

Licensing of Social Workers and the Impact on County Social Services
Interim Health Services Committee
January 3, 2018

Chairman Lee, and members of the Interim Health Services Committee, I am Steven Reiser, LSW, Director of Dakota Central Social Services. Today I speak as a member of the North Dakota County Social Service Director's Association regarding licensing of social workers and concerns regarding how changes to statute or rules may impact county social services.

County social service agencies throughout North Dakota employ a variety of professionals in order to provide critical services to vulnerable North Dakota citizens. As a legal designee of the Department of Human Services, all county social service personnel are subject to merit system position classification requirements and limitations established by HRMS. Through the state classification process parameters are established for position minimum qualifications. For some positions, the Medicaid State Plan (and ultimately CMS) guides HRMS in determining educational and professional requirements.

NDCC defines which programs county social service agencies are legally designated to administer. In administering the defined programs, a service referred to as "*case management*" is provided. This is a task in which an agency representative helps to plan, coordinate, refer, monitor, and report upon established client goals and outcomes in accordance with state and federal law, policy and rule. As county agencies, the scope of our legally designated programs do not include counseling or clinical social work services. At times, we may have staff credentialed to be able to provide counseling or clinical services, but they do not practice counseling or clinical work in their county position and their formalized job description does not include counseling or clinical social work duties.

Beginning in the 1980's, North Dakota county-level personnel performing Home and Community Based Services (HCBS) and Child Welfare case management services were required to be a licensed Social Worker and maintain licensure status. North Dakota was one of just a few states that limited child welfare related work solely to individuals with a social work

educational background. For example, Minnesota does not require child-welfare case managers to be licensed social workers.

By the early 2000s, there was a significant social worker shortage in North Dakota. By the time that the oil boom hit, the system was crippled by lack of workers, growing caseloads, and employee turnover prompted by job burnout and retirement. It was noted that this limitation to only employ licensed social workers for case management positions was unique to county work. Many other human service-related agencies including ND DHS, Human Service Centers and the Department of Juvenile Services were historically able to fill case management positions with a variety of educational backgrounds including, but not limited to social work.

In 2014, in response to a workforce crisis, HRMS and CMS approved that North Dakota additionally offer a Family Service Specialist classification series for child-welfare related case management work. This allowed us the option to consider other educational backgrounds for child welfare case management positions in addition to social work.

It should be noted that prior to the change in 2014, the North Dakota Board of Social Workers Examiners was consulted. It was agreed that “*case management*” was not unique to licensed social workers and that the licensing board had no governance over case management services occurring outside of licensed social work. Assurance was further provided that social work practice in North Dakota was considered “*title-protected*” vs. “*duty-protected*” meaning only individuals who have met the licensing requirements can call themselves a licensed social worker. Furthermore, those claiming to be licensed social workers are considered subject to the rules and laws governing social work.

Today, there are about 73 individuals actively working as Family Service Specialists working in child welfare case management at the county-level. This is in addition to positions referred to as Social Worker I, II, and III in which only an individual who is licensed in North Dakota as a social worker can fill. Counties, as employers, have the option of utilizing the Family Service Specialist classification or using the more traditional Social Work classification option. However, in result of this change, agencies have been able to fill positions with qualified personnel to meet client needs and allowed flexibility to determine what is best for

their community. To be clear, Family Service Specialists do not hold themselves to be a licensed social worker, unless they hold that specific credentialing in the State of North Dakota.

During the 2017 legislative session, our association learned of SB 2293 which was introduced at the request of the ND Board of Social Work Examiners. While introduced as a bill to increase the workforce, this 20+ page bill dramatically proposed to change social work in North Dakota and the functionality of the Board. As an Association, we had significant and profound concerns about this vast bill and we attempted to work with the ND Board of Social Work Examiners to rectify the concerns during session.

Our Association ultimately testified in opposition of the bill. SB 2293 was defeated. As I previously testified counties use other professionals to do case management. SB 2293 defined case management and it appeared to our Association that the Board was trying to regulate more than just social workers.

