

HB 103 written testimony.pdf

Uploaded by: Ari Plaut

Position: FAV

February 9, 2023

The Honorable Chairwoman Pena-Melnyk
The Health and Government Operations Committee

**RE: HB 103 – State Board of Social Work Examiners – Temporary License to Practice Social Work
Position: SUPPORT**

Dear Madam Chair Pena-Melnyk, and esteemed Members of the House Health and Government Operations Committee,

On behalf of Pressley Ridge, I urge a favorable report on the above legislation. Pressley Ridge is a private non-profit organization that provides foster care support to families and youth in Maryland. We applaud Senator Chris West for sponsoring this legislation.

The purpose of this written testimony is to focus on other states' temporary licensing process, as well as explain how current licensing boards in Maryland issue temporary licenses.

I. Other States

There are currently 24 states that allow temporary licensure for social workers. Here are some examples that are analogous to HB 103/SB 145:

Indiana¹ - Allows temporary permits for up to 12 months, or until you pass the test. Indiana allows a temporary license to practice prior to passing a licensing exam.

Wisconsin² - In the statute, it states that "The social worker section may issue a temporary certificate permitting the use of the title "social worker" to an individual who pays the fee and who meets all the qualifications for the social worker certificate except for passing the required examinations.

¹ [Social Work Licensing in Indiana - National Association Of Social Workers Indiana Chapter \(naswin.org\)](https://www.naswin.org/social-work-licensing-in-indiana)

² https://docs.legis.wisconsin.gov/code/admin_code/mpsw/3

West Virginia³ - This is a temporary license for applicants who have never taken the state social work exam, but hold a certain accredited degree in social work (BSW or MSW) - OR - are enrolled in their final semester prior to graduation leading to their degree in social work.

Texas – See attached application for temporary license. Included on the application is language that states that the temporary license is “valid until the licensee attempts the appropriate examination, or at the end of the six-month issuance of the temporary license.”

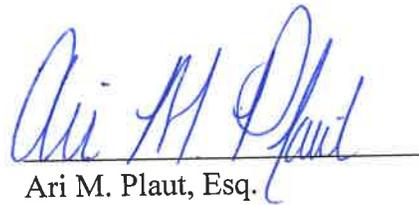
Connecticut⁴ - The Department may issue a temporary permit to an applicant for licensure as a master's level social worker who holds a master's degree from an accredited social work educational program but who has not yet taken the licensure examination.

II. Other Boards in Maryland

In addition to the above states that allow for temporary licenses to practice social work, Maryland already allows several other professionals to practice their respective occupations with a temporary license. For example, Maryland Department of Health Board of Occupational Therapy⁵, and the Maryland Board of Nursing⁶.

As you can see above, this passing SB 145 is not precedent setting because it is already commonplace to issue temporary licenses in Maryland, and temporary social work licenses across the U.S.

Thank you for your time and we encourage the Committee to support a favorable report on HB 103.



Ari M. Plaut, Esq.
Boston Plaut Law Offices
On Behalf of Pressley Ridge

³ [West Virginia Board of Social Work > Licensure > License Types > Temporary Permit \(wvsocialworkboard.org\)](http://wvsocialworkboard.org)

⁴ <https://portal.ct.gov/DPH/Practitioner-Licensing--Investigations/Masters-Level-Social-Worker/Temporary-Permit#:~:text=The%20Department%20may%20issue%20a,yet%20taken%20the%20licensure%20examination.>

⁵ https://health.maryland.gov/botp/Pages/temporary_application.aspx

⁶ <https://mbon.maryland.gov/Pages/licensure-by-endorsement.aspx>

HB0103_FAV_MdCSWC_State Board of Social Work Exami

Uploaded by: Christine Krone

Position: FAV

MdCSWC

The Maryland Clinical Social Work Coalition

The MdCSWC, sponsored by the Greater Washington Society for Clinical Social Work, represents the interests of more than 9,300 licensed clinical social workers in Maryland.

