

SENATE BILL 145

J2
HB 173/22 – HGO

EMERGENCY BILL

3lr0886
CF HB 103

By: ~~Senator West~~ Senators West and M. Washington

Introduced and read first time: January 16, 2023

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 10, 2023

CHAPTER _____

1 AN ACT concerning

2 **State Board of Social Work Examiners – ~~Temporary License~~ Conditional and**
3 **Temporary Licenses to Practice Social Work**

4 FOR the purpose of ~~requiring~~ authorizing the State Board of Social Work Examiners, under
5 certain circumstances, to issue a ~~temporary conditional~~ license to practice social
6 work; authorizing the State Board of Social Work Examiners to issue a temporary
7 license to practice social work to certain applicants who meet certain requirements;
8 and generally relating to ~~a temporary license conditional and temporary licenses to~~
9 practice social work.

10 BY repealing and reenacting, without amendments,
11 Article – Health Occupations
12 Section 19–101(a)
13 Annotated Code of Maryland
14 (2021 Replacement Volume and 2022 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Health Occupations
17 Section 19–101(e) and 19–310(a)
18 Annotated Code of Maryland
19 (2021 Replacement Volume and 2022 Supplement)

20 BY adding to
21 Article – Health Occupations
22 Section ~~19–101(u) and~~ 19–101(c–1) and (u), 19–309.1, and 19–309.2

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 Annotated Code of Maryland
2 (2021 Replacement Volume and 2022 Supplement)

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

5 **Article – Health Occupations**

6 19–101.

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

8 **(C–1) “CONDITIONAL LICENSE” MEANS A LICENSE ISSUED BY THE BOARD**
9 **UNDER, AND AS LIMITED BY, § 19–309.1 OF THIS TITLE TO PRACTICE:**

10 **(1) BACHELOR SOCIAL WORK; OR**

11 **(2) MASTER SOCIAL WORK.**

12 (e) “License” means, unless the context requires otherwise[, one]:

13 **(1) ONE** of four categories of licenses issued by the Board authorizing an
14 individual to practice:

15 [(1)] **(I)** Bachelor social work;

16 [(2)] **(II)** Master social work;

17 [(3)] **(III)** Certified social work; or

18 [(4)] **(IV)** Certified social work–clinical; ~~OR~~

19 **(2) A TEMPORARY LICENSE ISSUED BY THE BOARD; OR**

20 **(3) A TEMPORARY LICENSE ISSUED BY THE BOARD.**

21 **(U) “TEMPORARY LICENSE” MEANS A LICENSE ISSUED BY THE BOARD**
22 **UNDER, AND AS LIMITED BY, § 19–309.1 § 19–309.2 OF THIS TITLE TO PRACTICE:**

23 **(1) BACHELOR SOCIAL WORK; OR**

24 **(2) MASTER SOCIAL WORK.**

25 **19–309.1.**

1 (A) IF AN ADMINISTRATIVE DELAY FOR ANY REASON OR AN UNFORESEEN
2 CIRCUMSTANCE, ACT, OR OCCURRENCE PREVENTS AN EXAMINATION REQUIRED
3 UNDER THIS SUBTITLE FROM BEING AVAILABLE TO AN APPLICANT FOR A PERIOD OF
4 AT LEAST 7 15 BUSINESS DAYS, THE BOARD ~~SHALL~~ MAY ISSUE A ~~TEMPORARY~~
5 CONDITIONAL LICENSE TO AN APPLICANT WHO, EXCEPT FOR PASSING THE
6 EXAMINATION, HAS MET THE APPROPRIATE EDUCATION AND EXPERIENCE
7 REQUIREMENTS OF THIS SUBTITLE FOR A LICENSE ISSUED UNDER § 19-302 OF THIS
8 SUBTITLE TO PRACTICE:

9 (1) BACHELOR SOCIAL WORK; OR

10 (2) MASTER SOCIAL WORK.

11 (B) A ~~TEMPORARY~~ CONDITIONAL LICENSE ISSUED UNDER THIS SECTION
12 AUTHORIZES THE HOLDER TO PRACTICE SOCIAL WORK IN THE STATE ONLY UNDER
13 THE SUPERVISION OF A BOARD-APPROVED SUPERVISOR WHILE THE ~~TEMPORARY~~
14 CONDITIONAL LICENSE IS EFFECTIVE.

