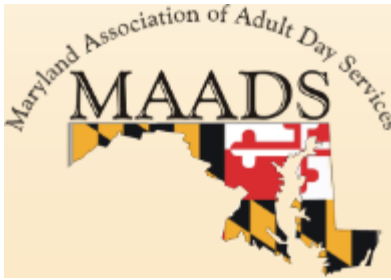


**SB0167\_FAV\_MAADS\_State Board of Social Work Examin**

Uploaded by: Kauffman, Danna

Position: FAV



*Managed by LifeSpan*

TO: The Honorable Paul G. Pinsky, Chair  
Members, Senate Education, Health, and Environmental Affairs Committee  
The Honorable Chris West

FROM: Danna L. Kauffman  
Pamela Metz Kasemeyer

DATE: January 26, 2021

RE: **SUPPORT** – Senate Bill 167 – *State Board of Social Work Examiners – Temporary License to Practice Social Work*

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On behalf of the Maryland Association of Adult Day Services (MAADS), a provider association representing medical adult day care centers throughout Maryland, we respectfully **support** the passage of Senate Bill 167. Maryland regulations (COMAR 10.12.04.16 and COMAR 10.09.07.05) require medical adult day centers to utilize the services of a social worker. Historically, medical adult day care centers, especially in the rural areas of the State, have had difficulty contracting with individuals to satisfy this requirement, which has prompted centers to receive waivers from this requirement from the Maryland Department of Health.

While medical adult day centers have been closed due to the COVID-19 pandemic, there is a concern that upon re-opening, this issue will be exacerbated. Senate Bill 167 provides a limited exception, like what is currently permitted for occupational therapists, that will provide greater flexibility while maintaining appropriate safeguards for medical adult day centers to be able to meet their regulatory requirements.

We urge a favorable vote.

**For more information call:**

Danna L. Kauffman  
Pamela Metz Kasemeyer  
410-244-7000

**Final Testimony SB 167- NASW MD Chapter.pdf**

Uploaded by: McClellan, Daphne

Position: FAV



**SB 167 – State Board of Social Work Examiners – Temporary License to Practice Social Work**

**SUPPORT**

**January 26, 2021**

Senate Education, Health and Environmental Affairs Committee  
The Honorable Paul G. Pinsky  
2 West Miller Senate Building  
Annapolis, Maryland 21401-1991

Dear Chairman Pinsky and Members of the Committee:

I am here today to support Senate Bill 167. This bill will authorize the State Board of Social Work Examiners (BSWE) to issue temporary licenses to applicants who have met all requirements for licensure except for passing an examination. The intent of this bill is that it be used at the sole discretion of the BSWE when the licensing exam is not accessible as was the case last year during the pandemic.

In order to work as a social worker in Maryland one must earn a master social work (MSW) degree (or a BSW to work as a licensed bachelor social worker) from an accredited school of social work, must pass a criminal background check and then must pass a national exam. For several months last year, testing sites were closed down entirely, while the national testing company (Pearson Vue) national worked on adapting to the realities of COVID19 protocols. Since re-opening exam centers with social distancing measures in place, applicants have found that available exam dates are often far into the future or at sites which are not easily accessible.

The Maryland Social Work Practice Act and its regulations provide that a student may begin their licensure application and take the licensing exam in the last semester of one's MSW or BSW program so that the license can be conferred as soon as the BSWE has evidence that the required degree was awarded. This process permits students to begin applying for and accepting jobs which are available to them immediately upon graduation. This past year the process hit a roadblock when graduating students found that they were unable to schedule exam appointments and therefore were unable to apply for jobs or take jobs which were offered to them.

The employment problem is exacerbated by the fact that our practice act not only prohibits an unlicensed person from using the title of social work but it also prohibits a person with a social work degree from performing any tasks which are within the very wide scope which is defined as the "practice of social work." Therefore, a recent graduate could not accept a position which could be accepted by any number of competitors who did not have to have a license in order to engage in (a) Assessment; (b) Planning; (c) Intervention; (d) Evaluation; (e) Case management; (f) Information and referral; (g) Counseling; (h) Supervision; (i) Consultation; (j) Education; (k) Advocacy; (l) Community organization; and (m) The development, implementation and administration of policies, programs, and activities. The BSWE has leveled huge fines against people with social work degrees who perform these tasks and are in positions which are not titled as social work positions.

