

House Economic Matters Committee

February 28, 2023

**House Bill 694: Labor and Employment - Workers' Compensation –
Licensed Certified Social Worker-Clinical**

*****SUPPORT*****

On behalf of Maryland’s Chapter of the National Association of Social Workers (NASW-MD), we would like to express our support for House Bill 694. NASW-MD has reviewed the requirements for Workers Compensation Rehabilitation Practitioners, and Case Managers, and for providing an evaluation of the mental or behavioral portion of the permanent impairment and report the evaluation to the Commission in accordance with the regulations of the Commission

All the essential functions required of a “Rehabilitation Practitioner,” and to perform the evaluation of the mental or behavioral portion of the permanent impairment are authorized in Health Occupations Article, Title 19 Social Worker Practice Act, for the Licensed Certified Social Worker-Clinical (LCSW-C) licensee.

Case Management is specifically authorized and is well within the scope of practice of the LCSW-C. LCSW-Cs are also authorized to independently evaluate, diagnose, and treat mental and emotional disorders, conditions and impairments. Preventing the LCSW-C from engaging, arbitrarily, in their full scope of practice authorized in Maryland law appears to be a restraint of trade, which limits employment opportunities in vocational rehabilitation and the comprehensive evaluative assessment of the injured worker.

Further, the LCSW-C is authorized to certify sick leave, evaluate for temporary total disability, but is not allowed to evaluate or testify as to the degree of permanent impairment. This deprives the injured worker of allowing his or her treatment provider from rendering an opinion affecting the patient’s functional capacity and present evidence to support the conclusion.

Therefore, this legislation is strongly supported, does not interfere with the current procedures, and is cost effective as the LCSW-C will be required to register and pay the required fee to the Workers Compensation Commission in order to participate.

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