

MAINE STATE LEGISLATURE

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SAR
ROS

L.D. 1990

Date: 3/14/24 Majority

(Filing No. H- 822)

HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1273, L.D. 1990, "An Act to Improve the Licensing Procedure for Certain Social Workers by Removing the Examination Requirement"

Amend the bill by striking out the title and substituting the following:

'Resolve, to Establish the Commission to Evaluate the Requirements for Licensing of Social Workers'

Amend the bill by striking out everything after the title and inserting the following:

'Sec. 1. Commission to Evaluate the Requirements for Licensing of Social Workers established. Resolved: That the Commission to Evaluate the Requirements for Licensing of Social Workers, referred to in this resolve as "the commission," is established to conduct a holistic evaluation of the process of social work licensure for licensed master social workers, licensed clinical social workers and licensed social workers, including an evaluation of any disparities based on race, age or disability in the licensure process. The evaluation conducted by the commission must include the purposes and goals of the licensure process; the steps taken by individuals in order to obtain and retain their licensure, such as examination and supervision requirements; the efficacy of these steps in meeting the purposes and goals of the licensure process and in creating and retaining a social work workforce that meets the needs of the State; any systemic obstacles associated with building and maintaining a diverse social work workforce; and all costs associated with the licensure process. During the evaluation, the commission shall consider the perspective of the individual seeking to obtain and retain licensure and the impact the process of licensure has on multiple systems.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 17 members as follows:

1. Two members of the Senate, appointed by the President of the Senate, including one member from each of the 2 parties holding the largest number of seats in the Legislature;

- 1 2. Three members of the House of Representatives, appointed by the Speaker of the
- 2 House of Representatives, including one member from each of the 2 parties holding the
- 3 largest number of seats in the Legislature;
- 4 3. One member with experience as a licensed clinical social worker, appointed by the
- 5 President of the Senate;
- 6 4. One member currently enrolled in a social work degree program in the State,
- 7 appointed by the President of the Senate;
- 8 5. One member representing a nonprofit community mental health provider, appointed
- 9 by the President of the Senate;
- 10 6. One member representing the interests of a national nonprofit organization
- 11 composed of social work regulatory boards and colleges, appointed by the President of the
- 12 Senate;
- 13 7. One member holding a faculty or administrative appointment with a master of social
- 14 work degree program in the State, appointed by the President of the Senate;
- 15 8. One member representing a statewide association of social workers, appointed by
- 16 the Speaker of the House of Representatives;
- 17 9. One member who has graduated from a social work degree program in the State
- 18 within the past 5 years, appointed by the Speaker of the House of Representatives;
- 19 10. One member with experience as a licensed master social worker or licensed social
- 20 worker, appointed by the Speaker of the House of Representatives;
- 21 11. One member employed by a state agency or office with supervisory capacity over
- 22 a licensed master social worker or licensed social worker, appointed by the Speaker of the
- 23 House of Representatives;
- 24 12. One member holding a faculty or administrative appointment with a bachelor of
- 25 social work degree program in the State, appointed by the Speaker of the House of
- 26 Representatives;
- 27 13. One member who is a representative of the State Board of Social Worker Licensure
- 28 appointed by the State Board of Social Worker Licensure; and
- 29 14. The Commissioner of Professional and Financial Regulation or the commissioner's
- 30 designee.

31 When making the appointments required under this section, the appointing authorities
 32 shall consider racial, ethnic, gender, socioeconomic and geographic diversity.

33 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair
 34 and the first-named House of Representatives member is the House chair of the
 35 commission.

36 **Sec. 4. Appointments; convening of commission. Resolved:** That all
 37 appointments must be made no later than 30 days following the effective date of this
 38 resolve. The appointing authorities shall notify the Executive Director of the Legislative
 39 Council once all appointments have been completed. After appointment of all members,
 40 the chairs shall call and convene the first meeting of the commission. If 30 days or more
 41 after the effective date of this resolve a majority of but not all appointments have been

1 made, the chairs may request authority and the Legislative Council may grant authority for
 2 the commission to meet and conduct its business.