As an Association, we also have great concern about supervision-type requirements previously proposed and since discussed by the Board of Social Work Examiners. We have a strong appreciation for supervision for the purpose of training and licensure maintenance. However, it is critical that no licensing board overstep or diminish the responsibility, duty, and rights of an employer to supervise, direct, and oversee personnel.

Take myself, for example. According to SB 2293, as a licensed social worker, I would only be supervised by another licensed social worker with equal or greater credentialing than myself. Therefore, unless the members of the Dakota Central Social Service Board and/or County Commission consisted of social workers, they would have no authority over me as their employee. Additionally, it is not a requirement of a County Director to be a licensed social worker. Rather, according to the classification requirements set forth, a variety of educational backgrounds meet the requirements for this administrative leadership position. SB 2293, would have limited the authority of a County Director, who does not hold a North Dakota Social Work license, from overseeing, supervising and directing agency personnel. As an Association, we are very concerned about limitations to the ability of employers to supervise, direct or oversee personnel including licensed social workers.

Since the 2017 legislative assembly the ND County Director's Association has made further efforts to educate the board regarding our concerns and to become engaged in the board process/meetings. The Board also appears to be making further effort to move North Dakota towards "*duty-protection*" vs. "*title-protection*" setting the stage for a profound ripple effect. We are very concerned about this philosophical change, the disregard to potential impact upon practice outside of licensed social work and current systems.

As an Association, we do respect the work of the licensing board, the law and regulations that define social work practice, and the importance of social work. However, we remain very concerned about potential changes and the unintended (or intended) consequences and how this may impact the ability to serve clients throughout North Dakota.

Thank you for your time. I would be happy to answer any questions from the committee.

