

HOUSE BILL 1285

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CF SB 931

By: **Delegate McComas**

Introduced and read first time: February 9, 2024

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 8, 2024

CHAPTER _____

1 AN ACT concerning

2 **Workers' Compensation – Rehabilitation Practitioners – Licensed Social**
3 **Workers**

4 FOR the purpose of authorizing ~~certain~~ licensed social workers to register as a
5 rehabilitation practitioner; authorizing a licensed certified social worker–clinical to
6 provide evaluation services for workers' compensation claims related to permanent
7 impairments involving a behavioral or mental disorder; and generally relating to
8 rehabilitation practitioners.

9 BY repealing and reenacting, without amendments,
10 Article – Labor and Employment
11 Section 9–6A–01(a)
12 Annotated Code of Maryland
13 (2016 Replacement Volume and 2023 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Labor and Employment
16 Section 9–6A–01(d), ~~9–6A–04(e)~~, 9–6A–09, and 9–721(c)
17 Annotated Code of Maryland
18 (2016 Replacement Volume and 2023 Supplement)

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

21 **Article – Labor and Employment**

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 9-6A-01.

2 (a) In this subtitle the following words have the meanings indicated.

3 (d) (1) "Rehabilitation practitioner" means an individual who provides
4 vocational rehabilitation services.

5 (2) "Rehabilitation practitioner" includes:

6 (I) ~~AN INDIVIDUAL LICENSED AS A SOCIAL WORKER WHO HAS
7 BEEN DETERMINED BY THE STATE BOARD OF SOCIAL WORK EXAMINERS AS HAVING
8 SUFFICIENT TRAINING AND EXPERIENCE TO PROVIDE VOCATIONAL
9 REHABILITATION SERVICES, AS CERTIFIED BY THE STATE BOARD OF SOCIAL WORK
10 EXAMINERS;~~

11 [(i)] (II) a nurse certified by the State Board of Nursing as a nurse
12 case manager;

13 [(ii)] (III) a rehabilitation counselor; and

14 [(iii)] (IV) a vocational evaluator.

15 ~~9-6A-04.~~

16 ~~(e) Violation of the rules and regulations adopted or enforced by the Commission,
17 THE STATE BOARD OF SOCIAL WORK EXAMINERS, or the State Board of Nursing in
18 accordance with this title by a rehabilitation practitioner shall be grounds for denial of a
19 registration to any applicant, or suspension or revocation of a registrant's registration
20 [pursuant to] IN ACCORDANCE WITH §§ 9-6A-15 and 9-6A-16 of this subtitle.~~

21 9-6A-09.

22 (A) ~~TO QUALIFY FOR REGISTRATION, A LICENSED SOCIAL WORKER SHALL
23 BE:~~

24 (1) ~~CERTIFIED AS SUCH BY THE STATE BOARD OF SOCIAL WORK
25 EXAMINERS; AND~~

26 (2) ~~CERTIFIED BY THE STATE BOARD OF SOCIAL WORK EXAMINERS
27 AS HAVING SUFFICIENT TRAINING AND EXPERIENCE TO PROVIDE VOCATIONAL
28 REHABILITATION SERVICES.~~

29 [(a)] (B) To qualify for registration, a nurse case manager shall be certified as
30 such by the State Board of Nursing.

1 ~~[(b)] (C)~~ To qualify for registration, a rehabilitation counselor shall:

2 (1) have a bachelor's degree from an accredited institution in rehabilitation
3 counseling, human services, psychology, or a related field with at least 1 year of work
4 experience in a human services occupation;

5 (2) have a master's or doctoral degree in rehabilitation counseling, human
6 services, psychology, education, or a related field; or

7 (3) be a certified rehabilitation counselor, certified vocational evaluator,
8 certified disability management specialist, hold an equivalent national certification that is
9 acceptable to the Commission, or have met all of the education and experience
10 requirements to be eligible to be certified.

11 ~~[(c)] (D)~~ To qualify for registration, a vocational evaluator shall:

12 (1) have a bachelor's degree from an accredited institution in vocational
13 evaluation, rehabilitation psychology, human services, education, or a related field with 1
14 year of work experience in that field;

15 (2) have a master's or doctoral degree in rehabilitation, vocational
16 evaluation, psychology, human services, education, or a related field; or

17 (3) be certified or have met all of the educational and experience
18 requirements to be eligible to be certified in vocational evaluation by the Commission on
19 certification of work adjustment and vocational evaluation specialists, or have met all of
20 the education and experience requirements to be eligible for certification.

21 ~~[(d)] (E)~~ **(1) THIS SUBSECTION DOES NOT APPLY TO A LICENSED SOCIAL**
22 **WORKER OR LICENSED CERTIFIED SOCIAL WORKER-CLINICAL.**

23 **(2)** In addition to the requirements of subsections ~~[(b)] (C)~~ and ~~[(c)] (D)~~ of
24 this section:

25 **[(1)] (I)** a rehabilitation counselor who has met the education
26 requirements under subsection ~~[(b)(1)] (C)(1)~~ or (2) of this section to qualify for registration
27 shall work under the administrative supervision of a certified rehabilitation counselor,
28 certified vocational evaluator, certified disability management specialist, certified case
29 manager, or certified rehabilitation registered nurse; and

30 **[(2)] (II)** a vocational evaluator who has met the education requirements
31 under subsection ~~[(c)(1)] (D)(1)~~ or (2) of this section shall work under the administrative
32 supervision of a certified vocational evaluator, certified rehabilitation counselor, certified
33 disability management specialist, certified case manager, or certified rehabilitation
34 registered nurse.

1 9-721.

2 (c) If a permanent impairment involves a behavioral or mental disorder, a
3 licensed psychologist, **A LICENSED CERTIFIED SOCIAL WORKER-CLINICAL**, or qualified
4 physician shall:

5 (1) perform an evaluation of only the mental or behavioral portion of the
6 permanent impairment; and

7 (2) report the evaluation to the Commission in accordance with the
8 regulations of the Commission.

9 SECTION 2. AND BE IT FURTHER ENACTED, That the State Workers'
10 Compensation Commission shall grant a waiver of education and training requirements to
11 any applicant who was licensed as a rehabilitation practitioner before the effective date of
12 this Act.

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2024.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.