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SFA**BILL ANALYSIS**

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Senate Bill 189 (as introduced 2-18-03)
Sponsor: Senator Bev Hammerstrom
Committee: Health Policy

Date Completed: 5-14-03

CONTENT

The bill would amend Part 185 (Social Work) of the Public Health Code to require that, beginning one year after the bill's effective date, social workers obtain a license, rather than a registration or certification, from the State. Specifically, the bill would:

- Create two levels of licensure, a licensed master's social worker (L.M.S.W.) and a licensed bachelor's social worker (L.B.S.W.).
- Require that candidates for L.M.S.W. and L.B.S.W. licenses complete at least two years of full-time, postdegree experience practicing under the supervision an L.M.S.W., and that they obtain a limited license during this time.
- Exempt certain practitioners, including ordained clerics and social workers providing certain services to nonprofit organizations, from licensure requirements.
- Require the Michigan Board of Social Workers to grant full licensure to certified or registered social workers after their current certificate or registration expired, upon application for renewal.
- Require that L.B.S.W. and L.M.S.W. candidates seeking to practice psychotherapy complete at least two years of postmaster's degree experience in the practice of psychotherapy under the supervision of an L.M.S.W., and meet other requirements.
- Change the title of "social work technician" to "social service technician".
- Require The Board to establish continuing education requirements for licensees and registrants.

Current Requirements

Registered Social Worker. Currently, a person may not represent himself or herself as a social worker unless he or she is registered with the Michigan Board of Social Workers. The Board may grant a registration only if the applicant meets all of the following:

- Has obtained a bachelor's degree from a Board-approved college or university.
- Has two or more years of social work experience acceptable to the Board or is enrolled in a graduate school of social work approved by the Board, or has a master's degree from an accredited school of social work approved by the Board or has the equivalent of 4,000 hours of service in social work with an agency recognized by the Board.
- Is employed as a social worker or is enrolled in a graduate school of social work, unless the individual has received a bachelor's or master's degree from an accredited, Board-approved school of social work.

The bill would eliminate these requirements.

Certified Social Worker. The Board may grant a registration as a certified social worker to a person who has both earned a master's degree from a Board-approved, accredited school of social work and completed two or more years of social work experience acceptable to the Board.

The bill would eliminate these requirements.

Social Work Technician. Currently, the Board grants registration as a social work technician to an person who has met both of the following requirements: 1) has had one year of social work experience acceptable to the

Board, or has successfully completed two years of college, and 2) is employed in the practice of social work. The second requirement may be waived if the individual has the equivalent of 2,000 hours of service in social work with a Board-recognized agency, or has received an associate degree in social work at a Board-approved college that includes supervised instructional field experience.

The bill would retain these requirements, but rename social work technicians as "social service technicians". The bill specifies that a social service technician would be specially trained to assist, and authorized only to practice under, an L.M.S.W. or an L.B.S.W.

Licensed Bachelor's Social Worker

Beginning one year after the bill's effective date, a person could not engage in the practice of social work at the bachelor's level without a license. "Practice of social work at the bachelor's level" would mean all of the following applied within the scope of social work values, principles, and techniques, not including the practice of medicine, the prescribing of drugs, the administration of electroconvulsive therapy, the practice of psychotherapy, or the administration or interpretation of psychological tests:

- The application of the knowledge of human development and behavior and social, economic, and cultural institutions.
- Social work case management and casework, including assessments, planning, referral, and intervention with individuals, families, couples, groups, communities, or institutions.
- Helping communities, organizations, or groups improve their social or health services by using social work values, practices, and techniques.
- The administration of assessment checklists that do not require special training or interpretation.

("Social work values, practices, and techniques" would mean a biopsychosocial approach of systematic intervention to enhance the developmental, problem solving, functioning, and coping capacities of individuals, couples, families, groups, communities, and institutions.)

A licensed bachelor social worker would have to have been awarded a bachelor's degree in social work from a college or university social work program approved by the Board. A licensed bachelor social worker could use only the titles "licensed bachelor social worker", "social worker", or "L.B.S.W."

Licensed Master's Social Worker

A person could not engage in the practice of social work at the master's level without a license, beginning one year after the bill's effective date. "Practice of social work at the master's level" would mean all of the following applied within the scope of social work values, principles, and techniques, excluding the practice of medicine, the prescribing of drugs, and the administration of electroconvulsive therapy:

- The application of the knowledge of human development and behavior and social, economic, and cultural institutions.
- Advanced social work case management and casework, advanced social emotional assessments, planning, referral, counseling, diagnosis of emotional and behavioral dysfunctions, and intervention with individuals, families, couples, groups, communities, and institutions.
- Helping communities, organizations, or groups improve their social or health services by the advanced use of social work values, practices, and techniques.
- Psychotherapy with individuals, families, couples, or groups and the diagnosis and treatment of mental, emotional, and behavioral disorders (but only after meeting the requirements described under Psychotherapy, below.)

A licensed master's social worker would have to have been awarded a master's or doctoral degree in the field of social work from a college or university social work program approved by the Board. A licensed social worker could use only the titles "licensed master's social worker", "social worker", or "L.M.S.W."

