

SENATE BILL REPORT

ESSB 5020

As Passed Senate, March 5, 2011

Title: An act relating to protecting consumers by assuring persons using the title of social worker have graduated with a degree in social work from an educational program accredited by the council on social work education.

Brief Description: Protecting consumers by assuring persons using the title of social worker have graduated with a degree in social work from an educational program accredited by the council on social work education.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Murray, Regala, Kohl-Welles, Prentice and Chase).

Brief History:

Committee Activity: Human Services & Corrections: 1/13/11, 2/17/11 [DPS].
Passed Senate: 3/05/11, 44-5.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5020 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Baxter, Carrell, Harper and McAuliffe.

Staff: Shani Bauer (786-7468)

Background: Classifications of Social Workers Licensed by the Department of Health (DOH). Licensed advanced social workers and licensed independent clinical social workers are licensed by DOH to provide mental health-related counseling, often in an independent practice setting. Persons who are licensed through DOH as licensed advanced social workers and licensed independent clinical social workers must meet certain requirements, including graduation from an approved master's or doctoral level social work program.

Classifications of Social Workers Through the State's Department of Personnel (DOP). State agencies in Washington employ persons who are classified by DOP as social workers. Rather than provide only direct mental health-related counseling services to clients, social workers in state agencies may also refer clients to professionals in various fields, including counseling, who provide the service directly. Minimum qualifications of an entry level social

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worker under DOP's classification system are: (1) a master's degree in social services, human services, behavioral sciences, or an allied field; or (2) a bachelor's degree in social services, human services, behavioral sciences, or an allied field and one year of social service experience.

Summary of Engrossed Substitute Bill: A person may only use the designation of social worker if the person is licensed by DOH as a social worker, or has graduated with at least a bachelor's degree from a social work educational program accredited by the Council on Social Work Education.

The provisions of this act do not apply to:

- persons employed in Washington on the effective date of the act with the job title of social worker, so long as the person remains employed with the same agency;
- persons employed by the state of Washington with the job title of social worker, so long as the person remains employed with the state;
- individuals employed by the government of the United States while engaged in the performance of duties prescribed by the laws of the United States; or
- persons providing services as an educational staff associate who are certified by the Washington Professional Educator Standards Board.

References to the term social worker throughout the RCW are modified to reference the educational requirements for a qualified social worker depending on the setting or persons being served as follows:

- a person must have a master's or other advanced degree in social work to use the designation of social worker when: providing services to those with mental illness, and supervising court ordered contact between a child who has been sexually abused by a parent and the offending parent;
- a person must have a bachelor's degree in social work to use the designation of social worker when providing rehabilitative services in nursing homes;
- a person must have a bachelor's degree in social work or meet the federal qualifications for a social worker in order to use the designation of social worker when providing services to those in home health or hospice care; and
- job titles previously designated as social worker but for which there is no educational requirement in social work have been removed and are replaced with the term department employee.

For purposes of mandatory reporting of abuse, the term social worker includes anyone who has a bachelor's degree in social work or who is engaged in a professional capacity working with vulnerable adults during the regular course of his or her employment.

Engaging in the improper practice of social work is an unfair trade practice and unfair method of competition under the Consumer Protection Act.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on January 1, 2012.

Staff Summary of Public Testimony on Original Bill: PRO: This bill protects the public by distinguishing between different types of licensed social work practices. We have worked with the National Association of Social Workers (NASW) and other stakeholders for the last 4 years and are happy to be able to support the bill in its current form. It protects the public by distinguishing between different practices and ensuring that a person using the title of social worker has some type of related educational degree. Social work education is standardized through a rigorous accreditation process providing the knowledge, skills, and values on how to become a social worker. This is accomplished through the use of standardized courses and many hours of field practicum giving the person an opportunity to put into practice the skills learned in the classroom.

CON: The title of social worker is the subject of bargaining between the union and agency. Changing the use of the title has major impacts on who can appear in court in dependency proceedings. The social worker field is in high demand and there is a national shortage of social workers. This bill will further narrow that field. Further, no one can demonstrate that harm has occurred as a result of the current use of the social worker title. It is not the degree that defines what a social worker is but the job that the person does. Workers still adhere to the same ethical code of standards.

The title of social worker gives credibility to workers with the Department of Social and Health Services (DSHS) working in dependency proceedings. A social worker with DSHS continuously puts his or her credibility on the line in court and other forums which determine whether a child will be allowed to stay in a home. The title carries great weight and an expectation of competence that the person knows what they are doing in support of children and families. Social workers take this responsibility very seriously. If the title is removed, those social workers will not be able to appear in court.

Persons Testifying: PRO: Laura Groshong, Washington State Society for Clinical Social Work; Hoyt Suppes, John Edwards, NASW - Washington Chapter.

CON: Alia Griffing, Joel Petit, Washington Federation of State Employees.