

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

Senate Bill 871

Finance

(Senator M. Washington)

Health and Government Operations

Social Workers - Sunset Extension, Notification of Complete Application, and Workgroup on Social Worker Requirements for Licensure

This emergency bill requires the State Board of Social Work Examiners, within 15 days after the initial receipt of a license application and supplemental documentation, to notify the applicant whether the application is complete. The bill establishes a Workgroup on Social Worker Requirements for Licensure, staffed by the Maryland Department of Health (MDH), which must submit reports to the Senate Finance Committee and the House Health and Government Operations Committee, as specified. The bill also extends the termination date for the board by one year to July 1, 2025, subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act (MPEA). **The workgroup terminates June 30, 2025.**

Fiscal Summary

State Effect: MDH general fund expenditures increase by \$75,000 in FY 2024 to reflect a contingent appropriation and \$15,400 in FY 2025 for contractual staff for the workgroup. Future years reflect elimination of the contractual position in FY 2025, as discussed below. Revenues are not affected. Board special fund revenues and expenditures are maintained through FY 2025. The FY 2024 budget as passed by the General Assembly includes \$75,000 in general funds for board operations, contingent on enactment of this bill and either Senate Bill 145 or House Bill 103 of 2023.

(in dollars)	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	75,000	15,400	0	0	0
Net Effect	(\$75,000)	(\$15,400)	\$0	\$0	\$0

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The workgroup must determine:

- whether to continue to use examinations developed by the Association of Social Work Boards (ASWB) as a requirement for a bachelor social worker license or a master social worker license;
- whether to establish a temporary license for applicants for a bachelor social worker license or master social worker license, who, except for passing the required examination, meet the education and experience requirements for licensure;
- how supervision may be provided to bachelor social worker licensees and master social worker licensees at no cost to the licensees; and
- if the workgroup determines that the ASWB examination should not be used or that temporary licenses should be established, whether additional experience or education requirements are necessary.

By September 1, 2023, the workgroup must submit a preliminary report of its findings and recommendations to the Senate Finance Committee and the House Health and Government Operations Committee. By December 1, 2023, the workgroup must submit an interim report, including a timeline for phasing in any determinations made pursuant to the findings of the preliminary report, and an outline and timeline for conducting a specified study.

The workgroup must conduct a study that examines each type of license under the Maryland Social Workers Practice Act (Title 19 of the Health Occupations Article) by:

- conducting a bias analysis of the qualifications for each type of license;
- determining whether each type of license is necessary;
- identifying alternatives to examination requirements that may be used to assess an applicant's qualifications for each type of license;
- considering examination testing options, as specified;
- identifying barriers in addition to the examination that present challenges to licensure in the State; and
- identifying the circumstances under which unlicensed individuals work in State and federal government positions as social workers.

By December 1, 2024, the workgroup must report to the Senate Finance Committee and the House Health and Government Operations Committee on its findings from the study and recommendations to eliminate bias and make the process for licensing social workers in the State more fair, diverse, and efficient.

The workgroup may establish subgroups or contract with an entity with expertise in analyzing assessment bias. The Governor must designate the chair of the workgroup.

Workgroup members may not receive compensation but are entitled to reimbursement for expenses under standard State travel regulations.

Current Law:

Licensure, Application, and Examination Requirements

To obtain a license from the board, an applicant generally must (1) submit a written application on a board-prescribed form; (2) be at least 18 years old; (3) be of good moral character; (4) successfully pass the required examination pertinent to the license sought; (5) pay any applicable fees; (6) complete a criminal history records check; and (7) if required, complete a mental or physical examination by a board-appointed health care practitioner. An applicant must also have specified education and experience pertinent to the license sought.

The board must review each application and notify each applicant whether the applicant has been approved to take the pertinent licensure examination within 60 days from the date the board received the completed application from the applicant.

The board must ensure that a board-approved examination for each category of license is made available for an applicant to take at least twice a year at the times and places that the board determines. The board uses a national examination administered by ASWB. After the board approves a license application, the applicant must register with ASWB and pay the examination fee. The ASWB national examination is available any time that scheduling permits at a Pearson VUE test center.

Maryland Program Evaluation Act

The board is one of approximately 60 regulatory entities and activities subject to termination unless reauthorized periodically through statute. Under MPEA, these entities may also be subject to an evaluation by the Office of Program Evaluation and Government Accountability (OPEGA) within the Department of Legislative Services prior to their termination. However, OPEGA may conduct an evaluation only if directed by specified entities or by legislation. The board is scheduled to terminate July 1, 2024; OPEGA was not asked to conduct an evaluation prior to its termination.

State Expenditures: The fiscal 2024 budget as passed by the General Assembly includes \$75,000 in general funds for board operations, contingent on the enactment of this bill and either Senate Bill 145 or House Bill 103. Thus, MDH general fund expenditures increase by \$75,000 in fiscal 2024. At least \$39,107 of this \$75,000 is expected to be used for contractual staff in fiscal 2024, which accounts for personnel costs beginning July 1, 2023. This reflects the costs of hiring one contractual, part-time (50%) health policy analyst to

staff the workgroup and prepare and submit the required reports. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Contractual Position	0.5
Salary and Fringe Benefits	\$31,963
Other Operating Expenses	<u>7,144</u>
Total FY 2024 Quantified Personnel Expenditures	\$39,107

An additional \$35,893 in general funds is available in fiscal 2024 only for further board costs associated with the workgroup, accelerated notification of applicants regarding whether their application is complete, and costs associated with implementing a new conditional and temporary licensure program as required by Chapter 317 of 2023 (Senate Bill 145). Any unspent funds revert to the general fund.

Future year expenditures reflect termination of the contractual position on December 31, 2024, following submission of the last required workgroup report. To the extent that the workgroup continues to meet through fiscal 2025, general fund expenditures increase by an additional \$15,417 to continue the contractual position through June 30, 2025 (the date on which the workgroup terminates). Should the workgroup contract with an entity with expertise in analyzing assessment bias, as authorized under the bill, general fund expenditures increase by an additional indeterminate amount in fiscal 2024. This analysis does not reflect the cost of any expense reimbursements for the 23 members of the workgroup.

This estimate does not include any health insurance costs that could be incurred for specified contractual employees under the State's implementation of the federal Patient Protection and Affordable Care Act.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

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

Fiscal Note History: First Reader - March 8, 2023

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Third Reader - March 21, 2023

Revised - Amendment(s) - March 21, 2023

Enrolled - April 18, 2023

Revised - Amendment(s) - April 18, 2023

Revised - Budget Information - June 8, 2023

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