TO: The Honorable Joselie A. Pena-Melnyk, Chair
Members, House Health and Government Operations Committee
The Honorable Heather Bagnall

FROM: Judith Gallant, LCSW-C, Chair, Maryland Clinical Social Work Coalition

DATE: February 7, 2023

RE: **SUPPORT** – House Bill 103 – *State Board of Social Work Examiners – Temporary License to Practice Social Work*

The Maryland Clinical Social Work Coalition (MdCSWC), sponsored by the Greater Washington Society for Clinical Social Work, represents the interests of more than 9,300 licensed clinical social workers in Maryland. On behalf of MdCSWC, we **support** House Bill 103.

House Bill 103 authorizes 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 or master social work. A temporary license authorizes the holder to practice in the State ***only under the supervision*** of a board-approved supervisor while the temporary license is effective.

The COVID-19 pandemic created significant delays in testing for licensure exams, posing a significant obstacle for employers, and graduates waiting to enter the workforce. This bill will provide greater flexibility during a time when we are seeing higher demands for mental and behavioral health care services and a much-needed workforce to provide those services. MdCSWC urges a favorable report.

For more information call:

Christine K. Krone
Pamela Metz Kasemeyer
Danna L. Kauffman
410-244-7000

Greater Washington Society for Clinical Social Work: www.gwscsw.org

Contacts: Coalition Chair: Judy Gallant, LCSW-C; email: jg708@columbia.edu; mobile (301) 717-1004
Legislative Consultants: Pamela Metz Kasemeyer and Christine Krone, Schwartz, Metz, Wise & Kauffman, PA,
20 West Street, Annapolis, MD 21401

Email: pmetz@smwpa.com; mobile (410) 746-9003 ; ckrone@smwpa.com; mobile (410) 940-9165

HB103_SWTempLicense_KennedyKriegerSupport.pdf

Uploaded by: Emily Arneson

Position: FAV



DATE: February 9, 2023 **COMMITTEE:** House Health and Government Operations
BILL NO: House Bill 103
BILL TITLE: State Board of Social Work Examiners - Temporary License to Practice Social Work
POSITION: Support

Kennedy Krieger Institute supports House Bill 103 - State Board of Social Work Examiners - Temporary License to Practice Social Work.

Bill Summary:

House Bill 103 requires the State Board of Social Work Examiners to issue a temporary license to practice social work to an applicant who has met the education and experience requirements. A temporary licensee will only be able to practice while under the supervision of a board-approved supervisor while the license is effective. The temporary license is only available for 180 days after the examination becomes readily available to the applicant.

Background:

Kennedy Krieger Institute is dedicated to improving the lives of children and young adults with developmental, behavioral, cognitive, and physical challenges. Kennedy Krieger's services include inpatient, outpatient, school-based, and community-based programs. Over 27,000 individuals receive services annually at Kennedy Krieger. We employ more than 2,600 persons who play a vital role in our mission to transform the lives of children with disorders of the brain.

At Kennedy Krieger, clinical social workers are part of an interdisciplinary teams of professionals. Through their work, they enable individuals and their families to utilize their natural strengths to manage the ongoing realities and stresses of disability and other emotional or medical conditions that affect individual, family and community functioning and relationships. The social work department provides the following clinical services, as determined by individual and family needs, through any one of the department's inpatient or outpatient programs at Kennedy Krieger.

- Clinical evaluation of individual and family functioning
- Development of an individualized treatment plan
- Individual, family, couple, play and group therapy and counseling
- Educational, support and stress management groups
- Case management

Rationale:

Before the pandemic, there was a global shortage in the healthcare workforce¹. Predictions forecast that employment demands in healthcare will grow faster this decade compared to all other occupations. This includes an increased need for social workers, with demand expected to increase 13% through 2029.²

Social workers are an essential part of the care team. But, due to ongoing shortages, there is a lack of available individuals to serve in these positions. By granting temporary licenses, the State can expedite the process of getting educated individuals into the workforce while they work on passing the examination.

Kennedy Krieger Institute requests a favorable report on House Bill 103.

