

SWEAR

Social Workers for Equity and Anti-Racism

swear-md.org

Dear Members of the House Health and Government Operations Committee,

Thank you for your time, energy, and attention to SB871 + SB145 (HB103's heavily amended cross file). Your hard work and efforts are greatly appreciated, especially as we approach sine die. Below is follow-up information on SB145 + SB871, inspired by your committee's lively bill hearing on 3.30.23!

As it stands, this national exam has veto power over all social work licenses in the state of Maryland. It prevents social workers of color, older social workers, social workers with a different language, social workers that have a different view... It stands between what they really need and what our communities need."

- Senator Mary Washington, March 30, 2023

It should be noted that [SB871](#) + [SB145](#) (prev. SB872), as presented to HGO, are **compromises**. Despite our reluctant concessions, BSWE, NASW-MD, and ASWB continue to demand more.

- We lost the one-year moratorium in **SB871**, which would have allowed *qualified* social workers to obtain licensure at every level, without a culturally biased exam requirement.
- We lost the temporary license at the clinical level in **SB145** (previously **SB872**)
- Language shifted in **SB145** from BSWE "shall" to BSWE "may" provide temporary licensure.
- ASWB (the makers of these biased exams) now has 2 workgroup members
- BSWE (who has kept culturally biased exams in place for years) now has 2 workgroup members

Who Does SWEAR Represent?

SWEAR is a collective of more than 300 Maryland social workers, formed in response to the harms of discriminatory licensing exams. We have experienced and/or witnessed the ways culturally biased exams negatively impact already marginalized social workers AND the diverse communities we serve.

190+ Maryland social workers signed our [petition](#) supporting social work licensing legislation.

72 Marylanders from **32** districts have now signed off on our [collective written testimony](#) submitted on 3.28.23 for **SB145** + **SB871**, including **35** alumni of **6** different Maryland area Schools of Social Work, **28** LCSW-Cs, **19** LMSWs, **29** NASW-MD members, **5** GWSCSW members and **2** NABSW members.

25 SWEAR organized supporters showed-up in Annapolis for the Senate Finance Committee hearings for [SB871](#) and [SB872](#) (amended into **SB145**) and included members from the ABSW - Baltimore Legacy Chapter, Catholic Charities - Baltimore, MARFY, Maryland Association for the Deaf (MDAD), Pressley Ridge, The Center for Restorative Change (prev. SWCOS), along with social work students and/or faculty from CUA, Morgan State University, Salisbury University and University of Maryland.

190 Maryland social workers signed-up for our "Addressing Disparities in Social Work Licensure" [Town Hall](#) on 1.31.23, co-sponsored by NASW-MD.

**While SWEAR supports SB871 + SB145,
we strongly advocate for the necessity of the following amendments.**

SB0871: Social Workers - Sunset Extension, Notification of Complete Application, and Workgroup on Social Worker Examination Requirements for Licensure

1. Reinstate 1-year moratorium on all culturally biased social work licensing exams.

While we wait for a workgroup to identify long-term solutions, social work professionals already licensed at the Master's Level (LMSWs) will continue to be denied promotions while often paying hundreds of dollars per month in mandatory supervision while making (and paying for) additional attempts to pass the LCSW-C exam. A moratorium would pause the requirement to pass a culturally biased exam to obtain licensure.

2. Adjust workgroup language, per request by the Deaf and hard of hearing community,

"A social worker designated by the Maryland Association of the Deaf who is familiar with the licensing process for deaf and hard of hearing social workers."

SB0145: State BSWE: Conditional & Temporary Licenses to Practice Social Work

3. Change BSWE "may" provide temporary licenses to "shall"

BSWE has yet to address disparities in social work licensing, though they receive data from ASWB on which applicants pass and which applicants fail. They continue to use exams that are "not free from cultural bias," which does not comply with Maryland regulations. BSWE has stated very clearly in their testimony, they *oppose* temporary licensing. Senator Chris West even commented at the hearing, "**You'd have to apply to the board, and it would be within their discretion as to whether or not they want to grant you that temporary license. And I think we'll hear from Mrs. McClellan shortly that they're going to say they're not going to grant any temporary license.**" The shift from "may" to "shall" ensures the BSWE grants temporary licensure to eligible candidates who have been kept out of the profession for years. (*and ensures your hard work on both HB103/SB145 does not go in vain!*)

4. Reinstate 2-year temporary license option for LCSW-Cs. Temporary licensure for LCSW-C is currently amended out of SB145. The LCSW-C exam is just as biased as the LBSW and LMSW exam. It is imperative that we include LCSW-Cs as possible candidates for temporary licensure. Many are ready to advance in our field but are unable to do so because of the barrier of a biased exam. As we heard from NASW-MD representative Dionne Brown-Bushrod, LCSW-C, leadership positions in our profession often require LCSW-Cs.

