

Chapter 317

(Senate Bill 145)

AN ACT concerning

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

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

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

BY adding to
Article – Health Occupations
Section 19–101(c–1) and 19–309.1
Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

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

~~BY adding to~~
~~Article – Health Occupations~~
~~Section 19–101(u) and 19–101(e–1) and (u), 19–309.1, and 19–309.2~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2022 Supplement)~~

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

Article – Health Occupations

19–101.

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

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

(1) BACHELOR SOCIAL WORK; OR

(2) MASTER SOCIAL WORK.

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

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

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

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

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

[(4)] (IV) Certified social work-clinical; ~~OR~~ OR

(2) A ~~TEMPORARY~~ CONDITIONAL LICENSE ISSUED BY THE BOARD; ~~OR~~

(3) ~~A TEMPORARY LICENSE ISSUED BY THE BOARD.~~

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

(1) ~~BACHELOR SOCIAL WORK; OR~~

(2) ~~MASTER SOCIAL WORK.~~

19-309.1.

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

- (1) BACHELOR SOCIAL WORK; OR
- (2) MASTER SOCIAL WORK.

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

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

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

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

(2) IF THE EXAMINATION WAS UNAVAILABLE:

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

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

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

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

~~19-309.2.~~

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

- ~~(1) BACHELOR SOCIAL WORK; OR~~

~~(2) MASTER SOCIAL WORK.~~

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

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

~~(I) NOTIFICATION OF PERMANENT LICENSURE; OR~~

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

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

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

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

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

19-310.

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

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

Approved by the Governor, May 3, 2023.