Emily Arneson – AVP Government Affairs – arneson@kennedykrieger.org or 443-631-2188
707 North Broadway Baltimore, Maryland 21205 (443) 923-9200/Telephone (443)923-9125/Facsimile

¹ Figueroa CA, Harrison R, Chauhan A, Meyer L. Priorities and challenges for health leadership and workforce management globally: a rapid review. *BMC Health Services Research*. 2019;19(1)doi:10.1186/s12913-019-4080-7

² Source: www.bls.gov/ooh/community-and-social-service/social-workers.htm#tab-1

HB103_Sponsor_FAV.pdf

Uploaded by: Heather Bagnall

Position: FAV

HEATHER BAGNALL
Legislative District 33C
Anne Arundel County



Annapolis Office
The Maryland House of Delegates
6 Bladen Street, Room 160
Annapolis, Maryland 21401
410-841-3406 · 301-858-3406
800-492-7122 Ext. 3406
Heather.Bagnall@house.state.md.us

Health and Government Operations
Committee
Subcommittees

Health Occupations and Long-Term Care

Public Health and
Minority Health Disparities

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

February 9, 2023

Testimony in Support of House Bill 103 - State Board of Social Work Examiners - Temporary License to Practice Social Work

Good afternoon Madam Chair, Madam Vice Chair, and members of the Health and Government Operations Committee. Thank you for the opportunity to speak to you about House Bill 103.

House Bill 103 will permit the State Board of Social Work Examiners to issue temporary licenses to practice for applicants who, except for passing an examination, have met all other education and experience requirements to be licensed as social workers. The Board may exercise this rule and issue a temporary license if the examination is unavailable to an applicant for at least seven (7) days. Further, the license would be valid until one-hundred-eighty (180) days after the examination becomes readily available.

The authority on whether to issue a temporary license to a social worker applicant who has not yet passed the final examination remains at the discretion of the State Board in the instance of administrative delay. Further, the Board also maintains authority to restrict or regulate the temporarily licensed social worker(s) however it sees fit.

Public health and other emergencies, like the COVID-19 pandemic, result in systematic disasters that cripple our infrastructures. During the COVID-19 pandemic, testing centers were forced to close which prevented social work students from taking their final licensing examination. This limited work opportunities for students and prevented employers from being able to employ enough workers for their businesses. House Bill 103 provides a remedy for that.

I have introduced an amendment to the bill which gives greater discretion to the Board in instances of administrative delay not caused by unforeseen circumstance. You can find this amendment submitted with my testimony.

House Bill 103 provides an opportunity for the Board to issue temporary licenses as a backup provision in response to emergency crises, such as the COVID-19 pandemic. I respectfully request a favorable report on House Bill 103.

HB 103- State Board of Social Work Examiners - Tem

Uploaded by: Jane Krienke

Position: FAV



Maryland
Hospital Association

February 9, 2023

To: The Honorable Joseline Peña-Melnyk, Chair, House Health & Government Operations Committee

Re: Letter of Support - House Bill 103 - State Board of Social Work Examiners - Temporary License to Practice Social Work

Dear Chair Peña-Melnyk:

On behalf of the Maryland Hospital Association's (MHA) 60 member hospitals and health systems, we appreciate the opportunity to comment in support of House Bill 103.

Maryland hospitals are facing the most critical staffing shortage in recent memory. MHA's [2022 State of Maryland's Health Care Workforce report](#) outlines a roadmap to ensure Maryland has the health care workforce it needs now and into the future.

Hospitals employ social workers to support behavioral health patients and other vulnerable populations through case management, care coordination, and much more. Patients who face barriers transitioning out of the hospital to the next level of care, home or somewhere else, often rely on social workers to support them during this process. Pediatric patients experiencing hospital overstays also rely on social workers to advocate for resources and support.

HB 103 would allow the State Board of Social Work Examiners to issue temporary licenses to individuals who qualify for licensure except for passing the required examination. There are safeguards in place to limit the scope of these temporary licenses to individuals who are unable to access the licensing examination within seven days and who meet all other requirements. Additionally, the bill limits the length of a temporary license to 180 days after the examination becomes available to the applicant.

