

# HOUSE BILL 694

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HB 1164/22 – ECM

3lr2018

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By: **Delegates Boafo, Grossman, and McCaskill**

Introduced and read first time: February 6, 2023

Assigned to: Economic Matters

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Committee Report: Favorable

House action: Adopted

Read second time: March 6, 2023

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Labor and Employment – Workers’ Compensation – Licensed Certified Social**  
3 **Worker–Clinical**

4 FOR the purpose of authorizing a licensed certified social worker–clinical to register as a  
5 rehabilitation practitioner; authorizing a licensed certified social worker–clinical to  
6 provide evaluation services for workers’ compensation claims related to permanent  
7 impairments involving a behavioral or mental disorder; and generally relating to  
8 licensed certified social workers–clinical and workers’ compensation.

9 BY repealing and reenacting, without amendments,  
10 Article – Labor and Employment  
11 Section 9–6A–01(a)  
12 Annotated Code of Maryland  
13 (2016 Replacement Volume and 2022 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – Labor and Employment  
16 Section 9–6A–01(d), 9–6A–04(c), 9–6A–09, and 9–721(c)  
17 Annotated Code of Maryland  
18 (2016 Replacement Volume and 2022 Supplement)

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

21 **Article – Labor and Employment**

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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 9-6A-01.

2 (a) In this subtitle the following words have the meanings indicated.

3 (d) (1) "Rehabilitation practitioner" means an individual who provides  
4 vocational rehabilitation services.

5 (2) "Rehabilitation practitioner" includes:

6 (i) **A LICENSED CERTIFIED SOCIAL WORKER-CLINICAL AS**  
7 **CERTIFIED BY THE STATE BOARD OF SOCIAL WORK EXAMINERS;**

8 (ii) **(II)** a nurse certified by the State Board of Nursing as a nurse case  
9 manager;

10 [(ii)] **(III)** a rehabilitation counselor; and

11 [(iii)] **(IV)** a vocational evaluator.

12 9-6A-04.

13 (c) Violation of the rules and regulations adopted or enforced by the Commission,  
14 **THE STATE BOARD OF SOCIAL WORK EXAMINERS**, or the State Board of Nursing in  
15 accordance with this title by a rehabilitation practitioner shall be grounds for denial of a  
16 registration to any applicant, or suspension or revocation of a registrant's registration  
17 [pursuant to] **IN ACCORDANCE WITH §§ 9-6A-15 and 9-6A-16** of this subtitle.

18 9-6A-09.

19 (a) **TO QUALIFY FOR REGISTRATION, A LICENSED CERTIFIED SOCIAL**  
20 **WORKER-CLINICAL SHALL BE CERTIFIED AS SUCH BY THE STATE BOARD OF SOCIAL**  
21 **WORK EXAMINERS.**

22 (b) **(B)** To qualify for registration, a nurse case manager shall be certified as such by  
23 the State Board of Nursing.

24 [(b)] **(C)** To qualify for registration, a rehabilitation counselor shall:

25 (1) have a bachelor's degree from an accredited institution in rehabilitation  
26 counseling, human services, psychology, or a related field with at least 1 year of work  
27 experience in a human services occupation;

28 (2) have a master's or doctoral degree in rehabilitation counseling, human  
29 services, psychology, education, or a related field; or

1           (3) be a certified rehabilitation counselor, certified vocational evaluator,  
2 certified disability management specialist, hold an equivalent national certification that is  
3 acceptable to the Commission, or have met all of the education and experience  
4 requirements to be eligible to be certified.

5           [(c)] (D) To qualify for registration, a vocational evaluator shall:

6           (1) have a bachelor's degree from an accredited institution in vocational  
7 evaluation, rehabilitation psychology, human services, education, or a related field with 1  
8 year of work experience in that field;

9           (2) have a master's or doctoral degree in rehabilitation, vocational  
10 evaluation, psychology, human services, education, or a related field; or

11           (3) be certified or have met all of the educational and experience  
12 requirements to be eligible to be certified in vocational evaluation by the Commission on  
13 certification of work adjustment and vocational evaluation specialists, or have met all of  
14 the education and experience requirements to be eligible for certification.

15           [(d)] (E) In addition to the requirements of subsections [(b)] (C) and [(c)] (D) of  
16 this section:

17           (1) a rehabilitation counselor who has met the education requirements  
18 under subsection [(b)(1)] (C)(1) or (2) of this section to qualify for registration shall work  
19 under the administrative supervision of a certified rehabilitation counselor, certified  
20 vocational evaluator, certified disability management specialist, certified case manager, or  
21 certified rehabilitation registered nurse; and

22           (2) a vocational evaluator who has met the education requirements under  
23 subsection [(c)(1)] (D)(1) or (2) of this section shall work under the administrative  
24 supervision of a certified vocational evaluator, certified rehabilitation counselor, certified  
25 disability management specialist, certified case manager, or certified rehabilitation  
26 registered nurse.

27 9-721.

28           (c) If a permanent impairment involves a behavioral or mental disorder, a  
29 licensed psychologist, **LICENSED CERTIFIED SOCIAL WORKER-CLINICAL**, or qualified  
30 physician shall:

31           (1) perform an evaluation of only the mental or behavioral portion of the  
32 permanent impairment; and

33           (2) report the evaluation to the Commission in accordance with the  
34 regulations of the Commission.

35           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

1 October 1, 2023.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.