



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

Board of Social Work Examiners
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**2021 SESSION
POSITION PAPER**

BILL NO: SB 167

COMMITTEE: Health and Governmental Operations Committee

POSITION: Oppose

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”) is respectfully submitting this letter of opposition for Senate Bill 167- State Board of Social Work Examiners -Temporary License to Practice Social Work. SB 167 would require the Board to have the ability to issue a temporary license to beginning social workers at the Bachelor’s Level (LBSW) and the Master’s Level (LMSW) without taking the national examination. The intent is to prepare for a situation in the future if another health emergency occurs and the testing of beginning social workers may be delayed as it was this past year. The testing company had to address the crisis and create policies such as wearing of masks and social distancing to continue to test applicants. In the past year, they had to shut down for a month and then decrease the number tested at each site to accommodate these safety measures. In the end, some applicants were delayed testing for a few months, but by the end of 2020 more applicants were tested than in 2019.

Since SB 167 just gives the Board the *ability* to issue a temporary license you may question why the Board would be opposed; since it does not require that they do so. The Board wants every patient/client who is treated or served by a social worker to know they have met the minimum standards for knowledge, skill, safety, competence, and ethics. A degree from an accredited educational program reflects that an individual has learned the fundamental knowledge base for the profession. However, passing the licensing examination demonstrates that an individual has minimum competence to practice safely and ethically. The exam meets testing industry standards and can be defended if challenged.

Social workers have been leaders in Maryland in providing treatment and services to the most vulnerable populations, including the mentally ill, victims of child abuse and neglect as well as domestic violence. If a temporary license were given out in 2019 to all applicants for LBSW and LMSW licenses it would have resulted in 381 applicants receiving a temporary license to individuals who ultimately failed the examination. The role of the Board mandated by the Legislature is to protect the public and licensing 381 who would have failed the examination does not protect the public.

SB 167 has been amended to require that temporary license holders would have to be supervised by Board-approved supervisors. Actually, newly licensed social workers have been required to have supervision over the last 45 years. One problem with the supervision of social workers in comparison to other health professions is that it cannot have direct supervision. Confidentiality is critical and the work is behind closed office doors. The supervision occurs often after the interaction with the patient/client.

SB 167 gives authority to the Board, but it will open requests from many applicants who want a temporary license for many possible reasons. There are no standards to determine what a reasonable request is and what is not. The Board could be confronted with many requests that are not just health emergency related.

Lastly, when the temporary license expires it places the liability on to the employer to make sure he/she does not have an employee who is not licensed. The Board understands the difficulty experienced by applicants who have waited to take the licensing examination. However, protecting the public requires more attention to the risks involved in providing a temporary license to someone not able to practice competently and ethically.

For these reasons the Maryland Board of Social Work Examiners respectfully 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.

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