SOCIAL WORK LICENSURE IN MARYLAND

There are currently four licensing levels in Maryland. All require passing a biased exam

| | LBSW | LMSW | LCSW-C | LCSW |
|---------------------------------------|---|---|--|--|
| Education requirements | CSWE-accredited BSW | CSWE-accredited MSW | CSWE-accredited MSW | CSWE-accredited MSW |
| Minimum practice hours | 400 (usually unpaid) | 900 (usually unpaid) | 3900 | 3900 |
| Criminal Background check | Yes | Yes | Yes | Yes |
| Other Prerequisites | - | - | 3000 work hours, 1500 in direct practice, 100 supervision hours | 3000 work hours, 100 supervision hours |
| Supervision Requirements | employer or private pay \$100-200 per week, must meet 3x per month | employer or private pay \$100-200 per week, must meet 3x per month | - | - |
| Non-Exam Fees | \$100 (BSWE) + \$31.25 (criminal background) + varies (transcript) | \$100 (BSWE) + \$31.25 (criminal background) + varies (transcript) | \$100 (BSWE) + \$31.25 (criminal background) + varies (transcript) | \$100 (BSWE) + \$31.25 (criminal background) + varies (transcript) |
| Renewal fees (every two years) | \$100 + 40 CEUs (cost varies, can be \$10-30 per CEU, i.e. \$400 - \$1200+) | \$100 + 40 CEUs (cost varies, can be \$10-30 per CEU i.e. \$400 - \$1200) | \$100 + 40 CEUs (cost varies, can be \$10-30 per CEU, i.e. \$400 - \$1200) | \$100 + 40 CEUs (cost varies, can be \$10-30 per CEU, i.e. \$400 - \$1200) |
| Biased ASWB Exam? | Yes. Bachelors level (\$230 per attempt) | Yes. Masters level (\$230 per attempt) (\$\$\$ for test prep) | Yes. Clinical level (\$260 per attempt) | Yes. Advanced Generalist level (\$260 per attempt) |
| Independent Practice? | With limited scope, after 3 years active license, 4500 hours of work, 150 hours supervision, and board permission | With limited scope, after 3 years active license, 4500 hours of work, 150 hours supervision, and board permission | Yes, full scope of social work | Yes, but not clinical |
| Board Approved Supervisor? | | | Can become a Board Approved Supervisor after 18 months as a LCSW-C, specific coursework + CEUs, \$20 fee | <i>BSWE will no longer be issuing LCSWs after December 2023</i> |

Note: Aside from the financial burden of taking and re-taking the exam(s), there is also an extreme mental and emotional burden put on people *already marginalized by society* and *already in high demand within our profession*. Expensive test prep courses that many people of the global majority, older people, and disabled people complete are often expensive, mentally draining, and time consuming.

POLICY: “The initial approval to sit for a licensing examination is valid for 2 years. If after two years the applicant has not taken or passed the examination, she/he must apply for ‘Continued Approval.’” (BSWE)

REALITY: While the BSWE does give applicants two years (from the day of their approval notice) to sit for the examination, the ASWB states that you **MUST** take the exam **ONCE** during the **FIRST** year.

Other mental health professions can be supervised by any clinical professional, BSWE requires an LC.

SB145 + SB871 Hearing: MYTHS vs. FACTS

MYTH #1: *“I think that the nurses, the doctors, the attorneys, the licensed professional counselors, every healthcare occupation in our state uses an exam, but only the social workers are being asked to, you know, have temporary licenses.”*

- Maryland Board of Social Work Examiners, Executive Director (LMSW)

FACT #1: Other Maryland health occupations are grappling with discrimination in licensure, especially during this time of unprecedented mental health crisis & workforce shortages.