Many of the tasks performed by licensed social workers are not clinical in nature and offer no discernable danger to the public. Even for those more clinical tasks which might be performed by an LMSW temporarily licensed under this bill, there are safety measures in place which provide that any LMSW providing clinical social work must be supervised by a board approved supervisor who is a licensed certified social worker-clinical (LCSW-C). An LBSW is prohibited from any form of clinical practice regardless.

The BSWE has expressed that they are opposed to this bill and feel that the public is not safe from any social worker who has not passed the prescribed exam. This view is not held by many other states in this country which have a temporary license in place as a matter of course for new applicants. Connecticut, West Virginia, New York, Texas, Arkansas, Indiana, New Mexico, and Wisconsin, among others, all use the same national exam that we use in Maryland and all have temporary or provisional licensure as a permanent part of their licensing laws: applicants are granted temporary licenses and permitted to work for 3-12 months while awaiting the opportunity to take and pass the licensing exam. In addition, during this pandemic both Virginia and Minnesota have temporary licensure in place by order of their governors. Temporary licenses are also supported by our national social work organization.

We are also aware of other Health Occupation boards in Maryland that currently have statute provisions for temporary licensure, including the State Board of Dental Examiners, the State Board of Morticians and Funeral Directors, the State Board of Nursing, the State Board of Examiners of Nursing Home Administrators, the State Board of Occupational Therapy Practice, the State Board of Physicians the State Board of Podiatric Medical Examiners. As each practice act is different, the requirements and circumstances for temporary licensure vary greatly across professions and licensing types. NASW's bill most closely matches the statute for Occupational Therapists, which have a temporary licensure category for applicants who have not yet met the examination requirements

In light of the current ongoing emergency and the unfortunate probability that emergency events will happen in the future; we feel that it is imperative that the BSWE have all of the tools necessary to assure that social work services can be provided to the public regardless of the immediate availability of a national exam which is outside of its control. It will be up to the Board whether or not it chooses to use this particular tool in any given situation.

We ask that the committee to vote favorably on Senate Bill 167.

If you have any further questions, please do not hesitate to contact me at [dmcclellan.naswmd@socialworkers.org](mailto:dmcclellan.naswmd@socialworkers.org)

Sincerely,

Daphne L. McClellan, PhD, MSW  
Executive Director  
NASW Maryland Chapter

**Bill 167.pdf**

Uploaded by: Perez, Chloe

Position: FAV

January 22, 2021

Dear Chairman and Members of the Committee,

Please accept my written testimony on behalf of Senate Bill 167-State Board of Social Work Examiners-Temporary License to Practice Social Work. I currently serve as the President of The Maryland Association of Resources for Families and Youth (MARFY) which is a statewide network of private agencies serving at-risk children and youth. The members of MARFY represent providers who serve Maryland's most vulnerable children who are in out of home placements due to abuse, neglect or severe mental health and medical needs. We operate group homes, treatment foster care programs and independent living programs, primarily serving the foster care population as well as a juvenile services population. Additionally, I am the President/CEO of Hearts and Homes for Youth, a Maryland based non-profit, and am a board certified licensed social worker supervisor in Maryland and an LICSW in Washington, DC.

Private providers' experienced significant obstacles prior to COVID related to hiring social workers due to an identified national shortage and this challenge has become more compounded as a result of the pandemic. The delay in graduates' ability to sit for their exam and obtain licensure considerably impedes employer's capacity to offer employment subsequently hindering clinical services that our youth, families and communities require. Due to the current unprecedented hindrances, it took our agency 10 months to fill a social worker position in one of our group homes. The youth and families that many of us serve are involved in the child welfare system and the need for trauma informed therapeutic services is dire given the unintended impact on mental health due to COVID and is only expected to surge. Allowing this bill to pass provides an opportunity to amend the current statutes to meet the rising needs of our community.