15 (C) A ~~TEMPORARY~~ CONDITIONAL LICENSE IS VALID UNTIL 180 DAYS AFTER
16 THE EXAMINATION BECOMES READILY AVAILABLE TO THE APPLICANT.

17 (D) ON OR BEFORE DECEMBER 31 EACH YEAR, BEGINNING IN 2024, THE
18 BOARD SHALL REPORT TO THE SENATE FINANCE COMMITTEE AND THE HOUSE
19 HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, IN ACCORDANCE WITH §
20 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE FOLLOWING INFORMATION FOR
21 THE IMMEDIATELY PRECEDING 12-MONTH PERIOD:

22 (1) WHETHER THE EXAMINATION WAS UNAVAILABLE AT ANY TIME
23 DURING THE REPORTING PERIOD; AND

24 (2) IF THE EXAMINATION WAS UNAVAILABLE:

25 (I) THE NUMBER OF APPLICANTS WHO WERE ELIGIBLE FOR A
26 CONDITIONAL LICENSE DUE TO THE UNAVAILABILITY OF THE EXAMINATION;

27 (II) THE NUMBER OF APPLICANTS WHO APPLIED TO TAKE THE
28 EXAMINATION;

29 (III) THE NUMBER OF APPLICATIONS THAT WERE DELAYED IN
30 PROCESSING; AND

31 (IV) THE NUMBER OF CONDITIONAL LICENSES ISSUED UNDER
32 THIS SECTION.

1 19-309.2.

2 (A) THE BOARD MAY ISSUE A TEMPORARY LICENSE TO AN APPLICANT WHO,
3 EXCEPT FOR PASSING AN EXAMINATION OTHERWISE REQUIRED UNDER THIS
4 SUBTITLE, HAS MET THE APPROPRIATE EDUCATION AND EXPERIENCE
5 REQUIREMENTS OF THIS SUBTITLE FOR A LICENSE ISSUED UNDER § 19-302 OF THIS
6 SUBTITLE TO PRACTICE:

7 (1) BACHELOR SOCIAL WORK; OR

8 (2) MASTER SOCIAL WORK.

9 (B) A TEMPORARY LICENSE ISSUED UNDER THIS SECTION AUTHORIZES THE
10 HOLDER TO PRACTICE SOCIAL WORK IN THE STATE ONLY WITHIN THE SCOPE OF THE
11 SPECIFIC CATEGORY OF LICENSE ISSUED BY THE BOARD WHILE THE TEMPORARY
12 LICENSE IS EFFECTIVE.

13 (C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
14 TEMPORARY LICENSE IS VALID UNTIL THE EARLIER OF:

15 (I) NOTIFICATION OF PERMANENT LICENSURE; OR

16 (II) 2 YEARS AFTER THE DATE ON WHICH THE TEMPORARY
17 LICENSE WAS ISSUED.

18 (2) THE BOARD MAY RENEW A TEMPORARY LICENSE FOR AN
19 ADDITIONAL TERM ONLY:

20 (I) ON THE GOVERNOR'S DECLARATION OF A STATE OF
21 EMERGENCY BY EXECUTIVE ORDER OR PROCLAMATION;

22 (II) FOR A SERVICE MEMBER OR MILITARY SPOUSE UNDER §
23 1-703 OF THIS ARTICLE; OR

24 (III) FOR GOOD CAUSE ON THE WRITTEN RECOMMENDATION OF
25 ONE LICENSED SOCIAL WORKER AND ONE BOARD-APPROVED SUPERVISOR OF THE
26 TEMPORARY LICENSE HOLDER.

27 19-310.

28 (a) Unless the Board agrees to accept the surrender of a license, a licensed social
29 worker **OR THE HOLDER OF A CONDITIONAL OR TEMPORARY LICENSE** may not
30 surrender the license nor may the license lapse by operation of law while the licensee is
31 under investigation or while charges are pending against the social worker.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act ~~shall take effect~~
2 ~~October 1, 2023~~ is an emergency measure, is necessary for the immediate preservation of
3 the public health or safety, has been passed by a yea and nay vote supported by three-fifths
4 of all the members elected to each of the two Houses of the General Assembly, and shall
5 take effect from the date it is enacted. It shall remain effective through July 1, 2025, and,
6 at the end of July 1, 2025, this Act, with no further action required by the General
7 Assembly, shall be abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.