- [HB611](#): nurses who've failed their licensing exams
- [HB507](#): doctors with unmatched residencies
- [HB454](#): health occupations license applicants who are immigrants
- [BSWE already provides](#) six-month temporary licenses, in compliance with the *Veterans Full Employment Act of 2013*, to service members, veterans or military spouses. **An [active duty military spouse](#) shared at the March 10th Senate Finance Committee hearing about her need for 2 year temporary licensure.**
- Non-healthcare Maryland occupations allow temporary licenses that pause exam requirements, including [Home Improvement Contractors](#)

MYTH #2: *“Optional exams create two-tiered professional status and will be confusing to employers” and “Why would we hire someone with that?”*

- NASW-MD Legislative Committee Members (LCSW-Cs)

FACT #2: Several social services agencies and large employers of social workers have testified, saying they are in desperate need of a larger and more diverse pool of licensed applicants.

SB145 - Catholic Charities Baltimore, Healthcare for the Homeless, MARFY, Pathways to Housing, The Center for Restorative Change, The Governor's Office of the Deaf & Hard of Hearing, Pressley Ridge
[HB103](#) - Adoptions Together, Arrow Child & Family Ministries, Catholic Charities Baltimore, Cedar Ridge Children's Home & School, Kennedy Krieger, MD Hospital Association, MARFY, Pressley Ridge

Evidence and testimony clearly show ***there already is a stark two-tiered system within social work.*** There is one tier– which is disproportionately white, younger, native English speaking, and hearing–that benefits from a poorly constructed exam, is able to get quickly licensed, enter the workforce, and advance in their profession. And there is a second tier– which is disproportionately people of the global majority, older, non-native English speaking, and deaf and hard of hearing–that is highly qualified and has jumped through all of the hoops to be prepared to be a social worker, but is cut out of the workforce and stalled in their careers by an exam that lacks any research or evidence to supports its use.

MYTH #3: *“There's no state that passed a temporary license. They either have a full license or they don't, they're grandfathered in or not. So why should we be the only one that starts that?”*

- NASW-MD Legislative Committee Members (LCSW-Cs)

FACT #3: “There are a number of other states that have the ability to issue temporary social work licenses, including Connecticut, West Virginia, New York, Texas, Arkansas, Indiana, New Mexico, and Wisconsin... all have temporary or provisional licensure as a permanent part of their licensing laws. Temporary licenses are also supported by our national social work organization.”

- NASW-MD HB103 Written Testimony

STATES WITH TEMPORARY LICENSURE

| | |
|----|--|
| 1 | Alaska – One-time temporary license valid for one year to individuals with BSW, MSW (not LCSW-C). |
| 2 | Arkansas – One-time provisional license valid for one year to individuals with BSW, MSW (not LCSW-C). |
| 3 | Arizona – One-time temporary license valid for one year to individuals with a BSW or MSW. |
| 4 | Colorado – Provisional license for MSWs working under supervision in residential child care facilities. |
| 5 | Connecticut – One-time temporary permit to individuals with an MSW, valid for four months. |
| 6 | Florida – Provisional license valid for 24 months. |
| 7 | Idaho – One-time temporary permit for MSWs, valid until the applicant passes the exam. |
| 8 | Indiana – One-time temporary license valid for one year to individuals with an MSW. |
| 9 | Kansas – One-time temporary license valid for one year to individuals with a BSW or MSW. |
| 10 | Kentucky – One-time temporary permit valid for eight months to individuals with a BSW or MSW. |
| 11 | Maine – Offers renewable conditional licenses to individuals with a BSW or MSW. |
| 12 | Minnesota – Offers a provisional license, valid for three years , to individuals who speak English as a second language and have not obtained a passing score on the exam |
| 13 | Nevada – One-time temporary permit valid for nine months to individuals with a BSW or MSW. |
| 14 | New Mexico – One-time provisional license valid for one year to individuals with an MSW. |
| 15 | New York – One-time limited permit valid for one year to individuals with an MSW. For a temporary clinical license, you must have your supervisor verify at least three years of full-time experience. |
| 16 | Oklahoma – One-time provisional license valid for one year to individuals with a BSW or MSW. |
| 17 | South Dakota – Temporary license valid until the applicant passes the exam. |
| 18 | Texas – One-time temporary license valid for six months to individuals with a BSW or MSW. |
| 19 | West Virginia – One-time temporary permit valid for six months to individuals with a BSW or MSW. |
| 20 | Wisconsin – Temporary credential valid for nine months to BSW or MSW, that may be renewed one time. |

