

## **CHAPTER 360**

**(Senate Bill 83)**

AN ACT concerning

### **Human Services – Child Welfare Workforce**

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

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 4–301  
Annotated Code of Maryland  
(2007 Volume and 2008 Supplement)

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

### **Article – Human Services**

4–301.

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

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

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

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

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

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

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

(vi) human service workers who:

1. have a degree in an appropriate behavioral science;
2. have completed the mandatory preservice training and competency test; and
3. are supervised by licensed social workers.

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

(c) The Secretary shall:

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

(2) require that all new casework staff:

(i) be hired provisionally;

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

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

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

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

**(5) REQUIRE CASEWORKERS WHO ARE EXEMPT FROM THE PRESERVICE TRAINING PROGRAM SPECIFIED IN ITEM (2)(II) OF THIS**

**SUBSECTION AND FAIL THE COMPETENCY TEST TO PARTICIPATE IN THE PRESERVICE TRAINING PROGRAM AND TO TAKE AND PASS THE COMPETENCY TEST BEFORE BEING GRANTED PERMANENT EMPLOYMENT STATUS.**

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

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

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

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

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

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

**Approved by the Governor, May 7, 2009.**