested: November 14, 2008

Introduced and read first time: January 14, 2009

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Human Services - Child Welfare Workforce**

3 FOR the purpose of altering certain provisions relating to the training and testing of
4 certain child welfare caseworkers; and generally relating to the child welfare
5 workforce.

6 BY repealing and reenacting, with amendments,
7 Article - Human Services
8 Section 4-301
9 Annotated Code of Maryland
10 (2007 Volume and 2008 Supplement)

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

13 **Article - Human Services**

14 4-301.

15 (a) The Secretary shall implement a comprehensive plan to recruit, train,
16 and retain child welfare caseworkers and casework supervisors who meet the
17 requirements of this section.

18 (b) (1) The Secretary shall hire as caseworkers only human services
19 professionals, such as:

20 (i) social workers licensed in accordance with Title 19 of the
21 Health Occupations Article;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) psychologists licensed in accordance with Title 18 of the
2 Health Occupations Article;

3 (iii) professional counselors certified in accordance with Title 17
4 of the Health Occupations Article;

5 (iv) nurses licensed in accordance with Title 8 of the Health
6 Occupations Article;

7 (v) school psychologists certified in accordance with regulations
8 adopted under Title 6, Subtitle 7 of the Education Article; and

9 (vi) human service workers who:

10 1. have a degree in an appropriate behavioral science;

11 2. have completed the mandatory preservice training
12 and competency test; and

13 3. are supervised by licensed social workers.

14 (2) The Secretary may retain permanent employees employed on or
15 before December 31, 1998 who do not have the qualifications specified in paragraph (1)
16 of this subsection if the Secretary finds that the employees are performing their duties
17 satisfactorily.

18 (c) The Secretary shall:

19 (1) implement a preservice training program and competency test for
20 newly employed caseworkers;

21 (2) require that all new casework staff:

22 (i) be hired provisionally;

23 (ii) **EXCEPT FOR STAFF DESCRIBED IN ITEM (4) OF THIS**
24 **SUBSECTION**, complete a 40-hour preservice training program; and

25 (iii) pass a competency test before being granted permanent
26 employment status; [and]

27 (3) implement mandatory standards for continuing education for all
28 caseworkers and casework supervisors that require that employees who fail to obtain
29 the required continuing education credits be subject to disciplinary action, including
30 demotion, suspension, and dismissal;

1 (4) DEVELOP AND IMPLEMENT MANDATORY STANDARDS THAT
2 EXEMPT NEWLY HIRED INDIVIDUALS WHO HAVE DOCUMENTED AND VERIFIED
3 PUBLIC CASEWORK EXPERIENCE OR HOLD APPROPRIATE STATE LICENSURE
4 FROM THE 40-HOUR PRESERVICE TRAINING PROGRAM SPECIFIED IN ITEM
5 (2)(II) OF THIS SUBSECTION; AND

6 (5) REQUIRE CASEWORKERS WHO ARE EXEMPT FROM THE
7 PRESERVICE TRAINING PROGRAM SPECIFIED IN ITEM (2)(II) OF THIS
8 SUBSECTION AND FAIL THE COMPETENCY TEST TO PARTICIPATE IN THE
9 PRESERVICE TRAINING PROGRAM AND TO TAKE AND PASS THE COMPETENCY
10 TEST BEFORE BEING GRANTED PERMANENT EMPLOYMENT STATUS.

11 (d) (1) The Secretary may not employ human services professionals on a
12 contractual basis as caseworkers or casework supervisors, except as required to meet
13 an unanticipated need resulting from:

14 (i) a significant and unexpected increase in reports of child
15 abuse or neglect, or both; or

16 (ii) a significant and unexpected increase in the foster care or
17 kinship care caseload, or both.

18 (2) A caseworker or casework supervisor contractual position may not
19 exist longer than 1 year.

20 (e) Whenever the Secretary contracts with an outside entity for casework
21 services, the Secretary shall require the contractor to comply with the employment
22 qualifications, training curriculum, preservice and in-service training, and
23 competency testing required under this section.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 July 1, 2009.