

OCTOBER 1, 2013

CHANGES IN THE SOCIAL WORK STATUTE

§ 19-101 Definitions Section

Changed

The Associate social worker will be changed to **BACHELOR** social worker. Licensed Bachelor Social Worker – LBSW.

Deleted from the general definition of social work practice:

FORMULATING DIAGNOSTIC IMPRESSIONS

Added to the definition of graduate and certified social work:

FORMULATING A DIAGNOSIS, UNDER THE DIRECT SUPERVISION OF A LICENSED CERTIFIED SOCIAL WORKER-CLINICAL

Treatment of **BIOPSYCHOSOCIAL CONDITIONS**

TREATMENT OF mental disorders.....

Added to the definition of clinical social work:

PETITIONING FOR EMERGENCY EVALUATIONS UNDER TITLE 10, SUBTITLE 6 OF THE HEALTH-GENERAL ARTICLE

§ 19-202 Membership

Appointment of social work member to the Board:

Any person who provides a statement of nomination signed by at least **15** (reduced from 25) social workers licensed in the State.

THE CORPORATE EXECUTIVE OFFICERS OR EXECUTIVE DIRECTORS OF PRIVATE ORGANIZATIONS WHERE SOCIAL WORKERS ARE EMPLOYED may nominate a social worker.

§ 19-203 Officers

Elected Board Officers will be known as:

CHAIR, VICE CHAIR AND SECRETARY-TREASURER

§ 19-301 License required -- exceptions

Added to the list of individuals who are not required to obtain licensure in the State:

A STUDENT WHILE PURSUING A SUPERVISED COURSE OF STUDY IN A SOCIAL WORK PROGRAM THAT IS ACCREDITED OR IS A CANDIDATE FOR ACCREDITATION BY THE COUNCIL ON SOCIAL WORK EDUCATION

§ 19-302 Qualification of applicants

Added

HAS COMPLETED A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 19-302.2 of this subtitle AT THE APPLICANT'S EXPENSE.

HAS SUBMITTED TO AN EXAMINATION IF REQUIRED UNDER § 19-302.3 of this subtitle

An applicant for a license at the Bachelor or Graduate level is required to have received a baccalaureate degree or a master's degree in social work from a program that is accredited **OR IS A CANDIDATE FOR ACCREDITATION** by the Council on Social Work Education....

Changed

An applicant for licenses as a Licensed Certified Social Worker will need to document **100** (was 144) hours of periodic face-to-face supervision..... Please note that the Licensed Certified Social Worker-Clinical requirements remains at 144 hours.

Added

For the LCSW-C license an applicant must submit documentation of **COMPLETION OF 12 ACADEMIC CREDITS IN** clinical course work **WITH A MINIMUM OF 6 OF THE 12 ACADEMIC CREDITS OBTAINED IN A MASTER'S DEGREE PROGRAM.** Please note that this requirement is not new as it has been stipulated in regulations COMAR 10.42.01 since April 2004.

An applicant for the LCSW-C must submit documentation of completion of 2 years as a licensee with the supervised experience of at least 3,000 hours, **OF WHICH 1,500 HOURS ARE IN FACE-TO-FACE CLIENT CONTACT.** Please note that this requirement is not new as it has been stipulated in regulations COMAR 10.42.01 since April 2004.

§ 19-302.2 & § 19-302.3

Added - Two new sections were added to the statute **§ 19-302.2 and § 19-302.3.**

§ 19-302.2 defines **CENTRAL REPOSITORY** and the requirement and procedure for criminal background checks; fees and the confidential nature of the information provided to the licensing Board.

§ 19-302.3. THE BOARD MAY REQUIRE AN APPLICANT TO SUBMIT TO A MENTAL OR PHYSICAL EXAMINATION BY A HEALTH CARE PRACTITIONER DESIGNATED BY THE BOARD This may be required if the Board has reason to believe that an applicant may cause harm to self or others. The Board is responsible for the cost of the examination.

§ 19-306 Issuance, contents and replacement of licenses

Changed

The Board shall **MAINTAIN ON ITS WEB SITE A ROSTER OF ALL LICENSEES WHO MEET** the requirements for licensure. The Board will no longer be required to issue “paper” licenses. Even though the revised statute is effective October 1, 2013, the Board will issue “paper” licenses until December 31, 2013. On and after January 1, 2014 the Board will issue a “Wall Certificate”, which is not a license, for initial licenses. License information, name of the licensee, type of license, license number, license status, expiration date and date of issuance will be maintained and available on the Board’s web site.

§ 19-307 Scope of license

Changed

A licensed Bachelor social worker may not **ENGAGE IN PRIVATE PRACTICE**

A licensed Graduate social worker may not diagnose a mental disorder **WITHOUT THE DIRECT SUPERVISION OF A LICENSED CERTIFIED SOCIAL WORKER-CLINICAL**

A licensed Graduate social worker may not **ENGAGE IN PRIVATE PRACTICE WITHOUT THE DIRECT SUPERVISION OF A LICENSED CERTIFIED SOCIAL WORKER-CLINICAL**

A licensed Certified social worker may not diagnose a mental disorder **WITHOUT THE DIRECT SUPERVISION OF A LICENSED CERTIFIED SOCIAL WORKER-CLINICAL**

Changed

The Board may notify a licensee to renew the license at the licensee’s last known **ELECTRONIC OR PHYSICAL** address. Therefore, the renewal may be sent by e-mail.

§ 19-308 Terms and renewal of licenses

Added

THE BOARD MAY NOT RENEW A BACHELOR SOCIAL WORK LICENSE OR A GRADUATE SOCIAL WORK LICENSE OF A LICENSEE WHO HOLDS A BACCALAUREATE DEGREE OR A MASTER’S DEGREE FROM A PROGRAM THAT WAS A CANDIDATE FOR ACCREDITATION BUT WAS DENIED ACCREDITATION.

§ 19-309 Inactive status; reinstatement of expired licenses

Changed

For licenses which have been Inactive or Non-Renewed the Board will accept applications for Reactivation or Reinstatement for up to 5 years from the expiration date of the license. After 5 years the Board will require that the applicant **PASSES THE RESPECTIVE EXAMINATION REQUIRED FOR INITIAL LICENSURE.**

§ 19-311 Denials, Reprimands, suspension and revocation

Added

(3) Is mentally or physically incompetent **TO PRACTICE SOCIAL WORK**

Removed

(5) KNOWINGLY VIOLATES ANY PROVISION OF THIS TITLE

Removed from (11) (12) (13) & (18) Knowing Makes or Knowingly fails

Added to (11) (12) (13) & (18) **MAKES FAILS**

Added **(21) FAILS TO COMPLY WITH THE MAINTENANCE, DISCLOSURE, AND DESTRUCTION OF MEDICAL RECORDS AS REQUIRED UNDER TITLE 4 SUBTITLES 3 AND 4 OF THE HEALTH – GENERAL ARTICLE**

§ 19-311.1 Fines

Changed

...the Board may impose a fine on the licensee in an amount not exceeding **\$10,000** (was \$5,000)

§ 19-407 Penalties

Changed

A person who violates any provision of this subtitle is guilty of a misdemeanor and on conviction is subject to a fine not exceeding **\$5,000** (was \$500) or imprisonment not exceeding **2 YEARS** (was 90 days)