



Board of Social Work Examiners

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

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2023 SESSION POSITION PAPER

BILL NO: SB 872
COMMITTEE: Finance
POSITION: Oppose

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

BILL ANALYSIS: This bill, would authorize the State Board of Social Work Examiners (the “Board”) to issue a temporary license to practice social work to certain applicants who meet certain requirements and eliminates the requirement to take a licensing examination.

POSITION AND RATIONALE: The Board opposes SB 872.

The primary responsibility of the Board is to protect the public from the unlicensed and potentially incompetent or unethical practice of social work. The requirements to be licensed as a Master Social Worker (LMSW) are an MSW from an accredited school, a criminal background check, and a basic, entry level exam. This bill would permit a person with an MSW to be licensed as an LMSW for two years by simply demonstrating that they have a degree and have passed a criminal background check. With that license the licensee could engage in all manner of social work practice including formulating a diagnosis, treatment of biopsychosocial conditions, treatment of behavioral health disorders and the provision of psychotherapy; as long as that individual is being supervised by a person with an LCSW-C license.

Depending on the course choices a social work student makes, they can be prepared with a number of clinical courses or with very few. Some social workers graduate with only 6 credit hours that might be considered clinical in nature. For the protection of the public, we depend on a combination of education, testing and supervision. None of these alone are sufficient. We believe that an exam is an important part of the process.

In order to obtain the clinical social work license (LCSW-C) an applicant must already have an LMSW, they must also meet requirements for clinical coursework, experience and supervision which all lead up to the requirement to take a clinical examination. The LCSW-C allows the licensee to practice independently; to evaluate, diagnose, and treat biopsychosocial conditions, mental and emotional conditions and impairments, and behavioral health disorders, including substance use disorders, addictive disorders, and mental disorders; as well as petition for emergency evaluation, provide psychotherapy and supervise other social workers in their clinical practice.

Determining an applicant’s readiness and competency to engage in these important tasks is the reason that the Board exists. We feel strongly that passage of a clinical exam is essential. There is no other state in this country which allows social workers to obtain a clinical license without

taking and passing the ASWB clinical exam. Until another exam is available or there is another way to demonstrably determine competency, we would be shirking our responsibility to the public to grant applicants the Temporary LCSW-C license called for in this legislation. Furthermore, a temporary LCSW-C license is not necessary. LMSWs may engage in clinical practice under the supervision of an LCSW-C. Aside from owning their own private practice or practicing without supervision, a person with an LMSW is not being held back from using their degree or earning a living.

The Board is also concerned about some of the administrative aspects of this bill. There are over 17,000 licensed social workers in Maryland. Depending on the date of licensure, licensees must renew their licenses by October 31st of even numbered or odd numbered years. This legislation would set the temporary license for expiration 2 years from the date it was issued; requiring a much more complex and time-consuming process of keeping track of when each license would expire and whether a temporarily licensed social worker was practicing without a license beyond that date.

Finally, the fact that this is an emergency bill would make this process nearly impossible to implement. Regulations for the practice of social work by people who are temporarily licensed do not exist and would need to be written and put in place.

Thank you for your consideration of this testimony. For all of the reasons stated, the Board of Social Work Examiners respectfully requests an unfavorable report on SB 872.

If you require additional information, please contact Dr. Daphne McClellan, Executive Director at (410) 764-4722 or at Daphne.McClellan@maryland.gov.

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