

SENATE BILL 379

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5lr1845
CF HB 1521

By: **Senators M. Washington, Benson, Lam, and Brooks**

Introduced and read first time: January 17, 2025

Assigned to: Education, Energy, and the Environment

Reassigned: Finance, January 20, 2025

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 21, 2025

CHAPTER _____

1 AN ACT concerning

2 ~~State Board of Social Work Examiners Membership and Examination~~
3 ~~Requirements~~
4 Workgroup on Social Worker Requirements for Licensure – Extension and
5 Duties

6 FOR the purpose of ~~repealing the examination requirements for bachelor and master social~~
7 ~~worker licenses; altering the number of consumer members on the State Board of~~
8 ~~Social Work Examiners~~ extending the termination date of the Workgroup on Social
9 Worker Requirements for Licensure; altering the duties of the Workgroup; and
10 generally relating to the regulation of social workers the Workgroup on Social
11 Worker Requirements for Licensure.

12 ~~BY repealing and reenacting, without amendments,~~
13 ~~Article Health Occupations~~
14 ~~Section 19-201, 19-301(a), and 19-302(b) and (c)~~
15 ~~Annotated Code of Maryland~~
16 ~~(2021 Replacement Volume and 2024 Supplement)~~

17 ~~BY repealing and reenacting, with amendments,~~
18 ~~Article Health Occupations~~
19 ~~Section 19-202(a)(1) and (2) and 19-302(a), (d), and (e)~~
20 ~~Annotated Code of Maryland~~
21 ~~(2021 Replacement Volume and 2024 Supplement)~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



BY repealing and reenacting, with amendments,
Chapter 228 of the Acts of the General Assembly of 2023
Section 2 and 3

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Chapter 228 of the Acts of 2023

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is a Workgroup on Social Worker Examination Requirements for
Licensure.

(b) The Workgroup consists of the following members:

(1) one member of the Senate of Maryland who is a member of the
Legislative Black Caucus, appointed by the President of the Senate;

(2) one member of the House of Delegates who is a member of the
Legislative Black Caucus, appointed by the Speaker of the House;

(3) the Secretary of Health, or the Secretary's designee;

(4) the Secretary of Human Services, or the Secretary's designee;

(5) the Chair of the State Board of Social Work Examiners, or the Chair's
designee;

(6) the Chair of the Maryland Commission on Health Equity, or the Chair's
designee;

(7) the Executive Director of the State Board of Social Work Examiners, or
the Executive Director's designee;

(8) the Director of the Governor's Office of the Deaf and Hard of Hearing,
or the Director's designee;

(9) one social worker who is deaf or hard of hearing and is familiar with
the licensing process for deaf and hard of hearing social workers, designated by the
Maryland Association of the Deaf;

(10) one representative of the NAACP Maryland State Conference,
designated by the President of the NAACP Maryland State Conference;

1 (11) one representative of the Baltimore Legacy Chapter of the Association
2 of Black Social Workers, designated by the Baltimore Legacy Chapter of the Association of
3 Black Social Workers;

4 (12) one representative of the Maryland Chapter of the National Association
5 of Social Workers, designated by the Executive Director of the Maryland Chapter of the
6 National Association of Social Workers;

7 (13) one member from the Greater Washington Society for Clinical Social
8 Work, designated by the President of the Greater Washington Society for Clinical Social
9 Work;

10 (14) two representatives of the Association of Social Work Boards,
11 designated by the President of the Association of Social Work Boards; and

12 (15) the following members, appointed by the Governor:

13 (i) three Deans of Social Work from accredited social work master's
14 programs serving the State, one of which shall be from a historically Black college or
15 university;

16 (ii) three representatives from nongovernmental social service
17 organizations that primarily work to support Western Maryland, Central Maryland, and
18 the Eastern Shore; and

19 (iii) two individuals who received a master's degree in social work
20 within the immediately preceding 10 years and who have been negatively impacted by the
21 examination requirement for licensure under Title 19 of the Health Occupations Article.

22 (c) The Governor shall designate the chair of the Workgroup.

23 (d) The Maryland Department of Health shall provide staff for the Workgroup.

24 (e) A member of the Workgroup:

25 (1) may not receive compensation as a member of the Workgroup; but

26 (2) is entitled to reimbursement for expenses under the Standard State
27 Travel Regulations, as provided in the State budget.

28 (f) To complete its work as required under this section, the Workgroup may:

29 (1) establish subgroups; or

30 (2) contract with an entity with expertise in analyzing assessment bias.