I have been a licensed social worker for 15 years and have worked in child welfare for over 10 years and the state of our current mental health needs for our most vulnerable populations far exceeds anything I have ever witnessed. I strongly advocate for modifications to current practices be considered to align with our existing barriers for the mental well-being and safety of our youth, families and community.

Respectfully Submitted,

Chloe Pérez, LCSW-C, LICSW  
President/CEO

# **Testimony in Favor of SB0167.pdf**

Uploaded by: Shafer, Dawn

Position: FAV



## Testimony in Favor of SB0167

Thank you, Senator West and all the members of the Senate Education, Health, and Environmental Affairs Committee, for addressing this critical issue and therefore recognizing the vital role of social work, especially in times of crisis. The University of Maryland, School of Social Work appreciates the opportunity to provide testimony in favor of SB 0167, which amends the Maryland Social Work Licensing Statute by adding a Temporary License to Practice Social Work. We graduate on average 450 graduate MSWs each year and we represent an extensive, skilled, and dedicated workforce of social workers in Maryland.

One requirement for social work licensing is the passing of a nationally administered test for each of the social work licenses (LBSW, LMSW, LCSW, LCSW-C.) These tests are offered through the Association of Social Work Boards and are administered in person at specific testing centers. An unintentional barrier created by the measures put in place to reduce the spread of COVID-19 was the limited offering of these tests. In March, we began to hear from numerous alumni and graduating students of their concern that they were unable to accept employment or advance to supervisory positions because there were such limited offerings of the licensing tests. At such critical times, we as a profession are unable to fully respond to the needs of Maryland's citizens and are in need of the remedy offered in SB 167.

This change would allow the BSWE to issue a temporary license to an applicant who meets all other requirements, and are just waiting for the opportunity to sit for an exam. We all agree that we have an interest in ensuring that the public receive services from individuals with specialized education, practice, and skill. We can attest to the rigor of social work academic classes with multiple assignments and exams and two year-long field practicums which result in graduates with valuable practice experience and skills. Anyone working under the temporary LBSW or LMSW license is already required to work under the supervision of an experience social worker. Further, a candidate who is eligible to sit for the LCSW or LCSW-C test has already worked in a social work position a minimum of two years under the supervision of an experienced social worker. Many other professional boards have provided licensing flexibility to respond in times of crisis and we support this legislative option for social work professionals.

These barriers hurt recent and soon-to-be graduates in their ability to find employment, and also burdens the overwhelmed infrastructure of our public health crisis response. Social Workers are essential to a comprehensive response and offer a unique skill set that can help to mitigate disparities, often experienced by underserved communities, who are often impacted to a greater degree by public health crises. Employers struggle to hire social workers and promote staff to supervisory positions because the opportunities to sit for the licensing exam are so limited. This licensing obstacle limits new graduates' career options, salary expectations, and long-term livelihoods. More importantly, it reduces the number energized social workers eligible and skilled to immediately contribute to the workforce in Maryland in a time of crisis.

Respectfully submitted by

Judy L. Postmus, Ph.D., ACSW, Dean & Professor

Dawn Shafer, LCSW-C, Associate Dean for Student Affairs

University of Maryland School of Social Work

# **Senator West - SB167 - Social Work Examiners- Temp**

Uploaded by: West, Christopher

Position: FAV

**CHRIS WEST**  
*Legislative District 42*  
Baltimore County

Judicial Proceedings Committee

Vice Chair, Baltimore County  
Senate Delegation



**THE SENATE OF MARYLAND**  
ANNAPOLIS, MARYLAND 21401

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1134 York Road, Suite 200  
Lutherville -Timonium, MD 21093  
410-823-7087

January 26, 2021

Senate Education, Health and Environmental Affairs Committee  
The Honorable Paul G. Pinsky  
2 West Miller Senate Building  
Annapolis, Maryland 21401-1991

**RE: SB 167 – State Board of Social Work Examiners – Temporary License to Practice Social Work**

Dear Chairman Pinsky and Members of the Committee:

I am pleased to introduce Senate Bill 167, which will confer on the State Board of Social Work Examiners the power to issue temporary licenses to social worker applicants who, except for passing an examination, have met the appropriate education and experience requirements to be licensed as social workers. Please note that the decision whether to exercise this power will be entirely discretionary on the part of the Board.