State	Title or Duty Protection	Renewal Period (years)	CEUs needed	Initial Lic. Fee	Renewal Fee	Individual or Joint Oversight	Reference	Notes					
Alabama	Title	2	30	\$50	\$25	Individual	http://www.abswe.state.al.us/	CEUs: 10 in person, 20 indep study and 3 hrs ethics					
Alaska	Title	2	45	\$400	300-400	Individual	https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing.aspx	CEUs: 3hr ethics/6hrs cross cultural ed/3hr Alaska Native ed. Under the Department of Commerce, Community and Economic Development - Corporations, Business & Professional Licensing					
Arizona	Title	2	30	350-500	350-500	Joint: Board of Beh	http://www.azbhe.us/node/12	CEUs: 3hrs ethics, 3hrs cultural comp. Includes: Social Work, Counseling, Marriage and Family Therapy, Substance Abuse Counseling					
Arkansas	Title	2	48	\$100	\$80	Individual	http://www.arkansas.gov/swlw/	CEUs: 3hr ethics					
California	Title	2	36	\$175	\$110	Joint: Board of Beh	https://www.bbs.ca.gov/	CEUs: can all be online sources. Must pass ethics exam each renewal. Includes: Marriage and Family Therapists, Clinical Social Workers, Counselors, Psychologists. Individuals with a BSW or MSW can practice social work without being licensed.					
Colorado	Title	2	40	\$70	\$70	Individual	https://www.colorado.gov/pacific/dora/Social_Work	Must pass a Jurisprudence Exam. Under the Department of Regulatory Agencies.					
Connecticut	Title	1	15	\$315	\$195	Joint: Department	http://www.ct.gov/dph/cwp/view.aspx?as31218&q389604	CEUs: 2hrs mental health conditions common to Veterans, 6hr online allowed.					
Delaware	Title	2	45	\$163	\$163	Individual	https://dpr.delaware.gov/boards/socialworkers/	CEUs: 3hrs ethics, limit of 10 hrs self study. MSW level only. Under the Department of Professional Regulations					
Florida	Title	2	30	\$205	\$130	Joint: Board of Clin	http://floridamentalealthprofessions.gov/	CEUs: Must pass an 8hr laws and rules course, complete 3hr HIV/AIDS course and 2hr domestic violence course. 2hrs medical errors, 3hrs ethics each renewal and 3hrs laws and rules and 2hrs domestic violence once every 6 yrs. MSW level only.					
Georgia	Title	2	35	\$100	\$100	Joint: Georgia Boar	http://sos.ga.gov/index.php/licensing/plb/43	CEUs: 5hrs ethics, limit of 10 hrs self study.					
Hawaii	Title	3	45	\$281	\$281	Individual	http://cca.hawaii.gov/pol/programs/socialworker/	CEUs: 3hr ethics. Under Department of Commerce and consumer Affairs-Professional and Vocational Licensing					
Idaho	Title	1	20	\$160	\$90	Individual	https://adminrules.idaho.gov/rules/current/24/1401.pdf	CEUs: 1hr ethics, 10 hr limit self study. Under the Idaho Bureau of Occupational Licenses					
Illinois	Title	2	30	\$300		Individual	https://www.idfpr.com/profs/SocialWorker.asp	CEUs: 3hr ethics and 3hr cultural comp.					
Indiana	Title	2	40	\$50		Joint: Behavioral h	https://www.in.gov/pla/social.htm	CEUs: 2hr ethics, 20 hr limit self study. Under Indiana Professional Licensing Agency					
Iowa	Title	2	27	\$120	\$120	Individual	https://idph.iowa.gov/Licensure/Iowa-Board-of-Social-Work	Under Iowa Department of Health					
Kansas	Title	2	40	\$20	\$100	Joint: Kansas Beha	https://ksbsrb.ks.gov/professions/social-workers	CEUs: 6hr safety awareness training during 1st year. 6hrs mental health and 10 hrs limit on self study. Under Kansas Behavioral Sciences Regulatory Board					
Kentucky	Title	3	30	\$25	75-200	Individual	https://bssw.ky.gov/Pages/index.aspx	CEUs: 3hr ethics, 3 hr domestic violence (1st renewal only), 1.5 hr every 6 years for pediatric head trauma, 6hrs suicide prevention training once every six years.					
Louisiana	Title	1	20	50-100	50-100	Individual	https://www.labsw.org/page/about-us	CEUs: 3 hr ethics					
Maine	Title	2	25	\$95	\$95	Individual	http://www.maine.gov/dfr/professionallicensing/professions/social_workers/licens	Under Maine Professional and Financial Regulation					
Maryland	Title	2	40	\$75	100-275	Individual	https://health.maryland.gov/bswe/Pages/default.aspx	CEUs: 3 hr ethics 20 hr limit on self study. Under Maryland Department of Health					
Massachusetts	Title	2	30	42-82	42-82	Individual	https://www.mass.gov/orgs/department-of-registration-of-social-workers						
Michigan	Title	3	45	\$230	\$230	Individual	http://www.michigan.gov/lawa/0,4601,7-154-72600_72603_27529_27554---00.htm	CEUs: 5hr ethics, 1 hr pain management. Under Department of Licensing and Regulatory Affairs					
Minnesota	Title	2	40	126-238	126-238	5 Individual	https://mn.gov/boards/social-work/	CEUs: 2 ethics. Limit of 15 hrs ind study.					