31 (g) The Workgroup shall:

(1) determine:

(i) whether to continue to use examinations developed by the Association of Social Work Boards as a requirement for a bachelor social worker license or a master social worker license;

(ii) whether to establish a temporary license for applicants for a bachelor social worker license or a master social worker license who, except for passing an examination required under Title 19, Subtitle 3 of the Health Occupations Article, meet the education and experience requirements for a license to practice bachelor social work or master social work under Title 19 of the Health Occupations Article;

(iii) how supervision may be provided to bachelor social worker licensees and master social worker licensees at no cost to the licensees;

(iv) if the Workgroup determines under item (i) of this item that the examinations developed by the Association of Social Work Boards should not be used or under item (ii) of this item that temporary licenses should be established, whether additional experience or education requirements are necessary;

(v) a timeline for phasing in any determinations made under item (i), (ii), (iii), or (iv) of this item; and

(vi) an outline and timeline for conducting the study required in subsection (h) of this section; and

(2) (i) on or before September 1, 2023, submit a preliminary report of the findings and recommendations required under item (1)(i) through (iv) of this subsection to the Senate Finance Committee and the House Health and Government Operations Committee in accordance with § 2-1257 of the State Government Article; and

(ii) on or before December 1, 2023, submit an interim report of the findings and recommendations required under item (1)(i) through (iv) of this subsection and the outlines and timelines required under item (1)(v) and (vi) of this subsection to the Senate Finance Committee and the House Health and Government Operations Committee in accordance with § 2-1257 of the State Government Article.

(h) The Workgroup shall:

(1) examine each type of license established under Title 19 of the Health Occupations Article by:

(i) conducting a bias analysis of the qualifications for each type of license;

(ii) determining whether each type of license is necessary;

(iii) identifying alternatives to examination requirements that may be used to assess an applicant's qualifications for each type of license;

(iv) considering examination testing options, including the development of a State-based competency examination, minimum requirements for a national examination to be approved for State applicants, utilization of ranges of examination scores, and other policies to ensure a bias-free examination;

(v) identifying barriers in addition to the examination that present challenges to licensure in the State; and

(vi) identifying the circumstances under which unlicensed individuals work in State and federal government positions as social workers; and

(2) on or before December 1, 2024, report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2-1257 of the State Government Article, on its:

(i) findings under item (1) of this subsection; and

(ii) recommendations to eliminate bias and make the process for licensing social workers in the State more fair, diverse, and efficient.

(I) THE WORKGROUP SHALL:

(1) EXAMINE:

(I) ALTERATIONS MADE TO THE EXAMINATION DEVELOPED BY THE ASSOCIATION OF SOCIAL WORK BOARDS AND IMPLEMENTED BEGINNING IN 2026, INCLUDING THE IMPLEMENTATION OF:

1. THREE-OPTION MULTIPLE CHOICE QUESTIONS;

2. A MODULARIZED EXAM FORMAT ALLOWING TEST TAKERS TO RETAKE ONLY CONTENT AREAS ON WHICH THE TEST TAKER DID NOT ACHIEVE A PASSING SCORE;

(II) THE IMPLEMENTATION OF POLICIES BY THE ASSOCIATION OF SOCIAL WORK BOARDS ALLOWING FOR ACCOMMODATIONS AND ARRANGEMENTS FOR TEST TAKERS, INCLUDING ACCOMMODATIONS AND ARRANGEMENTS FOR TEST TAKERS:

1. WITH A DISABILITY OR HEALTH CONDITION; OR

2. WHO USE ENGLISH AS A SECOND LANGUAGE; AND

(III) THE PROVISION OF TEST-TAKER AND EDUCATOR EXAM PREPARATION MATERIALS BY THE ASSOCIATION OF SOCIAL WORK BOARDS; AND

(2) ON OR BEFORE DECEMBER 1, 2026, REPORT TO THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON:

(I) ITS FINDINGS UNDER ITEM (1) OF THIS SUBSECTION; AND

(II) WHETHER TO CONTINUE TO USE EXAMINATIONS DEVELOPED BY THE ASSOCIATION OF SOCIAL WORK BOARDS AS A REQUIREMENT FOR A BACHELOR SOCIAL WORKER LICENSE OR A MASTER SOCIAL WORKER LICENSE.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted. Section 2 of this Act shall remain effective through June 30, [2025] 2027, and, at the end of June 30, [2025] 2027, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

~~Article — Health Occupations~~

~~10-201.~~

~~There is a State Board of Social Work Examiners in the Department.~~

~~10-202.~~

~~(a) (1) The Board consists of [12] 14 members.~~

~~(2) Of the [12] 14 Board members:~~

~~(i) 10 shall be licensed social workers of whom:~~

~~1. Subject to paragraph (3) of this subsection, 1 is a licensed bachelor social worker;~~