Reducing the time from graduation to practice for qualified social workers, with appropriate supervision, would support Maryland's health workforce and provide essential support to patients in need.

For these reasons, we would request a *favorable* report on HB 103.

For more information, please contact:
Jane Krienke, Senior Legislative Analyst

DLS2023_LauraWhitney_FAV_HB0103.pdf

Uploaded by: John Ford

Position: FAV

TESTIMONY IN SUPPORT OF HOUSE BILL 0103:

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

TO: Members of the House Health and Government Operations Committee.

FROM: **Laura Whitney, LCSW-C**

DATE: February 7, 2023

I support HOUSE BILL 103 to address gaps in patient care by providing for temporary licenses.

I am a licensed clinical social worker (LCSW-C) in support of this bill. Long wait times to receive full licensure have led to gaps in care for clients because there are not enough available clinicians to see them. If clinicians who have done all of the steps to receive licensure and are simply waiting on confirmation from the board are able to practice, this would help increase the amount of practicing clinicians, which would in turn help address the mental health care provider shortage.

For these reasons and more, I urge a favorable report on HOUSE BILL 0103.

Laura Maureen Whitney, LCSW-C
3301 Fleet St., Baltimore, MD 21224
D46

HB0103_CC_Buchdahl_FAV.pdf

Uploaded by: Regan Vaughan

Position: FAV



House Bill 103
State Board of Social Work Examiners-
Temporary License to Practice Social Work
Health & Government Operations Committee
February 9, 2023

FAVORABLE

Catholic Charities of Baltimore supports House Bill 103, which 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 or master social work. The Board may issue a temporary license if a required examination is unavailable to an applicant for a period of at least seven days. A temporary license is valid until 90 days after the examination becomes readily available to the applicant. A temporary license authorizes the holder to practice social work in the State only under the supervision of a board-approved supervisor while the temporary license is effective.

Inspired by the Gospel to love, serve and teach, Catholic Charities provides care and services to improve the lives of Marylanders in need. For 100 years, Catholic Charities has accompanied Marylanders as they age with dignity, obtain empowering careers, heal from trauma and addiction, achieve economic independence, prepare for educational success and feel welcome as immigrant neighbors. We recognize the need for a sufficient social work workforce to meet the behavioral health needs of Marylanders.

Private providers such as us have experienced a significant and unprecedented workforce crisis. The obstacles to hire social workers due to a national shortage were significant prior to COVID-19. This challenge became even more compounded as a result of the pandemic. The delay in a graduate's ability to sit for the exam to obtain their licensure considerably impedes employer's capacity to offer employment subsequently hindering clinical services to our youth, families and communities. It also ensures social work graduates can begin work as soon as possible after graduation.

For the reasons listed above, Catholic Charities of Baltimore appreciates your consideration, and urges the committee to issue a favorable report for House Bill Number 103.

Respectfully Submitted By: Ezra Buchdahl, LCSW-C, Administrator, Family Services Division

HB103_MARFY_SUPPORT.pdf

Uploaded by: Therese Hessler

Position: FAV



February 9, 2023

**House Bill 103
State Board of Social Work Examiners – Temporary License to Practice Social Work
House Health & Government Operations Committee**

Position: SUPPORT

The Maryland Association of Resources for Families and Youth (MARFY) is an association of private child caring organizations providing foster care, group homes, and other services through more than 200 programs across Maryland. 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.

If passed, House Bill 103 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 or master social work. The board may issue a temporary license if a required examination is unavailable to an applicant for a period of at least seven 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 social work or master social work in the State only under the supervision of a board-approved supervisor while the temporary license is effective.

Private providers experienced significant obstacles prior to COVID-19 as it pertained to hiring social workers due to an identified national shortage; and this challenge has become more compounded as a result of the pandemic in combination with other unforeseen events such as malware attacks on State websites and administrative delays in processing applications. The delay in a graduate's ability to sit for their exam to obtain their 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 many agencies over 10 months to fill social worker positions in some group homes over the past two-years.

