

**Remarks:**

My name is Marette Monson. I am a social worker, a national disability rights advocate, and former Chair of the Utah Social Worker Licensing Board at the time that Utah passed similar legislation. National disability rights advocates vehemently oppose any systems, however well intentioned, that have the net effect of segregating based on intellectual ability.

Our civil rights laws, the Americans with Disabilities Act and others, expressly forbid creating separate delivery systems or pathways to employment. Maryland's own civil rights laws do as well, found in Title 20, Subtitle 6 of the annotated code of Maryland. This proposed legislation could arguably be considered discriminatory in light of these already existing state and federal laws prohibiting separate but equal systems.

The Americans with Disabilities Act specifies that equality is not determined by how a pathway is obtained or by what it is called, but by the benefits a person receives by taking such a pathway. I can attest that the benefits of alternative pathways to social work testing proposed in this legislation are not equal and the State of Maryland does not have the power to make sure they are. Since Utah instituted a similar alternative pathway, I have personally seen those unequal benefits negatively affect social workers with disabilities in my state.

On behalf of individuals with disabilities in the United States, including the State of Maryland, I urge you to vote no on this legislation and seek other more comprehensive and collaborative solutions. Please take the time to read my extended remarks submitted prior to this hearing.

Thank you.

**Extended Remarks:**

Our opposition is based on a civil rights model that is grounded in a fundamental belief in the ability of social work candidates with learning and mental health disabilities to succeed to the same degree as everyone else in their education and profession. There should be no need to create a separate system that puts social workers with disabilities in second class status because they did not enter the profession the same way as everyone else.

A secondary system implicitly and explicitly sends the message that individuals with disabilities cannot compete with others in terms of equality and because of that they need a separate system that doesn't utilize the same objective accountability standards.

Even though this bill might look like a way to increase opportunity and decrease barriers to entry, what it actually does is create an absence of accountability for those who should be

and are tasked with providing educational, financial support, and employment options for individuals with disabilities.

Not only are these individuals restricted from holding a compactable license that allows them to work across state lines, but due to an inability to demonstrate what is commonly viewed by the public and by the legal system as adequate and equal competency, employers are now legally discriminating in hiring practices by asking in interviews if an individual passed the exam and offering lower pay if they took the alternative pathway, supervisors are refusing to supervise these individuals because they don't want the liabilities of being responsible for vouching for their competence, and the legality of their testimony and recommendations to protect the public are being challenged in courts because their path to competency is not objective enough to be legally defensible. The separate pathway this legislation is proposing is not equal, yet it is being touted as an equal way to enter the profession and an optional choice for those with learning disabilities.

Let me be clear, an alternative pathway is not a choice unless a person has the ability and support to take the traditional path as well. Individuals with disabilities are frequently not provided with supports and accommodations they need to take a traditional path simply because an alternative exists. It is far too easy to say, "Why do I need to prepare you to pass a test when you don't need to? You don't need to learn any of those things that the others learn and I don't have time or resources to teach you in a way that works for your disability. Just take that other path instead."

Please understand that as individuals with disabilities, our choices always involve convincing someone else to help us compensate for our disabilities. Alternate pathways make it much more difficult, if not impossible, to get that support from others, thus eliminating real choices. I am already seeing a refusal to properly prepare applicants for the exam here in Utah, even for those who want to take it and are literally begging for assistance in getting the accommodations they need to do so.

Maintaining one system not only creates a uniform objective standard but ensures that individuals with disabilities are provided with the help and accommodations they need to master the social work practice standards to the same efficacy and in the same way as everyone else.

We support efforts to broaden the social work pipeline by providing individuals with disabilities the help they need to be able to take the existing pathway successfully. The standards of that pathway should not be changed. Increasing the rigor of test preparation so that people with and without disabilities can learn and grow together is a solution we recommend and support.

We do not support a separate pathway. They create opportunities for legalized discrimination, lowers performance standards, and ultimately disadvantage populations that are already starting with tremendous disadvantages. The solution you are looking for should bolster up test preparation supports, mitigate financial obligations, extend timelines for completion, utilize and broaden accommodation requests, and institute systems of continual improvement and refinement of testing questions and processes.

This legislation is a well-intended, knee-jerk reaction to a pressing and urgent problem that comes with devastating unintended consequences for the population I am advocating for today. On behalf of individuals with disabilities in the United States, including the State of Maryland, I urge you to vote no on this legislation and seek other more comprehensive and collaborative solutions.

Thank you for your time and considering the impact this bill will have on disabled populations.