

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

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 27, 2009

CHAPTER _____

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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

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

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

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

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

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

13 (vi) human service workers who:

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

15 2. have completed the mandatory preservice training
16 and competency test; and

17 3. are supervised by licensed social workers.

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

22 (c) The Secretary shall:

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

25 (2) require that all new casework staff:

26 (i) be hired provisionally;

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

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

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

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

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

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

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

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

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

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

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