As worker challenges continue, the state of our current mental health needs as it pertains to caring for our most vulnerable populations far exceeds anything MARFY members have ever witnessed. We 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 communities. Allowing this bill to pass would provide an opportunity to amend the current statutes to meet the rising needs of our community.

It is for these reasons we politely ask for a favorable report on House Bill 103

For more information call or email:

Therese M. Hessler | 301-503-2576 | therese@ashlargr.com

1500 Union Avenue, Suite 2500, Baltimore, MD 21211
410-727-6367 | www.marylandnonprofits.org

HB103_SUPPORT_Adoptions Together.pdf

Uploaded by: Therese Hessler

Position: FAV



February 9, 2023

House Bill 103

State Board of Social Work Examiners – Temporary License to Practice Social Work
House Health & Government Operations Committee

Position: SUPPORT

Adoptions Together, a Maryland Licensed Child Placement agency is a 501c3 nonprofit that creates safety and security for youth and families throughout our state supports this bill. Each year our education, training, counseling, family finding, and child placement programs impact the lives of approximately 2500 Maryland residents. We employ a diverse staff of 35 full-time professionals including licensed social workers, contract with 25 licensed social workers, and serve as a field placement site for up to 7 social work students per year. We have been operating in the State of Maryland since 1990.

As a professional social worker, I believe licensing is critical to ensure a consistent standard of practice. The criteria and ability to obtain a license should be clear, accessible, and consistent. Unfortunately, due to many factors, the process towards obtaining a license is laden with barriers and hiring social workers is the most difficult we have experienced in 32 years of practice.

This testimony requests that you support House Bill 103, a bill that would make the path to licensure more consistent with the capacity of the licensing body to provide the necessary oversight. This bill 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 or master social work. The board may issue a temporary license if a required examination is unavailable to an applicant for a period of at least seven days. A temporary license is valid until 90 days after the examination becomes readily available to the applicant. A temporary license authorizes the holder to practice bachelor social work or master social work in the State only under the supervision of a board approved supervisor while the temporary license is effective.

Private providers experienced significant obstacles prior to COVID-19 as it pertained 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 a graduate's ability to sit for their exam to obtain their licensure considerably impedes employer's capacity to offer employment subsequently hindering clinical services that our youth, families, and communities require.**

Post pandemic, social workers are in short supply and are desperately needed. Pandemic-related stress has affected everyone, including individuals in the helping professions such as our staff. Designated as essential workers, social workers have continued reporting to work. The COVID crisis has exacerbated burnout, compassion fatigue, and secondary trauma, all things that affect social workers even in non-pandemic times. **We ask that you please support House Bill 103 to create more capacity for social workers to practice until the licensing exam can be given in a timely way.** Thank you.

Janice Goldwater, LCSW-C CEO Adoptions Together

For more information call or email: Jgoldwater@adoptionstogether.org 301 422-5125

HB103_SUPPORT_ARROW.pdf

Uploaded by: Therese Hessler

Position: FAV

EXECUTIVE LEADERSHIP

SCOTT LUNDY
JAY PRUETT
DEBI TENGLER
PAULA WEGER

BOARD OF DIRECTORS

TAMIKA WILLIAMS, CHAIR
KAREN DOJAN, VICE CHAIR
LARRY CHATMAN
LAURA FIGUEROA
MARK KERR
JACK LYNCH
JERRY MARQUEZ
ERIC E. MCLAUCHLIN
DEBORAH RIDDLE
COLE STANLEY



ADMINISTRATION
FOSTER CARE
RESIDENTIAL SERVICES
SPECIAL EDUCATION
COMMUNITY SERVICES

1605 Cromwell Bridge Rd
Baltimore, MD 21234
410/882.9133
410/663.7092 fax
www.arrow.org



February 9, 2023

House Bill 103

**State Board of Social Work Examiners - Temporary License to Practice Social Work
House Health & Government Operations Committee**

Position: FAVORABLE

I am Robert Basler, Associate Vice President of Arrow Child and Family ministries and public policy co-chair of The Maryland Association of Resources for Families and Youth (MARFY) is an association of private child caring organizations providing foster care, group homes, and other services through more than 200 programs across Maryland. 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. Arrow provides residential, treatment foster care, special education and community behavioral health services to youth and families who live throughout Maryland.

