



Testimony of

American Property Casualty Insurance Association (APCIA)

House Economic Matters Committee

House Bill 1285 - Workers' Compensation – Rehabilitation Practitioners – Licensed Social Workers

February 28, 2024

Unfavorable

The American Property Casualty Insurance Association (APCIA) is a national trade organization whose members write approximately 67% of the U.S. property and casualty insurance market, including 89% percent of Maryland’s workers’ compensation market. APCIA appreciates the opportunity to provide written comments in opposition to House Bill 1285.

While APCIA does not object to permitting certain licensed social workers to provide vocational rehabilitation services under the workers’ compensation law, APCIA **does object** to authorizing a licensed certified social worker-clinical to evaluate the mental or behavioral portion of a permanent impairment involving a behavioral or mental disorder. Consistent with current law in Maryland and other states, it is widely accepted that this type of evaluation should only be conducted by **licensed psychologists and qualified physicians**.

For instance, legislation enacted in California in 2022 – which otherwise authorizes licensed clinical social workers (LCSWs) to furnish certain types of *treatment* to workers’ compensation claimants – pointedly **“does not authorize”** LCSWs to **“determine disability”** for either those claimants or unemployment claimants. See Section 3209.11 of the California Labor Code

For these reasons, APCIA urges the Committee to provide an unfavorable report on House Bill 1285.

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