Two-Year PostDegree Experience

Supervised Practice. In order to obtain a license, both L.B.S.W. and L.M.S.W. would have to have completed at least two years of full-time postdegree experience, or the equivalent in part-time hours, in the practice

of social work under the supervision of a licensed master's social worker. For the first three years after the bill's effective date, however, the two-year experience would have to be performed under the supervision of a person with a master's or doctoral degree in social work. For an L.M.S.W. candidate, the supervisor also would have to have at least two years' experience practicing social work.

In addition, a licensed master's social worker employed by a school district would have to meet the requirements for school social workers contained in the Revised School Code (as currently required).

Limited License. The Board could grant a limited license to engage in the required two-year postdegree experience to a person who had completed all of the educational requirements for licensure as a bachelor social worker or a master's social worker. A limited license would be renewable for a maximum of six years.

During the two-year experience, the person would have to limit his or her practice to an agency, a health facility, an institution, or another entity approved by the Board.

Exemptions

The bill specifies that Part 185 would not apply to any of the following, provided that they did not hold themselves out to the public as licensed or registered social workers:

- A person not licensed or otherwise authorized to engage in the practice of social work at the bachelor's or master's level, or registered as a social service technician who donated his or her services, other than psychotherapy services, to a charitable nonprofit organization.
- An ordained cleric, if counseling were an element of his or her religious duties performed under the auspices or recognition of a church, denomination, religious association, or sect that had tax-exempt status under Section 501(c)(3) of the Internal Revenue Code.
- A certified, licensed, or otherwise statutorily recognized member of any other profession who practiced his or her profession as authorized by law.
- An individual who participated in a self-help, peer counseling, or support services

program provided by a charitable, nonprofit organization.

Part 185 also would not apply to a person engaged in a course of study leading to a degree in social work and participating in an internship supervised by an L.M.S.W.

People holding a master's or doctorate degree in social work from an accredited college or university would not be prohibited from using a title including "social work", if they did not engage in the practice of social work at the bachelor's or master's level.

Currently Registered Social Workers

The Board would have to grant a full license as a L.B.S.W. to an individual holding a certificate of registration as a social worker before the bill's effective date, and a full license as a L.M.S.W. to a person holding a registration as a certified social worker before that date, if they applied to the Board on or before the required date for renewal of their registration or certification.

Psychotherapy

A licensed master's social worker, who had been a certified social worker, seeking to practice psychotherapy would be prohibited from engaging in psychotherapy with individuals, families, couples, or groups, and the diagnosis and treatment of mental, emotional, and behavioral disorders, until he or she filed with the Department of Consumer and Industry Services an affidavit stating that he or she met all of the following requirements:

- Possessed a master's degree.
- As part of his or her practice as a certified social worker, had engaged in psychotherapy with individuals, families, couples, or groups, and the diagnosis and treatment of mental, emotional, and behavioral disorders.
- Had completed course work in normal human development and psychopathology and had completed courses in diagnosis, assessment, and treatment of individuals, couples, families, and groups.
- Had completed at least two years of supervised postmaster's degree experience in the practice of psychotherapy.

Upon receiving the affidavit and determining that the licensee had completed the required course work and the two years of supervised psychotherapy experience, the Department would have to certify the licensee as qualified to engage in psychotherapy.

If a person met the educational and experience requirements to be an L.M.S.W., and had not been a certified social worker, the Board would have to certify the person as qualified to practice psychotherapy if the licensee had completed course work in normal human development and psychopathology; had completed courses in diagnosis, assessment, and treatment of individuals, couples, families, and groups; and had completed at least two years of postmaster's degree experience in the practice of psychotherapy under the supervision of a licensed master's social worker. The Board could modify, but not diminish, these requirements by rule. The Board also could allow a licensee to submit an affidavit as evidence that he or she had met these requirements.

Renewal: Continuing Education Requirements

The Board would have to promulgate rules requiring a licensee seeking renewal to furnish evidence that during the three years immediately preceding the renewal application, the licensee or registrant had attended training courses or programs related to the practice of social work and designed to further educate licensees and registrants. The Board would have to establish by the rule the total number of course or program hours required, and the total number would have to be at least 60 clock hours. A portion of those 60 clock hours would have to be in social work ethics.

Board

Currently, the Michigan Board of Social Workers consists of nine, Governor-appointed members, including three public members, four certified social workers, and two members who are either certified or have actively practiced or taught social work for two years. The bill would require that, for board members appointed after the bill's effective date, the six appointed social workers would have to be licensed within three years after the bill's effective date.

MCL 333.16263 et al.

Legislative Analyst: Claire Layman

FISCAL IMPACT

The bill would change the regulation of social workers from a registered profession to a licensed profession. The cost to the Department of this change would be negligible (\$15,000 to \$20,000 for information technology), as the responsibilities and workload would be similar. This bill, however, would add continuing education requirements, which do increase costs as audits are required of sample populations within a profession to ensure compliance. There is no additional revenue proposed to cover these costs, which are estimated at approximately \$90,000. These costs would include salaries for two additional staff, not including fringe benefits.

Fiscal Analyst: Maria 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.