The bill further provides that in the event the Board should decide to issue temporary licenses for bachelor social workers and/or master social workers, the temporary licensees may only practice social work under the supervision of a board-approved supervisor; in the event the Board should decide to issue temporary licenses for certified social workers and/or certified clinical social workers, the temporary licensees may practice social work without supervision.

Under the bill, any temporary social work licenses will only be valid until such time as the licensee fails to pass the required exam, fails to submit the exam results to the Board or becomes a permanently licensed social worker.

In the event that the Board should decide to issue temporary licenses, the Board will be able to promulgate regulations adding additional provisions governing the temporary licenses. So the Board will not only be given total discretion whether or not to issue temporary licenses, but it will also have the power to restrict and regulate the temporary licensees in their practices.

In view of the emergency situation engendered by the coronavirus pandemic, it should be obvious that our statutes should contain fallback provisions that can be invoked in crises. If we are very fortunate, the Board should never need to consider issuing temporary social worker licenses, but Senate Bill 167 puts that arrow into their quiver so that, in a pinch, they could deploy it.

I note that various other Maryland State licensing boards currently have the power to issue temporary licenses. These include the State Board of Dental Examiners, the State Board of Morticians and Funeral Directors, the State Board of Nursing, the State Board of Occupational Therapy Practice and the State Board of Physicians. Furthermore, both Virginia and Minnesota have temporary licensure for social workers in effect for emergencies, and eight other states, including West Virginia and New York, have temporary or provisional licensure for social workers as a permanent part of their licensing laws.

The bottom line is that in future emergency situations, we need to be prepared for any eventualities, and it just makes sense to permit the State Board of Social Work Examiners to make the decision to issue temporary licenses in such situations.

For these reasons I ask the committee to vote favorably on Senate Bill 167.



**SB0167/573225/1**

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

22 JAN 21  
08:38:58

BY: Senator West  
(To be offered in the Education, Health, and Environmental  
Affairs Committee)

AMENDMENTS TO SENATE BILL 167

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “to” in line 6 down through “worker” in line 7 and substitute “under certain provisions of this Act”; and strike beginning with “providing” in line 8 down through “effective;” in line 10.

AMENDMENT NO. 2

On page 2, in line 17, after “**WORK;**” insert “**OR**”; and strike beginning with the semicolon in line 18 down through “**WORK-CLINICAL**” in line 20.

On page 3, in line 1, after “**WORK;**” insert “**OR**”; strike beginning with the semicolon in line 2 down through “**WORK-CLINICAL**” in line 4; in line 5, strike “**(1)**”; strike beginning with “**TO**” in line 5 down through “**WORKER**” in line 6 and substitute “**UNDER THIS SECTION**”; and strike in their entirety lines 9 through 11, inclusive.

# **SB 167--Temp License to Practice Soc Work--FWA--FI**

Uploaded by: Dove, Tina

Position: FWA

**Testimony in Support with Amendments to Senate Bill 167  
State Board of Social Work Examiners—Temporary License to Practice  
Social Work**

**Senate Education, Health, and Environmental Affairs Committee  
January 26, 2021  
1:00 pm**

**Tina N. Dove, M.Ed.  
Government Relations**

The Maryland State Education Association is in support, with amendments, of Senate Bill 167, legislation that would authorize the State Board of Social Work Examiners to issue a temporary license to an applicant who, except for passing the required examination, has otherwise completed the appropriate education and experience required for a license to practice bachelor social work, master social work, certified social work, or certified social work-clinical.

MSEA represents 75,000 educators and school employees who work in Maryland's public schools, teaching and preparing our 896,837 students for careers and jobs of the future. MSEA also represents 39 local affiliates in every county across the state of Maryland, and our parent affiliate is the 3 million-member National Education Association (NEA).

