

HOUSE BILL 1289

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By: **Delegate McComas**

Introduced and read first time: February 9, 2024

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Social Work Examiners – Practice Social Work – Definition and**
3 **Scope of Authority**

4 FOR the purpose of altering the definition of “practice social work” to clarify the types of
5 assessments that may be performed by a licensee, add biopsychosocial treatment as
6 a treatment option, and clarify the scope of practice for individuals licensed as
7 certified social worker–clinical; authorizing the State Board of Social Work
8 Examiners to adopt regulations regarding requirements for engagement in acts of
9 social work otherwise authorized by law but not specifically by the Board; and
10 generally relating to the practice of social work.

11 BY repealing and reenacting, without amendments,
12 Article – Health Occupations
13 Section 19–101(a)
14 Annotated Code of Maryland
15 (2021 Replacement Volume and 2023 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Health Occupations
18 Section 19–101(n)(1) and (5) and 19–205
19 Annotated Code of Maryland
20 (2021 Replacement Volume and 2023 Supplement)

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

23 **Article – Health Occupations**

24 19–101.

25 (a) In this title the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (n) (1) "Practice social work" means to apply the theories, knowledge,
2 procedures, methods, and ethics derived from receiving a baccalaureate or master's degree
3 from a program in social work that is accredited by or a candidate for accreditation by the
4 Council on Social Work Education, or an equivalent organization approved by the Council
5 on Social Work Education, to restore or enhance social functioning of individuals, couples,
6 families, groups, organizations, or communities through:

7 (i) **Assessment, INCLUDING THROUGH THE ADMINISTRATION**
8 **AND INTERPRETATION OF TESTS WITHIN THE LICENSEE'S SCOPE OF PRACTICE AS**
9 **DETERMINED BY THE LICENSEE'S TRAINING AND EXPERIENCE;**

10 **(II) BIOPSYCHOSOCIAL TREATMENT THAT SYSTEMICALLY**
11 **CONSIDERS BIOLOGICAL, PSYCHOLOGICAL, AND SOCIAL FACTORS AND THEIR**
12 **COMPLEX INTERACTIONS AS EXISTING ALONG A CONTINUUM OF NATURAL SYSTEMS**
13 **IN ORDER TO UNDERSTAND HEALTH, ILLNESS, HEALTH CARE DELIVERY, AND**
14 **ENVIRONMENTAL FACTORS;**

15 [(ii)] **(III)** Planning;

16 [(iii)] **(IV)** Intervention;

17 [(iv)] **(V)** Evaluation of intervention plans;

18 [(v)] **(VI)** Case management;

19 [(vi)] **(VII)** Information and referral;

20 [(vii)] **(VIII)** Counseling that does not include diagnosis or treatment of
21 behavioral health disorders;

22 [(viii)] **(IX)** Advocacy;

23 [(ix)] **(X)** Consultation;

24 [(x)] **(XI)** Education;

25 [(xi)] **(XII)** Research;

26 [(xii)] **(XIII)** Community organization;

27 [(xiii)] **(XIV)** Development, implementation, and administration of
28 policies, programs, and activities; or

1 [(xiv)] (XV) Supervision of other social workers as set forth in
2 regulations.

3 (5) For an individual licensed as a certified social worker–clinical, “practice
4 social work” also includes:

5 (i) Supervision of other social workers;

6 (ii) Evaluation, diagnosis, and treatment of biopsychosocial
7 conditions, mental and emotional conditions and impairments, and behavioral health
8 disorders, including substance use disorders, addictive disorders, and mental disorders, as
9 defined in § 7.5–101 of the Health – General Article;

10 (iii) Petitioning for emergency evaluation under Title 10, Subtitle 6
11 of the Health – General Article; [and]

12 (iv) The provision of psychotherapy;

13 (V) **AUTHORIZING SICK LEAVE IN ACCORDANCE WITH § 9–504**
14 **OF THE STATE PERSONNEL AND PENSIONS ARTICLE;**

15 (VI) **CERTIFYING INVOLUNTARY ADMISSION IN ACCORDANCE**
16 **WITH § 10–616(A)(1) OF THE HEALTH – GENERAL ARTICLE;**

17 (VII) **CERTIFYING COMPETENCY IN ACCORDANCE WITH §**
18 **13–705(C)(2)(II)2B OF THE ESTATES AND TRUSTS ARTICLE;**

19 (VIII) **DETERMINING ELIGIBILITY FOR THE TEMPORARY**
20 **DISABILITY ASSISTANCE PROGRAM UNDER COMAR 07.03.05;**

21 (IX) **DETERMINING ELIGIBILITY FOR MARYLAND**
22 **TRANSPORTATION AUTHORITY MOBILITY;**

23 (X) **ACTING AS A HEALTH CARE PROVIDER FOR PURPOSES OF**
24 **HEALTH CARE MALPRACTICE CLAIMS UNDER TITLE 3, SUBTITLE 2A OF THE**
25 **COURTS ARTICLE; AND**

26 (XI) **ACTING AS AN AUTHORIZED PROVIDER FOR PURPOSES OF**
27 **WORKERS’ COMPENSATION AND RECEIVING REIMBURSEMENT UNDER COMAR**
28 **14.09.08.**

29 19–205.

30 (A) In addition to the powers and duties set forth elsewhere in this title, the Board
31 has the following powers and duties:

- 1 (1) To adopt rules and regulations to carry out the provisions of this title;
- 2 (2) To adopt a code of ethics;
- 3 (3) To adopt an official seal;
- 4 (4) To hold hearings and keep records and minutes necessary for the
5 orderly conduct of business;
- 6 (5) To issue a list annually of all currently licensed social workers and all
7 social workers disciplined by the Board in the past year in accordance with § 4–333 of the
8 General Provisions Article; and
- 9 (6) To investigate an alleged violation of this title.

10 **(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE BOARD MAY**
11 **ADOPT REGULATIONS REGARDING REQUIREMENTS FOR ENGAGEMENT IN ACTS OF**
12 **SOCIAL WORK THAT ARE NOT SPECIFICALLY AUTHORIZED UNDER THIS TITLE BUT**
13 **ARE OTHERWISE AUTHORIZED BY STATUTE OR REGULATION AND MAY:**

14 **(1) BE PERFORMED UNDER ANY CONDITION AUTHORIZED BY THE**
15 **BOARD;**

16 **(2) REQUIRE EDUCATION AND CLINICAL EXPERIENCE IN ADDITION**
17 **TO THE REQUIREMENTS OF THIS TITLE; AND**

18 **(3) REQUIRE BOARD CERTIFICATION.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2024.