Our program uses licensed social workers to provide case management and clinical services in all of our programs. There is a current shortage of licensed social workers throughout our State. It is not uncommon for Arrow to have social work positions go unfilled for months. This experience is shared by MARFY members. This shortage has significant negative effects on providers and the youth and families they serve.

The primary impact is the reduction in the number of clients served. Our programs have regulatory and best practice limits on the caseload size of social workers. The inability to fill positions results in fewer youth receiving services. In a time when we have a crisis in placement options for foster youth and a growing youth mental health crisis, we need common sense solutions to ensure that qualified social workers are available to work.

House Bill 103 would remove one barrier to social workers being able to work. In the event of barriers to timely access to social work licensing exams, candidates who are otherwise qualified to perform social work duties could do so under a certified supervisor. Other professions have similar structures, and it works. There is some risk of candidates not passing the exam and no longer being able to work as a social worker, but given pass rates for the test, this is a limited risk.

We are in a social work workforce crisis. This bill helps alleviate one barrier to social workers entering the workforce and helping meet a growing need. It is for these reasons, I politely ask for a FAVORABLE report on House Bill 103. Thank you.

For more information call or email:

Therese M. Hessler | 301-503-2576 | therese@ashlargr.com

HB103_SUPPORT_Cedar Ridge.pdf

Uploaded by: Therese Hessler

Position: FAV



CEDAR RIDGE CHILDREN'S HOME & SCHOOL, INC.

12146 Cedar Ridge Road ♦ Williamsport, MD 21795

House Bill 103

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

House Health and Government Operations Committee

Position: Support

I am the Program Administrator of Cedar Ridge Children's Home and School, Inc., located in Williamsport, Maryland. We are a mental health residential Group Home licensed by the Maryland Department of Health. We have been serving the mental health and behavioral health needs of at risk youth for over 50 years. As part of our state licensure we are required to have licensed Master Level Social Workers (MSW) to deliver the therapy needed by all our youth. Without these licensed providers we cannot attend to the mental health needs of the youth we serve.

If House Bill 103 is passed, it would allow us to hire staff who are ready to heal our youth in a much faster time frame. We would not have gaps in service, or overwork the few therapists we have, while waiting on a new hire to take the licensure exam, and begin doing their job. This bill would allow the therapist to deliver the much-needed treatment, by issuance of a Temporary License, to fill the gap until the required examination for licensure can be taken. Currently these exams are offered at times that are not immediately useful to the needs of our youth. It is the needs of the vulnerable youth we serve that is driving our desire for the passage of this bill.

I feel it is critical for the seamless continuation of mental health services we deliver to have House Bill 103 passed. It is a tough market right now for the few MSW's that are available. We feel it is very important that when we do hire a MSW, they are able to treat our youth as soon as possible. The passage of this bill will reduce this gap in services from months to a week or two.

In this post Covid pandemic time, we are still suffering from a reduced work force; especially in the mental health field. The quicker we can get these folks licensed and available for serving the mental health needs of the youth in our program, the faster they will be healed and the sooner they can be safely returned to their communities of origin. That is the goal of the mental health serving organizations in this state. We cannot do this efficiently without a quicker process of licensure and implementation of services by MSW's that the passage of House Bill 103 will provide.

Thank you

Tom Badley
Residential Director
Cedar Ridge Children's Home and School
12146 Cedar Ridge Rd
Williamsport, MD 21795
301 582 0282 xt 128"

RESIDENTIAL DEPARTMENT

Phone 301.582.0284

Fax 301.582.2477

Email: residential@cedarridge.org

Web: www.cedarridgeministries.org

NASW Maryland - 2023 HB 103 FWA - Temp Licensure -

Uploaded by: Mary Beth DeMartino

Position: FWA

**House Health & Government Operations Committee
House Bill 103 – State Board of Social Work Examiners –
Temporary License to Practice Social Work
SUPPORT WITH AMENDMENTS**

February 9, 2023

The National Association of Social Workers-Maryland Chapter, an organization representing social workers statewide, is asking for your support for House Bill 103 with amendments. With our amendments, this bill will authorize the State Board of Social Work Examiners (BSWE) to issue temporary licenses to applicants who have met all requirements, except for passing an examination, for licensure at the bachelor and master social worker levels. 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 in 2020 during the pandemic.