The immeasurable adverse impacts, either instigated by or further exacerbated by the COVID-19 global pandemic, present educators at all levels with extraordinary challenges. Not only must we diagnose and remediate any academic learning loss experienced by our students during this extended period of quarantine and virtual learning, but we must also address the untold yet growing trauma, mental, and behavioral health-related challenges. As we move toward re-opening schools for in-person instruction and given the ongoing personnel, resource, and support challenges facing our schools and districts, it stands to reason that previously stretched supports will be even more threadbare and hard to come by in the go forward. Currently Maryland does not have a sufficient enough mental and behavioral support personnel pipeline to come remotely close to the professionally



recommended student to staff ratios let alone the number of staff required to meet the pandemic-related needs we face. As such, any efforts to ensure that we can deploy as many trained behavioral and mental health professionals in our schools as we begin our transition from virtual to in-person learning is critically important. We believe this legislation is a helpful step toward the overall goal.

We respectfully ask that two related considerations be taken in relation to this legislation.

1. We would ask that aspiring social workers be allowed to count their service under this temporary license toward their clinical requirements for the degree qualifications. Since this license requires that those holding a temporary license work under the supervision of a licensed social worker, we believe that allowing those who have not yet met their residency requirements be given the opportunity to do so under the provisions of this temporary status.
2. We would ask that temporary licensure consideration also be extended (if and where applicable) to similar school-based mental and behavioral health personnel, such as school guidance counselors and school psychologists. Currently, there is a classification for Psychometrists—those assisting certificated school psychologists— under COMAR 13.12.03.07. Psychometrists are required to work under the professional supervision of a certificated school psychologist. We believe that this model should be replicated and applied to other school-based mental and behavioral health personnel as it, too, would help increase the number of student support personnel during this critical time.

We believe these considerations would strengthen the overall goal of ensuring our students and educators have the supports they need in order to adequately respond to our current pandemic-related academic, mental, and behavioral health needs.

**We ask the committee to issue a Favorable Report including the above referenced considerations to Senate Bill 167.**



## **6 - SB 167 - State Board of Social Work Examiners**

Uploaded by: Bennardi, Maryland Department of Health /Office of Governmen

Position: UNF



*Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Acting Secretary*

**Board of Social Work Examiners**  
4201 Patterson Avenue, Suite 318  
Baltimore, MD 21215  
Phone: 410-764-4788

**2021 SESSION  
POSITION PAPER**

**BILL NO: SB 167**

**COMMITTEE: Education, Health and Environmental Affairs Committee**

**POSITION: Oppose**

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

**BILL ANALYSIS:** SB 167 creates a temporary license for applicants of the LBSW and LMSW license. It permits applicants to practice social work in Maryland without passing the National Examination by the Association of Social Work Boards.

**POSITION AND RATIONALE:** The Maryland Board of Social Work Examiners (the “Board”) strongly opposes SB 167 and believes it is counter to the Board’s mission of protecting the public. The examination determines if an applicant has the minimum competence to begin practicing a profession that is safe, competent and ethical. This is different from possessing a social work degree which addresses learned fundamental knowledge and skill needed to practice safely.

Social workers work with and treat vulnerable populations including abused and neglected children, people with behavioral health problems, and survivors of crime and domestic violence. A temporary license would permit these applicants to address these problems without demonstrating competence. The implementation of a temporary license has the potential to expose the public to unethical or incompetent practice.

Additionally, if enacted, it would place a burden on employers and the Board to ensure that those with a temporary license reapply for a permanent license, or not practice without a permanent license. The temporary license will create confusion for clients and employers who may not understand the nuances of what a temporary license means. In addition, there are questions regarding whether a supervisor would be willing to assume the risk and responsibility for an untested temporary licensee.

SB 167

Page 2

BSWE

For these reasons the Maryland Board of Social Work Examiners requests an unfavorable report on SB 167. If you need more information, please contact the Board's Executive Director, Dr. Stanley Weinstein at 410-764-4722 or [stanley.weinstein@maryland.gov](mailto:stanley.weinstein@maryland.gov).

*The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.*