

Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

**SFA****BILL ANALYSIS**

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

House Bill 4274 (Substitute S-3 as reported)

Sponsor: Representative David Gubow

House Committee: Health Policy

Senate Committee: Economic Development, International Trade and Regulatory Affairs

Date Completed: 12-8-98

### **RATIONALE**

Social workers often play an integral role in approaches used to help individuals, families, and groups cope with and resolve personal, family, and community problems. Social workers often work in a variety of settings, including hospitals, schools, mental health clinics, and public agencies where they help people deal with their relationships with others. Through direct counseling, social workers help clients identify their concerns, consider solutions, and find resources for assistance. Since social workers often refer clients to health care specialists in various areas, they frequently work with other health care professionals, such as psychologists, counselors, and marriage and family therapists who are regulated under the Public Health Code. Social workers, however, are still regulated under the Occupational Code. Some people believe that these professionals are members of a health care field similar to psychologists, counselors, and marriage and family therapists, and thus should be regulated under the Public Health Code instead of the Occupational Code.

### **CONTENT**

**The bill would amend the Public Health Code to provide for the registration and regulation of social workers; specify application and license fees (which would be the same as current fees); and repeal Article 16 of the Occupational Code, which currently provides for the registration and regulation of social workers.** The bill would take effect December 31, 1998, and is tie-barred to House Bill 5736.

The bill also would create the Michigan Board of Social Work in the Department of Consumer and Industry Services and require the Board to register social workers. The Board would consist of four certified social workers, two social workers, and

three public members. Current members of the Board of Examiners of Social Workers would serve as the initial members of the new Board until their successors were appointed or until their respective terms expired, whichever occurred first. The mandatory academic training for social workers would have to be obtained from an accredited training program, college, or university that was approved by the Board.

A person registered under current provisions of the Occupational Code on the bill's effective date would remain registered until the registration expired; then he or she could renew the registration under the provisions of the Public Health Code.

Rules promulgated by the current board and in effect on the bill's effective date would continue in effect to the extent that they did not conflict with the Code, and would have to continue to be enforced. The rules could be amended or rescinded by the Director of the Department.

(House Bill 5736 (H-2) would amend the Nonprofit Health Care Corporation Reform Act to specify that a health care corporation would not be required to reimburse for services performed by a member of a health care profession that was not licensed or registered on or before January 1, 1998, but became a licensed or registered health care profession after January 1, 1998.)

MCL 333.16131 et al.

### **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

### **Supporting Argument**

Under the bill, the regulation of social workers

would be moved from the Occupational Code to the Public Health Code, which regulates health care professionals such as psychologists, counselors, and marriage and family therapists. All of these fields are subject to confidentiality provisions, require education and experience in order for individuals to enter the fields as independent practitioners, and share some individual practitioners--for instance, an individual may be both a psychologist and a marriage and family therapist. In addition, placing the regulation of this profession under the code that regulates other health care professions would assist the public and members of the other health care professions to file complaints, analyze discrepancies, and make inquiries regarding the performance of social workers. Apparently, there are no current provisions in the Occupational Code that address these concerns.

Legislative Analyst: N. Nagata

#### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: M. Tyszkiewicz

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.