



# Board of Social Work Examiners

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

Sondra G. Petty, Chair – Daphne McClellan, Executive Director  
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March 8, 2023

The Honorable Luke Clippinger  
Chair, House Judiciary Committee  
Room 101 House Office Building  
Annapolis, MD 21401-1991

**RE: House Bill 1070 –Courts - Expert Witnesses - Licensed Certified Social Workers-  
Clinical – Letter of Support**

Dear Chair Clippinger and Committee Members:

The Maryland Board of Social Work Examiners (the Board) is submitting this letter of support for HB 1070 – Courts - Expert Witnesses - Licensed Certified Social Workers-Clinical.

This bill would add Licensed Certified Social Workers-Clinical (LCSW-C) to the currently recognized licensed psychologists as mental health professionals who can serve as expert witnesses concerning the ultimate issues of insanity, competency to stand trial, and matters within the scope of the LCSW-C's special knowledge in any case in any court or in any administrative hearing.

LCSW-Cs are licensed as such because their education, experience and knowledge tested on a national exam demonstrate that they are capable of making these professional judgments. In addition, any social worker who is neither trained nor experienced in these areas is ethically bound to refrain from practicing or testifying in this area. An Attorney General's Advice of Counsel to the General Assembly in 2004 stated that a licensed clinical social worker may testify on issues of sanity and competence to stand trial and the scope of practice for LCSW-Cs has only been strengthened in the almost twenty years since that determination.

For these reasons, the Board supports HB 1070 and are pleased to support those social workers who can fulfill this important role, within their scope of practice.

I hope this information is useful. If you would like to discuss this issue further, please contact me at [Daphne.McClellan@maryland.gov](mailto:Daphne.McClellan@maryland.gov) or 410-764-4722.

Sincerely,

Daphne McClellan, PhD, MSW  
Executive Director, Board of Social Work Examiners

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