

SENATE BILL 245

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CF HB 527

By: **Senator West**

Introduced and read first time: January 20, 2020

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 18, 2020

CHAPTER _____

1 AN ACT concerning

2 **Health Occupations – Social Workers – Scope of Practice, Supervision, and**
3 **Application Decision Appeal Process**

4 FOR the purpose of altering the definition of “practice social work” for the purposes of the
5 Maryland Social Workers Act to include counseling for alcohol and drug use and
6 addictive behaviors and to clarify that it includes, for certain individuals, the
7 treatment of biopsychosocial conditions under the supervision of a licensed social
8 worker–clinical; providing that certain provisions of law may not be construed to
9 prohibit certain licensees from applying or qualifying to obtain approval by the State
10 Board of Social Work Examiners to engage in independent practice under certain
11 circumstances; requiring the Board, under certain circumstances, to approve certain
12 licensees approved to engage in independent practice to provide supervision;
13 authorizing an applicant for a certain license to appeal the Board’s rejection of an
14 application to take a certain licensure examination by submitting certain
15 documentation to the Board in a certain manner; making conforming changes; and
16 generally relating to the licensure and practice of social workers.

17 BY repealing and reenacting, without amendments,
18 Article – Health Occupations
19 Section 19–101(a)
20 Annotated Code of Maryland
21 (2014 Replacement Volume and 2019 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article – Health Occupations

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.



1 Section 19–101(p), 19–302(f), and 19–303
2 Annotated Code of Maryland
3 (2014 Replacement Volume and 2019 Supplement)

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

6 **Article – Health Occupations**

7 19–101.

8 (a) In this title the following words have the meanings indicated.

9 (p) (1) “Practice social work” means to apply the theories, knowledge,
10 procedures, methods, or ethics derived from receiving a baccalaureate or master’s degree
11 from a program in social work that is accredited by or a candidate for accreditation by the
12 Council on Social Work Education, or an equivalent organization approved by the Council
13 on Social Work Education, to restore or enhance social functioning of individuals, couples,
14 families, groups, organizations, or communities through:

15 (i) Assessment;

16 (ii) Planning;

17 (iii) Intervention;

18 (iv) Evaluation of intervention plans;

19 (v) Case management;

20 (vi) Information and referral;

21 (vii) Counseling that does not include diagnosis or treatment of
22 mental disorders;

23 (viii) Advocacy;

24 (ix) Consultation;

25 (x) Education;

26 (xi) Research;

27 (xii) Community organization;

28 (xiii) Development, implementation, and administration of policies,
29 programs, and activities; or

1 (xiv) Supervision of other social workers as set forth in regulations.

2 **(2) "PRACTICE SOCIAL WORK" INCLUDES:**

3 **(I) COUNSELING FOR ALCOHOL AND DRUG USE AND ADDICTIVE**
4 **BEHAVIOR; AND**

5 **(II) USING TECHNOLOGY AS SET FORTH IN REGULATIONS.**

6 **[(2)] (3)** For an individual licensed as a graduate social worker on or
7 before June 30, 2018, or as a master social worker, "practice social work" also includes:

8 (i) Supervision of other social workers if the graduate social worker
9 meets the requirements set out in regulations;

10 (ii) Formulating a diagnosis, under the supervision of a licensed
11 certified social worker-clinical;

12 (iii) Treatment of biopsychosocial conditions, UNDER THE
13 SUPERVISION OF A LICENSED CERTIFIED SOCIAL WORKER-CLINICAL; and

14 (iv) Treatment of behavioral health disorders, including substance
15 use disorders, addictive disorders, and mental disorders, and the provision of
16 psychotherapy under the supervision of a licensed certified social worker-clinical.

17 **[(3)] (4)** For an individual licensed as a certified social worker, "practice
18 social work" also includes:

19 (i) Supervision of other social workers;

20 (ii) Formulating a diagnosis, under the supervision of a licensed
21 certified social worker-clinical;

22 (iii) Treatment of biopsychosocial conditions, UNDER THE
23 SUPERVISION OF A LICENSED CERTIFIED SOCIAL WORKER-CLINICAL; and

24 (iv) Treatment of behavioral health disorders, including substance
25 use disorders, addictive disorders, and mental disorders, and the provision of
26 psychotherapy under the supervision of a licensed certified social worker-clinical.

27 **[(4)] (5)** For an individual licensed as a certified social worker-clinical,
28 "practice social work" also includes:

29 (i) Supervision of other social workers;

1 (ii) Evaluation, diagnosis, and treatment of biopsychosocial
2 conditions, mental and emotional conditions and impairments, and behavioral health
3 disorders, including substance use disorders, addictive disorders, and mental disorders, as
4 defined in § 10–101(i) of the Health – General Article;

5 (iii) Petitioning for emergency evaluation under Title 10, Subtitle 6
6 of the Health – General Article; and

7 (iv) The provision of psychotherapy.

8 [(5) “Practice social work” includes using technology as set forth in
9 regulations.]

10 19–302.

11 (f) (1) (i) Except as provided in paragraph (2) of this subsection, to obtain
12 approval by the Board to engage in independent practice, a licensed bachelor social worker
13 or a licensed master social worker shall submit to the Board:

14 1. An application in the form prescribed by the Board;

15 2. All applicable fees specified by the Board; and

16 3. Documentation in a form prescribed by the Board of
17 having completed at least 3 years as a licensee with supervised experience of at least 4,500
18 hours after receiving the baccalaureate or master’s degree with a minimum of 150 hours of
19 periodic face-to-face supervision under the terms and conditions that the Board
20 determines by regulation.

21 (ii) If the Board determines that a licensed bachelor social worker or
22 a licensed master social worker who applies to the Board to engage in the practice of
23 independent practice has not completed the supervised experience as required under
24 paragraph (1)(i)3 of this subsection, the Board may:

25 1. Reject the application for independent practice; and

26 2. Require the licensed bachelor social worker or the licensed
27 master social worker to continue to work under supervision as required by the Board for an
28 additional 1,500 hours before reapplying.

29 (2) The Board shall approve an individual to engage in independent
30 practice if the individual:

31 (i) Submits to the Board:

32 1. An application in the form prescribed by the Board; and

1 (2) Notify each applicant whether the applicant has been approved to take
2 the pertinent licensure examination within 60 days from the date the Board received a
3 completed application from the applicant.

4 (C) AN APPLICANT MAY APPEAL A REJECTION OF AN APPLICATION TO TAKE
5 THE PERTINENT LICENSURE EXAMINATION UNDER SUBSECTION (B) OF THIS
6 SECTION BY SUBMITTING TO THE BOARD:

7 (1) A WRITTEN NOTICE OF APPEAL, SENT BY CERTIFIED MAIL, WITHIN
8 60 DAYS AFTER THE RECEIPT OF THE BOARD’S DECISION; AND

9 (2) (I) NEW OR ADDITIONAL EVIDENCE TO VERIFY OR CLARIFY
10 THE APPLICANT’S QUALIFICATIONS; OR

11 (II) A REQUEST FOR AN INFORMAL HEARING BEFORE THE
12 BOARD.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2020.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.