

Department of Legislative Services
 Maryland General Assembly
 2023 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 872
 Finance

(Senator M. Washington)

State Board of Social Work Examiners - Temporary License to Practice Social Work

This emergency bill authorizes the State Board of Social Work Examiners to issue a temporary license to practice master social work or certified social work-clinical to an applicant who, except for passing the required examination, has met the appropriate education and experience requirements for licensure. A temporary license is valid until the earlier of (1) notification of permanent licensure or (2) two years after the date on which the temporary license was issued, with specified exceptions for renewal. A temporary license authorizes the holder to practice social work only within the scope of the specific category of license issued while the temporary license is effective.

Fiscal Summary

State Effect: Board special fund expenditures increase by \$57,400 in FY 2024 for part-time staff, as discussed below. Future years reflect elimination of one-time costs and continuation of ongoing costs. Board special fund revenues increase by \$30,000 annually beginning in FY 2024 from license fees from the issuance of temporary licenses.

(in dollars)	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
SF Revenue	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000
SF Expenditure	\$57,400	\$50,300	\$52,500	\$55,000	\$58,000
Net Effect	(\$27,400)	(\$20,300)	(\$22,500)	(\$25,000)	(\$28,000)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The board may renew a temporary license for an additional term only (1) on the Governor's declaration of a state of emergency by executive order or proclamation; (2) for a service member or military spouse, as specified; or (3) for good cause on the written recommendation of one licensed social worker and one board-approved supervisor of the temporary license holder. Unless the board agrees to accept the surrender of a license, the holder of a temporary license may not surrender the license or allow the license to lapse while the licensee is under investigation or while charges are pending against them.

Current Law: In general, to obtain a license from the board, an applicant must (1) submit a written application on a board-prescribed form; (2) be at least 18 years old; (3) be of good moral character; (4) successfully pass required examinations pertinent to the license sought; (5) pay any applicable fees; (6) complete a criminal history records check; and (7) if required, complete a mental or physical examination by a board-appointed health care practitioner.

A licensed master social worker (LMSW) must have a master's degree in social work from an accredited social work program. Generally, a LMSW must practice social work under the supervision of another social worker, unless given approval to engage in independent practice. A licensed certified social work-clinical (LCSW-C) must have a master's degree in social work and documented completion of twelve academic credits in clinical work from an accredited social work program. An LCSW-C must provide the board with documentation of having completed two 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 mental disorders and other conditions and the provision of psychotherapy.

The board may fine, reprimand, place on probation, suspend, or revoke a license for a number of reasons. Additionally, unless the board agrees to accept the surrender of a license, a licensed social worker may not surrender the license or allow the license to lapse while the licensee is under investigation or while charges are pending against the social worker. The board may set conditions on its agreement with the social worker to accept surrender of the license while the social worker is under investigation or while charges pending against them.

State Fiscal Effect: The board advises that one full-time staff is needed to review and approve requests for temporary licenses, process temporary license applications, notify temporary licensees when their license is expiring, convert temporary licensees to permanent licenses once an individual passes the examination, and renew temporary

licenses under specified circumstances. The board further advises that, between 2019 and 2022, an average of 875 individuals applied for an LMSW annually and 1,168 individuals applied for an LCSW-C annually.

The number of applicants who will seek a temporary LMSW or LCSW-C license is unknown. However, assuming a failure rate of 20% for individuals taking the required licensure examination for the first time and based on the average number of applicants (as stated above), the Department of Legislative Services (DLS) estimates that approximately 400 applicants annually are likely to seek a temporary LMSW or LCSW-C license. While DLS acknowledges the need for additional staff, DLS advises that one part-time (50%) administrator is sufficient to handle the temporary LMSW or LCSW-C licenses based on the assumptions stated above.

Accordingly, board special fund expenditures increase by \$57,434 beginning in fiscal 2024, which accounts for a 90-day start-up delay from the bill's effective date, which is assumed to be April 1, 2023. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Position	0.5
Salaries and Fringe Benefits	\$50,290
Operating Expenses	<u>7,144</u>
Total FY 2024 State Expenditures	\$57,434

Future year expenditures reflect a part-time salary with annual increases and employee turnover, elimination of one-time costs, as well as annual increases in ongoing operating expenses.

DLS assumes the board will charge one application fee (for both a temporary and permanent license) and a temporary license fee of \$75. Based on an estimated 400 applicants for a temporary license annually, board special fund revenues increase by approximately \$30,000 annually beginning in fiscal 2024 due to the issuance of new temporary LMSW or LCSW-C licenses.

Additional Information

Prior Introductions: Similar legislation has been introduced within the last three years. See SB 167 of 2021.

Designated Cross File: None.

Information Source(s): Maryland Department of Health; Department of Legislative Services

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Analysis by: Joanne Tetlow

Direct Inquiries to:
(410) 946-5510
(301) 970-5510