In order to work as a social worker in Maryland one must:

- Earn a master social work (MSW) degree or a bachelor social work (BSW) degree from an accredited school of social work
- Pass a criminal background check; and
- Pass a national exam.

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. In 2020, 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 specified 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.

There are a number of other states that have the ability to issue temporary social work licenses, including Connecticut, West Virginia, New York, Texas, Arkansas, Indiana, New Mexico, and Wisconsin. These are all states that use the same national exam used in Maryland and all have temporary or provisional licensure as a permanent part of their licensing laws. 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. This 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

Given the unfortunate probability that emergency events will happen in the future, whether related to health or technology, 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. With the amendments below, it will be up to the BSWE whether or not it chooses to use this particular tool in any given situation.

Amendments

On page 2, in line 16 strike beginning with the word "IF" through "DAYS," in line 19.

On page 2, in line 19, strike "SHALL" and replace with MAY.

We ask that the committee to vote favorably on House Bill 103 with these amendments.

hb 103 SW temp licensure OPD opposition .pdf

Uploaded by: Elizabeth Hilliard

Position: UNF



NATASHA DARTIGUE
PUBLIC DEFENDER

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

MELISSA ROTHSTEIN
CHIEF OF EXTERNAL AFFAIRS

ELIZABETH HILLIARD
ACTING DIRECTOR OF GOVERNMENT RELATIONS

POSITION ON PROPOSED LEGISLATION

BILL: HB 103 - State Board of Social Work Examiners - Temporary License to Practice Social Work

FROM: Maryland Office of the Public Defender

POSITION: Oppose

DATE: 2/6/2023

The Maryland Office of the Public Defender respectfully requests that the Committee issue an unfavorable report on House Bill 103. Our concerns are both philosophical and practical – authorizing the practice of social work before one meets the certification requirements will disproportionately impact our clients and other low income individuals who will potentially receive needed services by individuals who are less qualified, reduce accountability, and weaken the credibility of social workers. Moreover, the administrative process of establishing and issuing temporary licenses will exacerbate the delays that currently exist in the licensure process.

If passed, HB 103 would allow for individuals who have not yet passed the required examination to practice social work under a temporary license. Certification by exam is a common practice for professions that impact individuals' wellbeing and daily lives. Social workers should be held to standards to the same extent that doctors, lawyers, and other helping professions are.

Examinations provide an accountability measure and base standard for competence that is needed prior to practice. The Association of Social Work Boards (ASWB) Model Social Practice Act requires, at each licensure level (LBSW, LMSW, LCSW- and LCSW-C), that each applicant successfully pass an Examination or examinations prescribed by the Board. The ASWB has also never endorsed a temporary licensure. Removing the examination requirement, even temporarily, would place Maryland below national standards for its social worker expectations.

Temporary licensure to people who have not yet passed the licensure examination will allow for social work practice by people who are ultimately determined to be unqualified. The pass rate among people seeking their LMSW certification in Maryland is 86.4%, meaning that 13.6% will be able to practice temporarily despite not subsequently meeting the base competency expectations.

Our clients and their communities need and deserve the highest quality social work services. We would not hire someone who only has a temporary license, and we are concerned that community resources that provide services to our clients may rely on temporary social workers who may ultimately be found not sufficiently qualified. With a high number of suicides, mental illness, and overdoses throughout the state and country, this is no time to risk the health and life of citizens by allowing unlicensed MSWs to practice.

Given the import and impact of social workers' efforts, we are also concerned about the additional responsibility it places on the Board Certified Clinical Supervisors, who accept the responsibility and risk associated with providing social work supervision. The purpose of a licensing examination is to identify persons who possess the minimum knowledge and experience necessary to perform tasks on the job safely. Without an examination, this responsibility falls to the supervisor. Board certified clinical supervisors already provide clinical supervision to LMSWs and adding this group would be an additional burden.

