APPENDIX AA

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 administrating 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 governess 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.

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ana Title a Title a Title tucky Title tucky Title siana Title ne Title yland Title sachusetts Title higan Title neosta Title	2 2 2 3 1 2 2 2 2 2 2 3	40 \$50 27 \$120 40 \$20 30 \$25 20 50-100 25 \$95 40 \$75 30 42-82	\$100 75-200 50-100 \$95 100-275	Joint: Behavioral hı Individaul Joint: Kansas Beha Individual Individual	https://www.in.gov/pla/social.htm https://dph.iowa.gov/Ircensure/Iowa-Board-of-Social-Work https://ksbsrb.ks.gov/professions/social-workers https://bsw.ks.gov/Pages/index.aspx	CEUs: 2hr ethics, 20 hr limit self study. Under Indiana Profesional Licensing Agency Under Iowa Department of Health CEUs: Shr safety awareness training during 1st year. 6hrs mental health and 10 hrs limit on self study. Under Kansas Behavioral Sciences Regulartory Board
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ne Title yland Title sachusetts Title higan Title nesota Title	2 2 2 3	25 \$95 40 \$75 30 42-82	\$95 100-275			CEUs: 3hr ethics, 3 hr domestic violence (1st renewal only),1.5 hr every 6 yrears for pediatric head trauma, 6hts suicide prevention training once every six years.
yland Title ssachusetts Title higan Title nesota Title	2 2 3	40 \$75 30 42-82	100-275		https://www.labswe.org/page/about-us	CEUs: 3 hr ethics
isachusetts Title higan Title nesota Title	2	30 42-82		Individual	http://www.maine.gov/pfr/professionallicensing/professions/social_workers/licens	is Under Maine Professional and Financial Regulation
higan Title nesota Title	3			Individual	https://health.maryland.gov/bswe/Pages/default.aspx	CEUs: 3 hr ethics 20 hr limit on self study. Under Maryland Department of Health
nesota Title			42-82	Individual	https://www.mass.gov/orgs/board-of-registration-of-social-workers	
		45 \$230	\$230	Individual	http://www.michigan.gov/lava/0,4601,7-154-72600 72603 27529 27554,00.ht	tr CEUs: Shr ethics, 1 hr pain management. Under Department of Licensing and Regulartory Affairs
issippi Title	2	40 126-238.	126-238.5	Individual	https://mn.gov/boards/social-work/	CEUs: 2 ethics. Limit of 15 hrs ind study.
	2	40 70-100	70-100	Joint: Mississippi S	http://www.swmft.ms.gov/	
souri Title	2	30 \$60	\$58	Individual	http://pr.mo.gov/socialworkers.asp	Under Missouri Division of Professional Registration
ntana Title	1				http://boards.bsd.dli.mt.gov/bbh#1?2	Under Montana Department of Labor and Industry
raska Title	2	32 50-125			http://dhhs.ne.gov/publichealth/pages/cr/MHPSWHome.aspx	CEUs: 2hr ethics
ada Title	1			Individual	http://socwork.nv.gov/	CEUs: 2hr ethics and 2hr suicide prevention
Hampshire Title	2				https://www.aplc.nh.gov/mental-health/	CEUs: 6hr ethics and 3hr suicide prevention. Under Office of Professional Licensure and Certification
Jersey Title		20-40 \$75		Individual	http://njconsumeraffairs.gov/sw/Pages/applications.aspx	Under N.J. Division of Consumer Affairs
Mexico Title	2				http://www.rld.state.nm.us/boards/social_work.aspx	CEUs: 6hr cultural awareness Under N.M. Regulation and Licensing Department
v York Title	3			Individual	http://www.op.nysed.gov/prof/sw/	CEUs: 12hr self study limit. Under N.Y. Office of the Professions
th Carolina Title	2		70-150		http://www.ncswboard.org/	CEUs: 4hr ethics
th Dakota Title	2				http://www.ndbswe.com/	CEUs: 2hr ethics
o Title	2				http://cswmft.ohio.gov/	CEUs: 3hr ethics
ahoma Title	2			Individual	https://www.ok.gov/socialworkers/	CEUs: 3hr ethics
gon Title	2			Individual	http://www.oregon.gov/blsw.Pages/index.aspx	CEUs: 6hr ethics. Must past Jurisprudence exam.
nsylvania Title	2			Joint: State Board o	http://www.dos.pa.gov/ProfessionalLicensing/BoardsCommissions/SocialWorkersN	
de Island Title	2			Individual	http://health.ri.gov/licenses.detail.php?id=245	CEUs: 3hr ethics and 3hr cultural comp. Under the R.I. Department of Health
th Carolina Title	2			Individual	http://www.llr.state.sc.us/POL/SocialWorkers/	Under S.C. Department of Labor, Licensing, Regulation
th Dakota Title	2			Individual	http://dss.ds.gov/licensingboards/social.aspx	Under S.D. Department of Social Services
nessee Title					https://www.tn.gov/health/health-program-areas/health-professional-boards/sw-l	
as Title	2		86-106	Individual	http://www.dshs.texas.gov/socialwork/default.shtm	CEUs: 6hr ethics. Must take Jurisprudence exam. Under TX Department of State Health Services.
h Title				Individual	https://dopl.utah.gov/licensing/social_work.html	CEUs: 3hr ethics. Under Utah Division of Occupational and Professional Licensing
mont Title	2			Individual	https://www.sec.state.vt.us/professional-regulation/list-of-professions/social-work	
inia Title	1			Individual	https://www.dhp.virginia.gov/social/	CEUs: 1hr ethics
hington Title	2yr	36 35-216				rt CEUs: 6hr ethics and 6hrs suicide assessment and treatment once every six years. MSW only.
st Virginia Title	2			Individual	http://wvsocialworkboard.org/	CEUs: 2 hr mental health trianing specific to Veterans, 1hr ethics
consin Title	2					CEUs: 4hr ethics
oming Title	2	45 150-300	\$100	Joint: Wyoming Me	https://sites.google.com/a/wo.gov/wyoming-mental-health-professions-licensing-b	br CEUs: 3hr ethics

All 50 states require the ASWB exam for licensure.

Au 3 statis require une Avarbe Seam für inclosure. The range in liceus displays the different levels for different licensure levels - Example: Bachlors vs Masters vs Indendent Clinical Practicioner The range in inclus displays the different requirements depending on the licensure level. Reciprocity: Notes states don't have a formal reciprovity but will accept the licensing requirements from other states if the state requires testing from ABSWE and similar licensing requirements.