

Testimony Prepared for the
Senate Workforce Development Committee

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By: Jennifer Boeckel

Chairperson of the North Dakota Board of Social Work Examiners

RE: Senate Bill 2357

Chairperson Roers, and Senate Workforce Development Committee members: On behalf of the North Dakota Board of Social Work Examiners, we respectfully submit our opposition to Senate Bill 2357, which proposes the creation of a composite mental health licensing board. We understand the intent behind the bill, which aims to streamline regulation and oversight of various mental health professionals. However, we believe that the establishment of a composite board, as outlined in the bill, presents significant challenges to effective and specialized regulation of each profession and does not account for the unique needs and requirements of the various professions involved. We respectfully ask that this bill be moved to a study instead of proceeding with its current form.

Each of the professions regulated by the existing boards—social work, psychology, addiction counseling, professional counseling, marriage and family therapy—has distinct and unique roles, responsibilities, and ethical standards. These professions differ in terms of their practice models, education requirements, licensure processes, and codes of ethics. Creating a single composite board to oversee all these areas of practice would be an immense challenge, as it would be difficult to ensure that the distinct regulatory requirements of each profession are properly adhered to.

For example, the scope of practice for each profession is unique, and so are the skills and knowledge required for licensure at different levels. Social work, for instance, has three distinct licensure levels—LBSW, LMSW, and LCSW—with specific educational, training, and experience requirements for each licensure level. Within the scope of practice for LBSW and LMSW licensure the emphasis is not always on mental health. A composite mental health board would have to be able to effectively represent each licensure level and the unique aspects of social work practice which can include but is not limited to: child and family social work, veteran social work, healthcare social work, international social work, social justice, disaster relief, administration and management, community organizations, public policy, and public welfare. The composition of any governing body would need to reflect this diversity in a manner that ensures all licensees are appropriately represented and that the ethical standards and practices specific to each licensure level are upheld. This would likely require subcommittees or specialized working groups for each profession, leading to a more complex and less efficient regulatory process.

In addition to the concerns about effective regulation, we must also consider the ongoing work on the Social Work Compact, HB1035, currently referred to workforce development. The compact, if enacted, would allow social workers to practice across state lines in participating states, and we believe North Dakota is likely to adopt this compact in the near future. The provisions of the compact will come with specific regulatory requirements that we must meet to fully participate in this interstate compact. It is essential that our existing structure, which is well-aligned with the compact's requirements, remains intact until we have a clear understanding of how those requirements will impact our licensure processes.

Without a comprehensive understanding of these new compact requirements, it is difficult to evaluate how a composite board would fit into this evolving regulatory framework. Creating a new composite board at this time could potentially complicate our ability to comply with the compact's standards or create conflicts with existing social work licensure rules.

Given the complexity of the issues raised by SB 2357 and the importance of understanding the long-term implications for each profession, we strongly urge that the bill be referred to a study rather than moving forward with its passage. A thorough study would allow stakeholders from each profession to have a deeper discussion about the potential impact of such a composite board and consider alternative solutions that could achieve the goal of more efficient regulation while preserving the integrity of each profession.

In conclusion, while we understand the desire to streamline regulatory processes, we believe that SB 2357, as it stands, could lead to significant challenges for the professions under its jurisdiction, particularly in ensuring that the unique needs of social work and other mental health professions are adequately met.

Thank you for your consideration of our concerns.