3 **Sec. 5. Duties. Resolved:** That, in conducting the holistic evaluation of the social
 4 work licensure system required by this resolve, the commission shall review and evaluate:

5 1. The purposes and goals of licensure in the State, including:

6 A. The historic development of the concept and practice of licensure in the State; and

7 B. The systems and institutions that have historically defined the purposes and goals
 8 and the concept of licensure and have administered and mediated the design and
 9 execution of the licensure process;

10 2. The steps taken by individuals in order to obtain and retain licensure, including but
 11 not limited to:

12 A. All legal requirements of the process of licensure prior to and upon the effective
 13 date of this resolve, including but not limited to educational requirements, examination
 14 requirements, supervision requirements and other requirements set forth in law or rule;
 15 and

16 B. Any steps that, while not technically required, are taken by those pursuing a license
 17 prior to and during the process of licensure with the intent of aiding the potential
 18 licensees with the licensure process;

19 3. The efficacy of the steps under subsection 2 in meeting the purposes and goals of
 20 the licensure process under subsection 1, and any barriers to these steps, including but not
 21 limited to cost;

22 4. The efficacy of the steps under subsection 2 in creating a social work workforce that
 23 meets the needs of the State, including but not limited to the need for:

24 A. Workforce equity, including reviewing and evaluating the quantity, type and
 25 distribution of social workers particularly with respect to equity factors such as race,
 26 ethnicity, socioeconomic status, gender, sexuality or sexual orientation, disability,
 27 primary language and geographic location; and

28 B. Social work services, particularly with respect to the equity factors in paragraph A,
 29 and the systems that currently provide those services; and

30 5. Alternative pathways to licensure that may be required following the removal of any
 31 particular step of the current licensure process, including but not limited to examination
 32 requirements.

33 The commission shall also review and identify best practices for licensure of social
 34 workers adopted in other states and the District of Columbia, including statutory or
 35 regulatory requirements or other policies or processes for licensure, and shall develop
 36 recommendations for suggested legislation or other changes to the process for licensure of
 37 social workers in the State.

38 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
 39 necessary staffing services to the commission, except that Legislative Council staff support
 40 is not authorized when the Legislature is in regular or special session.

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1 **Sec. 7. Report. Resolved:** That the commission shall submit a report that includes
2 its findings and recommendations, including suggested legislation, to the Joint Standing
3 Committee on Health Coverage, Insurance and Financial Services no later than November
4 6, 2024. The joint standing committee of the Legislature having jurisdiction over health
5 coverage, insurance and financial services matters, including professional licensing, may
6 report out legislation related to the report to the 132nd Legislature in 2025.

7 **Sec. 8. Outside funding. Resolved:** That the commission shall seek funding
8 contributions to fully fund the costs of the study. All funding is subject to approval by the
9 Legislative Council in accordance with its policies. If sufficient contributions to fund the
10 study have not been received within 30 days after the effective date of this resolve, no
11 meetings are authorized and no expenses of any kind may be incurred or reimbursed.

12 **Sec. 9. Appropriations and allocations. Resolved:** That the following
13 appropriations and allocations are made.

14 **LEGISLATURE**

15 **Study Commissions - Funding 0444**

16 Initiative: Allocates funds for the one-time costs of Legislators serving on the Commission
17 to Evaluate the Requirements for Licensing of Social Workers with contributions from
18 outside sources fully funding these costs.

19	OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
20	Personal Services	\$0	\$1,100
21	All Other	\$0	\$2,650
22			
23	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$3,750

24
25 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
26 number to read consecutively.

27 **SUMMARY**

28 This amendment is the majority report of the committee and replaces the bill with a
29 resolve. The amendment establishes the Commission to Evaluate the Requirements for
30 Licensing of Social Workers. The commission is directed to conduct a holistic evaluation
31 of the process of social work licensure for licensed master social workers, licensed clinical
32 social workers and licensed social workers, including an evaluation of any disparities based
33 on race, age or disability in the licensure process. The commission is required to submit its
34 report to the Joint Standing Committee on Health Coverage, Insurance and Financial
35 Services no later than November 6, 2024.

36 **FISCAL NOTE REQUIRED**

37 (See attached)

COMMITTEE AMENDMENT



131st MAINE LEGISLATURE

LD 1990

LR 2409(02)

An Act to Improve the Licensing Procedure for Certain Social Workers by Removing the Examination Requirement

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-822)
Committee: Health Coverage, Insurance and Financial Services
Fiscal Note Required: Yes

Fiscal Note

Legislative Cost/Study

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
Appropriations/Allocations				
Other Special Revenue Funds	\$0	\$3,750	\$0	\$0

Legislative Cost/Study

The bill provides an allocation of \$3,750 in 2024-25 for the one-time costs of Legislators serving on the Commission to Evaluate the Requirements for Licensing of Social Workers with contributions from outside sources fully funding these costs. The additional costs of providing staffing assistance to the commission during the interim can be absorbed utilizing existing budgeted staff resources

Fiscal Detail and Notes

Additional costs to the Department of Professional and Financial Regulation associated with serving on the commission can be absorbed within existing budgeted resources.