

# SENATE BILL 871

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EMERGENCY BILL

3lr2682

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By: **Senator M. Washington**

Introduced and read first time: February 6, 2023

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Social Workers – Licensure Examinations – Moratorium and Workgroup**

3 FOR the purpose of altering the licensure examination requirements for social workers;  
4 requiring the Maryland Department of Health to establish a workgroup to identify  
5 alternatives to examination requirements for a master social worker license, a  
6 certified social worker license, or a certified social worker–clinical license and  
7 develop recommendations for a certain assessment method to replace a certain  
8 examination requirement; and generally relating to licensure examinations for social  
9 workers.

10 BY repealing and reenacting, with amendments,

11 Article – Health Occupations

12 Section 19–302(a) and (b), 19–302.1, 19–303, 19–304(b), and 19–309(d)(6)

13 Annotated Code of Maryland

14 (2021 Replacement Volume and 2022 Supplement)

15 BY repealing

16 Article – Health Occupations

17 Section 19–304

18 Annotated Code of Maryland

19 (2021 Replacement Volume and 2022 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

21 That the Laws of Maryland read as follows:

22 **Article – Health Occupations**

23 19–302.

24 (a) To obtain a license, an applicant shall demonstrate to the satisfaction of the  
25 Board that the applicant:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) Has submitted a complete written application in the form prescribed by  
2 the Board;

3 (2) Is at least 18 years old;

4 (3) Is of good moral character;

5 (4) [Except as otherwise provided in this title, has successfully passed an  
6 examination or examinations prescribed by the Board pertinent to the license sought;

7 (5)] Has paid all applicable fees specified by the Board;

8 [(6)] (5) Has completed a criminal history records check in accordance  
9 with § 19–302.2 of this subtitle at the applicant’s expense; and

10 [(7)] (6) Has submitted to an examination if required under § 19–302.3 of  
11 this subtitle.

12 19–302.1.

13 To obtain a certified social worker license or a certified social worker–clinical license,  
14 an out–of–state applicant shall:

15 (1) Meet the requirements of § 19–302(a) of this subtitle;

16 (2) Be licensed or registered to practice social work in another state under  
17 a category of licensure that is equivalent to a certified social worker license or a certified  
18 social worker–clinical license; **AND**

19 (3) [Have passed an examination in that state as a condition of licensure;  
20 and

21 (4)] Have performed at least 1,000 hours of compensated social work  
22 practice per year for 5 years out of the 10 years preceding application to the Board.

23 19–303.

24 [(a)] To apply for a license, an applicant shall:

25 (1) Submit an application to the Board on the form that the Board requires;  
26 and

27 (2) Pay to the Board the application fee set by the Board.

28 [(b)] The Board shall:

1 (1) Review each application; and

2 (2) Notify each applicant whether the applicant has been approved to take  
3 the pertinent licensure examination within 60 days from the date the Board received a  
4 completed application from the applicant.]

5 [19–304.

6 (a) An approved applicant is entitled to be examined for licensure as provided in  
7 this section.

8 (b) The Board shall ensure that a Board–approved examination for each category  
9 of license is made available for an applicant to take at least twice a year, at the times and  
10 places that the Board determines.

11 (c) The Board shall notify each approved applicant of the procedures for taking  
12 the examination.

13 (d) (1) The Board shall approve the subjects, scope, form, and passing score for  
14 each type of examination given under this subtitle.

15 (2) The examinations given under this subtitle shall strive to be free of  
16 cultural bias.

17 (e) (1) The Board, by regulation, may limit:

18 (i) The number of times an applicant may be reexamined after  
19 failing an examination required under this subtitle; and

20 (ii) The interval between reexaminations.

21 (2) If an applicant is permitted to be reexamined under paragraph (1) of  
22 this subsection, the applicant shall pay a fee to the examining body approved by the Board.

23 (f) The examination shall be prepared to measure the competence of the  
24 applicant to engage in the pertinent practice of social work.

25 (g) In the preparation, administration, and grading of an examination, the Board  
26 may employ, cooperate, or contract with an organization or consultant.]

27 19–309.

28 (d) Subject to subsection (e) of this section, the Board shall reissue a license to an  
29 individual who:

30 (6) [(i) Passes the respective examination required for initial licensure;

1 or

- 2 (ii) 1.] Holds an active license to practice social work in another  
 3 state under a category of licensure that is equivalent to a licensed bachelor social worker,  
 4 licensed master social worker, certified social worker, or certified social worker–clinical[;  
 5 and
- 6 2. Has passed an examination in that state as a condition of  
 7 licensure].

8 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
 9 as follows:

10 **Article – Health Occupations**

11 19–302.

12 (b) To obtain a bachelor social worker license, an applicant shall:

- 13 (1) [Meet] **EXCEPT FOR THE EXAMINATION REQUIREMENT IN**  
 14 **SUBSECTION (A)(4) OF THIS SECTION, MEET** the requirements of subsection (a) of this  
 15 section; and
- 16 (2) Have received a baccalaureate degree in social work from a program  
 17 that is accredited or is a candidate for accreditation by the Council on Social Work  
 18 Education or an equivalent organization approved by the Council on Social Work  
 19 Education.

20 19–304.

21 (b) [The] **IF THE QUALIFICATIONS FOR A CATEGORY OF LICENSE INCLUDE**  
 22 **THE PASSAGE OF A BOARD–APPROVED EXAMINATION, THE** Board shall ensure that [a]  
 23 **THE** Board–approved examination for [each] **THE** category of license is made available for  
 24 an applicant to take at least twice a year, at the times and places that the Board  
 25 determines.

26 SECTION 3. AND BE IT FURTHER ENACTED, That:

27 (a) The Maryland Department of Health shall establish a workgroup to:

- 28 (1) identify alternatives to examination requirements that may be used to  
 29 assess an applicant’s qualifications for a master social worker license, a certified social  
 30 worker license, or a certified social worker–clinical license under Title 19 of the Health  
 31 Occupations Article;
- 32 (2) develop recommendations for an assessment method for independent

1 practice to replace the Association of Social Work Boards examination; and

2 (3) on or before December 1, 2023, report the findings and  
3 recommendations of the workgroup to the Senate Finance Committee and the House  
4 Health and Government Operations Committee, in accordance with § 2-1257 of the State  
5 Government Article.

6 (b) The workgroup established under subsection (a) of this section shall include:

7 (1) at least three representatives from nongovernmental social service  
8 agencies;

9 (2) at least three masters of social work or bachelor of social work  
10 graduates who have been negatively impacted by the examination requirement;

11 (3) at least two consumers who have been impacted by the shortage of  
12 social workers;

13 (4) at least one member of the State Board of Social Work Examiners; and

14 (5) any additional members the Department considers necessary to create  
15 a diverse set of stakeholders on the workgroup.

16 SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take  
17 effect July 1, 2024.

18 SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided for in  
19 Section 4 of this Act, this Act is an emergency measure, is necessary for the immediate  
20 preservation of the public health or safety, has been passed by a yea and nay vote supported  
21 by three-fifths of all the members elected to each of the two Houses of the General  
22 Assembly, and shall take effect from the date it is enacted. Sections 1 and 3 of this Act shall  
23 remain effective through June 30, 2024, and, at the end of June 30, 2024, Sections 1 and 3  
24 of this Act, with no further action required by the General Assembly, shall be abrogated  
25 and of no further force and effect.