

Written Testimony from Lisa Kays, LICSW, LCSW-C, LCSW regarding SB379:

Dear Members of the Senate Finance Committee,

I am submitting this testimony as a licensed clinical social worker in the state of Maryland (LCSW-C) since 2013, a registered supervisor in the state of Maryland since 2022, and a consumer of mental health services, particularly for my sons (age 6 and 9) in Maryland, to urge your support of SB379. I have served as an Adjunct Faculty member at Catholic University's National School of Social Services, teaching the MSW course, Diversity in a Multi-cultural Society and provide Continuing Education workshops in ethics and other topics for my colleagues and multiple agencies and organizations.

Thank you for taking the time to hear testimony in relation to SB379. This bill is critically important to me because it seeks to allay the harm being done by the multi-level licensure exam in my profession, which has been demonstrated to pose significant bias across numerous categories.

In regards to the legislation itself, to my knowledge, we are currently the only profession that requires 3 levels of exams and at each level, my colleagues of color, as well as deaf and older colleagues, pay and labor to complete degrees and then are unable to use them because the exam's bias makes it impossible for them to pass.

I have a specific supervisee who has suffered immensely under these exams as she pursued licensure in Maryland, which she finally acquired last year, almost nearly giving up. She is bi-lingual, an immigrant, and serves children, a population in dire need of clinical professionals currently. In terms of clinicians needed skills right now, she is a unicorn. English-speaking children needing therapy currently are waitlisted all over Maryland; I cannot imagine what the waitlists look like for a Spanish-speaking, bilingual therapist. She failed the exam five times, often by one point only, despite her being a very talented, skilled and highly ethical social worker. She endured extraordinary financial hardship as a result, and faced a career setback of over a decade. She wondered numerous times if she should give up and leave the profession, and I don't blame her, nor, quite frankly, did I counsel her otherwise. Given how few points she fails the exam by, it is impossible to not wonder if the exam questions she fails are ones ASWB later finds are biased--but yet does nothing about. She wrote the ASWB to ask for a remedy, and their response was to critique her study skills. She has written to the Maryland Board to ask for the same, and they explain they are stuck due to the Board's dependence on the exam within their rules. This legislation would provide immediate relief to people who were in her situation, before she finally was able to pass the exam

on the sixth try, after spending thousands of dollars, allowing them to achieve licensure and to serve people in our communities who very much need care.

Additionally, I have recently noticed that when I go to look for therapists of a certain modality requiring advanced skills and training, such as IFS or somatic experiencing, both evidence-based treatments providing high levels of symptom relief quite quickly to people, most all of those certified are white. While this isn't solely due to the biased exam, it speaks to a systemic issue within our profession where people of color cannot advance due to these financial, emotional and logistical barriers, and then, even if they do, are left so financially encumbered that they likely can't pay for these higher levels of training. It is highly problematic for a profession that serves so many people of color to be so white and this exam is contributing extensively to that problem. When seeking social work services and therapy, it is important that clients and consumers can find people whose lived experience matches theirs—and this exam is a major roadblock to that for many people of color, people who are deaf, and people who do not speak English as a first language.

I can also say as a licensed social worker who is white and passed all of these exams the first time that the exams are absurd. Absurd. I feel experientially and the data supports that they contribute nothing to "public safety" as the ASWB likes to tout, are extremely cut off from the actual skills, ethics and knowledge social workers need, and are an arbitrary waste of time that contribute nothing to our profession or the safety of those it serves.

It is my experience as a student, supervisee, and now, a supervisor, of social work that the course work and intensive supervision we receive in order to achieve clinical licensure are the factors that truly contribute to ethical and competent practice and provide more than enough guardrails to ensure that practitioners are serving the public well. The exam is nothing but a meaningless obstacle with no bearing on competence.

Additionally, if you look into it, you would find that many programs that help people of color "study" for the exam are literally saying to them a version of, "You just have to learn to think like a white woman" and that is the "skill" being taught openly and often that helps individuals pass. It sounds like I may be making this up, but I assure you, I am not. I have heard it repeatedly. I would ask for you to consider as people testify in opposition whether they make money off of this exam or have some other financial interest in protecting it. I am learning that many supporting the exam make large sums of money off of test prep, while those who are opposing it are offering free or very low-cost test prep to try to help those stymied by the exam to learn how to overcome its racial and other bias, think like a white person, and pass.