~~2. Subject to paragraph (3) of this subsection, 1 is a licensed master social worker at the time of appointment;~~

~~3. Subject to paragraph (3) of this subsection, at least 1 is:~~

~~A. A licensed certified social worker; or~~

~~B. A licensed master social worker who is approved for independent practice;~~

~~4. Subject to paragraph (3) of this subsection, at least 4 are licensed certified social workers clinical;~~

~~5. 1 is a licensed social worker employed by the Department of Human Services; and~~

~~6. Subject to paragraph (3) of this subsection, 1 is a licensed social worker who is:~~

~~A. Primarily engaged in social worker education at a social work program accredited by the Council on Social Work Education; and~~

~~B. Nominated from a list of names submitted by the deans and directors of the Maryland Social Work Education Programs; and~~

~~(ii) [2] 4 shall be consumer members.~~

~~19-301.~~

~~(a) Except as otherwise provided in this title, an individual shall be:~~

~~(1) Licensed by the Board before the individual may practice social work in this State while representing oneself as a social worker; or~~

~~(2) Licensed as a certified social worker clinical before the individual may practice clinical social work in this State.~~

~~19-302.~~

~~(a) To obtain a license, an applicant shall demonstrate to the satisfaction of the Board that the applicant:~~

~~(1) Has submitted a complete written application in the form prescribed by the Board;~~

~~(2) Is at least 18 years old;~~

~~(3) Is of good moral character;~~

~~[(4) Except as otherwise provided in this title, has successfully passed an examination or examinations prescribed by the Board pertinent to the license sought;]~~

~~[(5)] (4) Has paid all applicable fees specified by the Board;~~

~~[(6)] (5) Has completed a criminal history records check in accordance with § 19-302.2 of this subtitle at the applicant's expense; and~~

~~[(7)] (6) Has submitted to an examination if required under § 19-302.3 of this subtitle.~~

~~(b) To obtain a bachelor social worker license, an applicant shall:~~

~~(1) Meet the requirements of subsection (a) of this section; and~~

~~(2) Have received a baccalaureate degree in social work from a program that is accredited or is a candidate for accreditation by the Council on Social Work Education or an equivalent organization approved by the Council on Social Work Education.~~

~~(c) To obtain a master social worker license, an applicant shall:~~

~~(1) Meet the requirements of subsection (a) of this section; and~~

~~(2) Have received a master's degree from a program that is accredited or is a candidate for accreditation by the Council on Social Work Education or an equivalent organization approved by the Council on Social Work Education.~~

~~(d) Except as provided in § 19-302.1 of this subtitle, to obtain a certified social worker license, on or before December 31, 2023, an applicant shall:~~

~~(1) Meet the requirements of subsection (a) of this section;~~

~~(2) Have received a master's degree from a program accredited by the Council on Social Work Education or an equivalent organization approved by the Council on Social Work Education; [and]~~

~~(3) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, HAVE SUCCESSFULLY PASSED AN EXAMINATION OR EXAMINATIONS PRESCRIBED BY THE BOARD PERTINENT TO THE LICENSE SOUGHT; AND~~

~~[(3)] (4) Provide in a form prescribed by the Board, documentation of having completed 2 years as a licensee with supervised experience of at least 3,000 hours after receiving the master's degree with a minimum of 100 hours of periodic face-to-face supervision in the practice of social work under the terms and conditions that the Board determines by regulation.~~

~~(e) Except as provided in § 19-302.1 of this subtitle, to obtain a certified social worker clinical license, an applicant shall:~~

~~(1) Meet the requirements of subsection (a) of this section;~~

~~(2) Have received a master's degree in social work and documentation of completion of 12 academic credits in clinical course work from a program accredited by the Council on Social Work Education or an equivalent organization approved by the Council on Social Work Education, with a minimum of 6 of the 12 academic credits obtained in a master's degree program; [and]~~

~~(3) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, HAVE SUCCESSFULLY PASSED AN EXAMINATION OR EXAMINATIONS PRESCRIBED BY THE BOARD PERTINENT TO THE LICENSE SOUGHT; AND~~

~~[(3)] (4) Provide in a form prescribed by the Board, documentation of having completed 2 years as a licensee with supervised experience of at least 3,000 hours, of which 1,500 hours are in face to face client contact, after receiving the master's degree with a minimum of 100 hours of periodic face to face supervision in the assessment, formulation of a diagnostic impression, and treatment of behavioral health disorders and other conditions and the provision of psychotherapy under the terms and conditions that the Board determines by regulation.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ June 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.