

**Department of Legislative Services**  
Maryland General Assembly  
2023 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

House Bill 103

(Delegate Bagnall, *et al.*)

Health and Government Operations

Finance

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**State Board of Social Work Examiners - Temporary License to Practice Social Work**

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This bill authorizes the State Board of Social Work Examiners, under specified circumstances, to issue a temporary license to an applicant who, except for passing the required examination, has otherwise completed the education and experience requirements for a license to practice bachelor or master social work. The board may issue a temporary license if an administrative delay prevents a required examination from being available to an applicant for at least 15 business days. A temporary license is valid until 180 days after the examination becomes readily available to the applicant. A temporary license authorizes the holder to practice bachelor or master social work in the State only under the supervision of a board-approved supervisor. Unless the board agrees to accept the surrender of a license, the holder of a temporary license may not surrender the license or allow the license to lapse while the licensee is under investigation or while charges are pending against them. The bill also requires the board to submit a specified annual report.

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**Fiscal Summary**

**State Effect:** Board special fund revenues and expenditures may increase by an indeterminate amount as early as FY 2024 should the board elect to issue temporary licenses, as discussed below. The board can issue the required report using existing budgeted resources.

**Local Effect:** None.

**Small Business Effect:** None.

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## Analysis

**Bill Summary:** By December 31, 2024, and annually thereafter, the board must report to the Senate Finance Committee and the House Health and Government Operations Committee the following information for the immediately preceding 12-month period: (1) whether the examination was unavailable at any time during the reporting period; and (2) if the examination was unavailable, the number of:

- applicants who were eligible for a temporary license due to the unavailability of the examination;
- applicants who applied to take the examination;
- applicants that were delayed in processing; and
- temporary licenses issued under the bill.

**Current Law:** In general, to obtain a license from the State Board of Social Work Examiners, an applicant 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 required examinations 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.

A licensed bachelor social worker (LBSW) must have a baccalaureate degree in social work from an accredited social work program. A licensed master social worker (LMSW) must have a master's degree in social work from an accredited social work program. Generally, an LBSW or an LMSW must practice social work under the supervision of another social worker, unless given approval to engage in independent practice. The board charges a \$100 application fee and an initial \$75 license fee for an LBSW or LMSW.

The board uses a national examination administered by the Association of Social Work Boards (ASWB). After the board approves a license application, the applicant must register with ASWB and pay the examination fee. The applicant can then schedule to take the examination at any Pearson VUE test center. The ASWB national examination is available any time that scheduling permits at a Pearson VUE test center.

**State Fiscal Effect:** The board advises that additional staff is needed to review and approve requests for temporary licenses, process temporary license applications, track temporary license holders' access to the examination, notify temporary licensees when their license is expiring, and convert temporary licensees to permanent licenses once an individual passes the examination. The board advises that, between 2019 and 2022, an average of 875 individuals applied for an LMSW annually and 29 individuals applied for an LBSW annually. Should the board issue temporary licenses, it would likely charge

one application fee (for both a temporary and permanent license) and a temporary license fee of \$75.

Under the bill, eligibility for a temporary LBSW or LMSW is triggered by an administrative delay or unforeseen circumstance, act, or occurrence that prevents a required examination from being available to an applicant for at least 15 business days. Thus, the number of applicants who will qualify for a temporary LBSW or LMSW (and the resulting need for additional staff) is unknown. To the extent the criteria for a temporary license is met, and the board elects to issue temporary licenses, board special fund revenues and expenditures increase beginning as early as fiscal 2024. The exact amount cannot be reliably estimated at this time.

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### **Additional Information**

**Prior Introductions:** Similar legislation has been introduced within the last three years. See HB 173 of 2022 and SB 167 of 2021.

**Designated Cross File:** SB 145 (Senators West and M. Washington) - Finance.

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

**Fiscal Note History:** First Reader - February 2, 2023  
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