Mississippi	Title	2	40	70-100	70-100	Joint: Mississippi S	http://www.swnft.ms.gov/						
Missouri	Title	2	30	\$60	\$58	Individual	http://pr.mo.gov/socialworkers.asp	Under Missouri Division of Professional Registration					
Montana	Title	1	20	\$175	\$100	Joint: Board of Beh	http://boards.bsd.dli.mt.gov/bbhh172	Under Montana Department of Labor and Industry					
Nebraska	Title	2	32	50-125	50-125	Joint: Nebraska De	http://dhhs.ne.gov/publichealth/pages/cr/MHPSWHome.aspx	CEUs: 2hr ethics					
Nevada	Title	1	30	\$100	\$100	Individual	http://socwork.nv.gov/	CEUs: 2hr ethics and 2hr suicide prevention					
New Hampshire	Title	2	40	\$405	\$270	Joint: N.H. Board o	https://www.apic.nh.gov/mental-health/	CEUs: 6hr ethics and 3hr suicide prevention. Under Office of Professional Licensure and Certification					
New Jersey	Title	2	20-40	\$75	\$75	Individual	https://licdnsmemberships.asu/sw/Pages/applications.aspx	Under N.J. Division of Consumer Affairs					
New Mexico	Title	2	30	75-125	100-200	Individual	https://www.rid.state.nm.us/boards/social_work.aspx	CEUs: 6hr cultural awareness. Under N.M. Regulation and Licensing Department					
New York	Title	3	36	\$294	\$224	Individual	http://www.op.nysed.gov/prof/sw/	CEUs: 12hr self study limit. Under N.Y. Office of the Professions					
North Carolina	Title	2	40	\$115	70-150	Individual	http://www.ncswboard.org/	CEUs: 4hr ethics					
North Dakota	Title	2	30	\$100	\$75	Individual	http://www.ndbsw.com/	CEUs: 2hr ethics					
Ohio	Title	2	30	\$80	60-100	Joint: Ohio-Course	http://cswmft.ohio.gov/	CEUs: 3hr ethics					
Oklahoma	Title	2	150	\$100	\$36	Individual	https://www.ok.gov/socialworkers/	CEUs: 3hr ethics					
Oregon	Title	2	40	150-460	\$286	Individual	http://www.oregon.gov/dsw/Pages/index.aspx	CEUs: 6hr ethics. Must past Jurisprudence exam.					
Pennsylvania	Title	2	30	\$65	\$95	Joint: State Board	http://www.dos.pa.gov/Professionallicensing/BoardsCommissions/SocialWorkersM	CEUs: 3 hr ethics					
Rhode Island	Title	2	30	\$70	\$70	Individual	http://health.ri.gov/licenses.detail.php?id=245	CEUs: 3hr ethics and 3hr cultural comp. Under the R.I. Department of Health					
South Carolina	Title	2	40	\$45	\$90	Individual	http://www.lir.state.sc.us/POI/SocialWorkers/	Under S.C. Department of Labor, Licensing, Regulation					
South Dakota	Title	2	30	90-210	90-210	Individual	http://dss.sd.gov/licensingboards/social.aspx	Under S.D. Department of Social Services					
Tennessee	Title	2	18-30	110-235	110-235	Joint: Health Profe	https://www.tn.gov/health/health-program-areas/health-professional-boards/sw-b	Under TN Department of Health					
Texas	Title	2	30	\$91	86-106	Individual	http://www.dshs.texas.gov/socialwork/default.shtml	CEUs: 6hr ethics. Must take Jurisprudence exam. Under TX Department of State Health Services.					
Utah	Title	2	20-30	\$85	78-93	Individual	https://dopl.utah.gov/licensing/social_work.html	CEUs: 3hr ethics. Under Utah Division of Occupational and Professional Licensing					
Vermont	Title	2	20	\$100	\$100	Individual	https://www.sec.state.vt.us/professional-regulation/list-of-professions/social-work	Under the VT Secretary of State- Office of Professional Regulation					
Virginia	Title	1	15	65-90	65-90	Individual	https://www.dhp.virginia.gov/social/	CEUs: 1hr ethics					
Washington	Title	2yr	36	35-216	35-216	Individual	https://www.doh.wa.gov/licensesPermitsandCertificates/ProfessionsNewRenewal	CEUs: 6hr ethics and 6hrs suicide assessment and treatment once every six years. MSW only.					
West Virginia	Title	2	40	\$100	\$65	Individual	http://wvsocialworkboard.org/	CEUs: 2 hr mental health trianing specific to Veterans, 1hr ethics					
Wisconsin	Title	2	30	\$165	\$165	Joint: Marriage and	https://dps.wi.gov/pages/Professions/SocialWorker?Default.aspx	CEUs: 4hr ethics					
Wyoming	Title	2	45	150-300	\$100	Joint: Wyoming M	https://sites.google.com/a/two.gov/wyoming-mental-health-professions-licensing-b	CEUs: 3hr ethics					

All 50 states require the ASWB exam for licensure.

The range in licensure fees displays diffent fee levels for different licensure levels - Example: Bachlors vs Masters vs Indendent Clinical Practitioner

The range in ceus displays the different requirements depending on the licensure level.

Reciprocity: Most states don't have a formal reciprocity but will accept the licensing requirements from other states if the state requires testing from ABSWE and similar licensing requirements.