Underlying this bill is a systems problem that has resulted in a backlog and delay in licenses being issued. According to the Department of Health's [Health Professional Boards and Commissions' Analysis of FY 2023 Maryland Executive Budget](#), in the past five years, the Maryland Board of Social Work Examiners (MBSWE) failed to meet the requirement to issue 95% of new licenses within 10 days of receipt of the last qualifying document. If the MBSWE is unable to timely process LMSW and LCSW-C licenses, adding another group will further complicate the systems problems. Ultimately, the result will be to extend the delay of full licensure to those who have met the qualification standards.

The most impactful solutions for the issue of access to examinations are an increased number of testing sites, an increased number of available testing time slots, and ensuring that local schools of social work release transcripts in a timely manner. Larger solutions to the overall shortage of social workers include more competitive pay (Maryland's close proximity to

Washington DC creates major pay disparities in social work salaries) and an increase in the number of permanent, merit social worker pins across State Agencies.

All Marylanders in need of treatment services deserve the best possible care that meets basic minimum standards. This includes ensuring that basic standards are met, and accountability measures that assess professional competency remain in place.

For these reasons, the Maryland Office of the Public Defender urges this Committee to oppose HB 103.

Submitted by: Government Relations Division of the Maryland Office of the Public Defender.

**Authored by: Melissa Rothstein, Chief of External Affairs,
melissa.rothstein@maryland.gov, 410-767-9853.**

7 - X - HB 103 - HGO - Social Word Bd. - LOO.docx.

Uploaded by: State of Maryland (MD)

Position: UNF



Board of Social Work Examiners

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

*Sondra G. Petty, Chair – Daphne McClellan, Executive Director
4201 Patterson Avenue, Suite 318 Baltimore MD 21215 Phone: 410-764-4788*

2023 SESSION POSITION PAPER

BILL NO: HB 103

COMMITTEE: HEALTH AND GOVERNMENT OPERATIONS

POSITION: Oppose

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

BILL ANALYSIS: House Bill (HB) 103 creates a temporary license for applicants of the LBSW and LMSW licenses. 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 HB 103 and believes it is counter to the Board’s mission of protecting the public. The national examination determines if an applicant has the minimum competence to begin practicing a profession in a manner 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 bill presumes that applicants have some level of practice experience which would make a temporary license acceptable, page 2, lines 19-21 “THE BOARD **SHALL** ISSUE A TEMPORARY LICENSE TO AN APPLICANT WHO, EXCEPT FOR PASSING THE EXAMINATION, HAS MET THE APPROPRIATE EDUCATION AND **EXPERIENCE** REQUIREMENTS OF THIS SUBTITLE.” However, in order to receive the LBSW or LMSW license currently, an applicant simply must show that the required degree has been earned, that the criminal background check provides no impediment and that the applicant has passed the required exam. **No experience** is required for this entry level of licensure. Therefore, it is our contention that implementation of a temporary license which does not require an exam has the potential to expose the public to unethical or incompetent practice. Additionally, the use of the word “shall” has been added to that same section of this bill, as opposed to similar bills in the last two years whereby the word “may” was used giving the Board a level of discretion. The Board strongly opposes the lack of discretion in this legislation.

Moreover, the section of the bill which states the circumstances under which a temporary license shall be granted is also concerning; these include an unforeseen circumstance, and an act or occurrence which prevents an examination from being available to the applicant for a period of at least 7 business days. No clear definition of these unforeseen circumstances is given and determining this on an individual basis for each applicant would place an impossible burden on board staff who are already stretched to the limit in their efforts to grant the permanent licenses currently required by statute.

Finally, 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.

For these reasons the Maryland Board of Social Work Examiners requests an unfavorable report on HB 103. If you need more information, please contact the Board's Executive Director, Dr. Daphne McClellan at 410-764-4722 or daphne.mcclellan@maryland.gov.

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