MYTH #4: *“I hear all the time about the schools being terrible in Baltimore City. I think it’s unrealistic to think that students who are graduating from what are decried to be terrible schools are then going on to college and all of a sudden are expected to compete in the same place where students might come from what are deemed to be better schools.”*

- *Maryland Board of Social Work Examiners, Executive Director (LMSW)*

FACT #4: Dr. McClellan’s coded language is racist and tangential, at best. **Social workers taking these exams are already committed and well-trained, having completed a four-year college education and more often, a Master’s Degree from an accredited School of Social Work.** Additionally, social work is a profession in which lived experience has as much value as technical or academic knowledge. As a highly relational & person-centered profession, use of self is a central facet of social work. This underscores the importance of a highly diverse workforce that can competently serve Maryland’s diverse communities.

MYTH #5: *“I’m also advocating to ensure that folks that look like me are not further disenfranchised by being labeled with a temporary license versus the individual who got their license by passing that exam.”*

- *NASW-MD Legislative Committee Members (LCSW-Cs)*

FACT #5: SB145 indicates that the temporary nature of the license will only be known to the individual license holder and the BSWE, so employers cannot compare licenses when considering applicants. All social workers must apply to renew their license with the BSWE every two years. This would be no different and gives people the opportunity to work while trying to pass the exam. Many social workers are *already* disenfranchised by lack of access to licensure and are part of the reason Senator Mary Washington set forth **SB871 + SB145** (prev. **SB872**) in the first place.

We would have preferred a permanent solution, but unfortunately, the moratorium that would have granted permanent licensure was struck from SB871 due to the institutional advocacy of ASWB, NASW-MD, and BSWE. It is baffling that opponents decry temporary licensing after decrying something that would have provided hundreds of social workers with a permanent solution.

MYTH #6: *“Proceeding with this temporary license and making it optional automatically also disqualifies people from a future licensure compact.”*

- *NASW-MD Legislative Committee Members (LCSW-Cs)*

FACT #6: The interstate compact will not go into effect until seven states ratify it - that number currently stands at *zero*. If the compact is enacted in the future, SB145 will not disqualify Maryland from entering the compact. At the individual level, social workers with temporary licenses that have not passed the exam may not have portability across all states, which mirrors the current reality. However, they benefit from SB145 by being able to work in Maryland and still have the option of taking the exam if the need arises. Additionally, many Maryland social workers plan to stay in Maryland and have no interest in portability. [Compact language](#) allows for a “qualifying national exam” or “substantial equivalency.” Currently, there is no “substantial equivalency,” but that does not mean there never will be (see SB871). In summary, SB145 does not limit Maryland’s or any individual social worker’s options. It *increases* them.

MYTH #7: *“So I think [by] removing the exam, what gets lost is a level of objectivity.”*

- NASW-MD Legislative Committee Members (LCSW-Cs)

FACT #7: This is a statement that has been made repeatedly by ASWB, NASW-MD, and BSWE. **It is not true.** There is no evidence that this exam is correlated with safe and competent social work practice, despite ASWB having forty years to provide it. It is also not correlated with public protection, as has so often been touted. Repeating this statement multiple times does not make it true.

MYTH #8: *“The license board already has struggles with issuing exams, approving people who are pending exams right now. How would this happen any faster?”*

- NASW-MD Legislative Committee Members (LCSW-Cs)

MYTH #8: Bureaucratic challenges are not a reason to hinder progress. Colloquially, license applicants report struggles with obtaining approval that have little to do with license eligibility and more to do with overly meticulous red tape. We are confident that BSWE, or the powers that govern them, can find a better balance between ensuring applicants are meeting requirements while also living up to application processing expectations that Maryland social workers are legally entitled to and deserve.

The attached [2-Page Policy Brief](#) and [6-Page Fact Sheet](#) include additional information.



**On behalf of over 300 Maryland social workers,
Thank You! Gracias! धन्यवाद! Dhan'yavāda! תודה! merci! Salamat!
for your time, energy, and efforts! ❤️**