

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 527

(Delegate Cullison)

Health and Government Operations

Education, Health, and Environmental Affairs

**Health Occupations - Social Workers - Scope of Practice, Supervision, and
Application Decision Appeal Process**

This bill alters the Maryland Social Workers Act by (1) clarifying that “practice social work” includes counseling for alcohol and drug use and addictive behavior; (2) clarifying that treatment of biopsychosocial conditions by certain social workers must be under specified supervision; (3) specifying that certain requirements may not be construed to prohibit certain licensees from applying or qualifying to engage in independent practice; and (4) requiring the State Board of Social Work Examiners to approve certain licensees to provide supervision.

Fiscal Summary

State Effect: The bill does not materially affect State operations or finances.

Local Effect: None.

Small Business Effect: Potential minimal.

Analysis

Bill Summary/Current Law:

Practice Social Work

Under current law, “practice social work” means to apply the theories, knowledge, procedures, methods, or ethics derived from receiving a baccalaureate or master’s degree in social work to restore or enhance social functioning of individuals, couples, families,

groups, organizations, or communities through a number of specified activities. “Practice social work” includes using technology as set forth in regulations.

For individuals licensed as a graduate social worker (LGSW), a master social worker (LMSW), or a certified social worker (LCSW), “practice social work” includes treatment of behavioral health disorders, including substance use and addictive disorders. For a certified social worker-clinical (LCSW-C), “practice social work” includes evaluation, diagnosis, and treatment of behavioral health disorders, including substance use and addictive disorders.

The bill clarifies that “practice social work” includes counseling for alcohol and drug use and addictive behavior. For an individual licensed as an LGSW or LCSW, the bill further clarifies that “practice social work” includes treatment of biopsychosocial conditions *under the supervision of an LCSW-C*.

Independent Practice

Under current law, “independent practice” means to practice bachelor social work or master social work without the requirement of supervision by another social worker. A licensed bachelor social worker (LBSW) or a LMSW *not* approved to practice independently must practice social work under supervision.

Chapters 548 and 549 of 2017, which defined independent practice, included a grandfathering provision under which the board must approve an individual to engage in independent practice if the individual (1) was licensed by the board as a LBSW or LMSW on or before January 1, 2008, and (2) had actively practiced bachelor social work, graduate social work, or master social work for at least 10 years.

To engage in independent practice, a LBSW or LMSW must submit to the board (1) an application on a board-prescribed form; (2) any applicable fees; and (3) documentation of having completed at least three years as a licensee with at least 4,500 hours of supervised experience after receiving a baccalaureate or master’s degree with a minimum of 150 hours of periodic face-to-face supervision under the terms and conditions established by regulations. If a licensee applies to engage in independent practice but has not completed the required supervised experience, the board may reject the application and require the individual to continue supervised work for an additional 1,500 hours before reapplying.

The bill specifies that nothing in the independent practice requirements may be construed to prohibit an individual licensed as a LBSW or LGSW on or before January 1, 2008, and who does not have at least 10 years of active practice from applying or qualifying to obtain approval to engage in independent practice under current law (for which the requirements are at least three years as a licensee with specified supervision).

Approval of Supervisors

Under board regulations, to serve as a supervisor, an individual must (1) be a LBSW, LCSW, LCSW-C, or LMSW (or a comparable license from another state licensing board); (2) have one social work graduate course in supervision from an accredited master's degree program, 12 hours of agency-sponsored supervision training; or 12 credit hours of continuing education in social work supervision by a board-authorized sponsor; and (3) have completed a specified number of months of experience (18, 24, or 60 months depending on the license). A social worker who intends to provide supervision to a licensed social worker for independent practice must apply to the board for approval as a supervisor, but may continue to provide supervision without board approval until January 1, 2021.

The bill requires the board to approve a licensee to provide supervision if the licensee: (1) is a LBSW or LMSW approved to engage in independent practice; (2) meets the education and training requirements for supervision established by the board; and (3) has actively practiced social work for at least five years under the type of license that the licensee holds, regardless of whether the licensee was approved by the board to engage in independent practice.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 245 (Senator West) - Education, Health, and Environmental Affairs.

Information Source(s): Maryland Department of Health; Department of Human Services; Department of Legislative Services

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