I will add that I attended the ASWB “Community Conversations” about the exam and none of the social workers in my focus group, a sampling from across the United States, expressed any appreciation for or validity to the objectives of the exam as related to public safety. None see it as important or think it effectively screens out good or bad social workers, in any way. The consensus was that it assesses the capacity to take a standardized test—which has nothing to do with actual social work practice or skill.

We know that standardized testing bias means that marginalized communities are deprived of representation in social work. Dedicated Maryland social workers who would like to serve their communities face only one barrier that has the ultimate veto power in their ability to work - an exam that is demonstrably biased. Based on ASWB data from 2011-2021, Maryland would have an additional [1227](#) licensed social workers if every demographic group passed at the same rate as white social workers. Imagine what an impact these social workers could make on our underserved communities if they were able to practice! LBSWs and LMSWs are usually the ones doing the incredibly important but unglamorous direct care work in hospitals, community mental health centers, and foster care agencies. A more diverse workforce enhances cultural humility and demonstrably improves outcomes for clients from varied racial, ethnic, and socioeconomic backgrounds. Clients deserve to see a workforce that represents them, and this bill will allow that to happen without sacrificing social work competence.

Repeating a statement over and over again does not make it true. ASWB has had 40 years to provide proof that their exams are correlated with safe and effective social work practice, and it has not done so. ASWB only released pass rate data under incredible pressure, as it proved what social workers have colloquially known for years. Much as ASWB would like to convince you otherwise, there simply is no true way to objectively measure social work competence. Social work is a highly person-centered profession, people are not standardized, and impossible-to-measure skills such as empathy are of ultimate importance to the field of social work. Research indicates that standardized tests are often culturally biased, relying on knowledge and reasoning shaped by dominant cultural norms. Differing knowledge and ways of thinking are a core strength of social work, but our licensing exams treat them as liabilities to be weeded out.

Every new BSW graduates with at least 400 hours of supervised practice, and every MSW graduates with at least 900 hours of supervised practice. The best way to assess foundational social work skills is by careful observation by supervisors during education and supervised practice. Social work’s rich tradition of field education and mentorship by more seasoned social workers is a far better tool to catch and address problems.

In addition to not providing any type of measurement of social work skill, ASWB exams are a huge financial burden on test-takers, especially those who have to take it multiple times. Students from already marginalized backgrounds have a harder time affording \$230-260 in exam fees, and the delays from retakes of the exams plus saving up for the exam fees only exacerbate inequalities that already exist.

Multiple other states have led the way in reducing the influence of harmful ASWB exams in their states. Colorado, Connecticut, Illinois, Minnesota, Rhode Island, Utah, and Vermont have all paused or removed exam barriers since the ASWB data release in 2022, with multiple other states never having exams for the Bachelors and Masters license levels. There is no evidence that lack of exams or exam removal have brought harm to the public. Because Illinois has some of the most easily accessible data and a slightly longer period of Masters level exam removal, they were studied in more detail in the Workgroup [final report](#) (page 36-37). Exam removal has had zero effect on the number of sanctions in that state.

Our BSWE is a member of the ASWB. It was one of few organizations afforded two seats on the Social Work Licensing Workgroup. Unfortunately, BSWE's allegiances are unclear and potentially problematic for a Maryland-based board. They consistently sided with ASWB's financial interests rather than centering the interests of Marylanders who are in desperate need of culturally responsive social work services. I applaud this legislation for increasing oversight by adding consumer members.

Maryland has long emphasized equity in a variety of other programs, and the field of social work should be no different. We have a wonderful opportunity to remove outdated, biased licensing models and instead modernize the social work licensing process in our state. Thank you for accepting my testimony. Please find a favorable report on SB379.

Sincerely,
Lisa Kays, LCSW-C
7008 Braeburn Court
Bethesda, MD 20817
202-489-6882
lisa@lisakays.com