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Judicial Proceedings Committee

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House Health and Government Operations Committee
The Honorable Shane E. Pendergrass
Room 241 House Office Building
Annapolis, Maryland 21401-1991

RE: SB 466 – Certificates for Involuntary Admission – Licensed Certified Social Worker - Clinical

Dear Chairman Pendergrass and Members of the Committee:

I would like to begin by noting that the identical cross file (HB689) of this legislation passed this Committee unanimously.

This bill authorizes a licensed certified social worker-clinical (LCSW-C), in conjunction with a physician, to certify an individual for involuntary admission to a facility or a Veterans' Administration (VA) hospital. The Maryland Board of Social Work Examiners and the Maryland Chapter of the National Association of Social Workers both support this bill.

Maryland law requires that two qualified health care practitioners sign a certificate for involuntary admission to a Veteran's Administration hospital or to a public or private clinic, hospital, or other institution that treats individuals who have mental disorders. Currently, both psychologists and psychiatric nurse practitioners are able to sign such certificates so long as they are joined by a licensed physician. This bill would add the highest level of professional social workers to the list of people authorized to join with doctors in signing such a certificate.

Under SB 466, just as in the case of psychologists and psychiatric nurse practitioners, a certificate signed by a licensed certified social worker - clinical for the involuntary admission of an individual will have to be based on a personal examination of the individual by the social worker. Further, a certificate may not be used for admission if the examination was done more than one week before the certificate was signed.

Let me provide a little information about licensed certified social workers – clinical. An applicant for licensure as an LCSW-C must have received a master's degree from an accredited program, must provide documentation of having completed two years as a licensee with supervised experience of at least 3,000 hours after receiving the master's degree, with at least 144 hours of periodic face-to-face supervision in the assessment, formulation of a diagnostic impression, and treatment of mental disorders and other conditions and the provision of psychotherapy.

Frequently, the certificates for involuntary admission are signed in a hospital emergency room setting. If a licensed certified social worker – clinical is present and examines someone in mental distress in such a setting, Maryland law should permit such a professional to be the second person, along with a licensed physician, who initiated the involuntary commitment process.

There is one amendment which passed in the Senate that would also let licensed certified social workers – clinical serve as the second signer of a certificate for the admission of a minor to a private facility, a State regional institute for children and adolescents or the child or adolescent unit of a State facility. In such cases, the parent or guardian of the minor must consent to the admission.

I hope the Committee will issue a favorable report on this bill.