

SENATE BILL REPORT

SHB 1939

As Reported by Senate Committee On:
Health & Long Term Care, February 16, 2024

Title: An act relating to adopting the social work licensure compact.

Brief Description: Adopting the social work licensure compact.

Sponsors: House Committee on Postsecondary Education & Workforce (originally sponsored by Representatives Orwall, Rule, Leavitt, Slatter, Bateman, Reed, Jacobsen, Callan, Macri, Donaghy, Doglio, Goodman, Reeves, Riccelli, Shavers and Hackney).

Brief History: Passed House: 1/29/24, 96-0.

Committee Activity: Health & Long Term Care: 2/15/24, 2/16/24 [DP-WM].

Brief Summary of Bill

- Adopts the Social Work Licensure Compact in Washington State.

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Cleveland, Chair; Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Conway, Dhingra, Holy, Padden, Randall and Van De Wege.

Staff: Kevin Black (786-7747)

Background: The Practice of Social Work. The state licenses two types of social workers: advanced social workers and independent clinical social workers. To become licensed as a social worker, an applicant must have: (1) graduated from an approved master's or doctorate level social work educational program; (2) passed an approved examination; and (3) completed a supervised experience requirement. The supervised experience requirement is 3200 hours for licensed advanced social workers, and 3000 hours for licensed independent clinical social workers.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

The Social Work Licensure Compact. The Social Work Licensure Compact (Compact) is a new and not-yet-operational compact developed by the Council of State Governments in partnership with the Department of Defense and the Association of Social Work Boards (ASWB). It allows licensed social workers in member states to apply for a multistate license enabling them to practice social work in remote Compact member states without obtaining a license in the remote state. According to the Compact, the Compact has been adopted in Missouri and South Dakota, and adoption legislation is pending in 24 other states: Arizona, Colorado, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Nebraska, New Hampshire, New Jersey, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington, and Wisconsin.

Summary of Bill: The Compact is adopted. It comes into effect on the date the Compact statute is enacted into law in its seventh member state.

Requirements for State Participation. To participate in the Compact, Washington must continue to license and regulate the practice of social work and require applicants for licensure to graduate from an accredited social work program and to complete a period of supervised practice. Washington must share information about adverse actions, significant investigative information, and criminal history pertaining to licensed social workers with the Social Work Licensure Compact Commission (Commission), and to follow the rules of the Commission. Washington must determine eligibility for a multistate license for applicants whose home state license is in Washington, issue the multistate license, and designate whether the multistate license is in the bachelor's, master's, or clinical category. The home state's right to enforce laws or regulations related to the practice of social work is not reduced. Washington must recognize multistate licenses issued in remote Compact member states, and may take adverse action against a remote practitioner's multistate license, including the right to conduct investigations and issue subpoenas, effective only within Washington. No member state may issue a subpoena regarding conduct which is lawful in the state in which it occurred. Adverse action taken against a licensee in their home state deactivates the individual's multistate license in all member states. Washington may join with other member states to participate in joint investigations of alleged misconduct. Washington may withdraw from the Compact by repealing the Compact law, but must continue to recognize multistate licenses under the Compact for a minimum of 180 days following provision of notice of withdrawal to all licensees.

Requirements for Individual Participation. A social worker with a multistate license must maintain licensure in the social worker's home state and pay a fee established by the home state. Applicants for a multistate license are required to pass a qualifying national exam. The social worker must adhere to the laws and regulations of any remote state in which the social worker practices. The social worker must inform the Commission of any adverse action, encumbrance, or restriction against their license taken in any member or nonmember state within 30 days of when the action is taken. The social worker must fulfill competency and education requirements, which vary depending on if the social worker is seeking a

multistate license with a clinical, master's or bachelor's designation. A social worker may hold a multistate license in only one state at a time. An active military member or their spouse may designate a home state to hold their multistate license and retain that home state designation while the military member is on active duty.

The Social Work Licensure Compact Commission. Each state must appoint one delegate to the Commission. The Commission may establish rules concerning terms of office, whether to have meetings in person or by electronic means, and on other matters. The Commission must meet at least once every calendar year. The Commission has enumerated powers, including managing its budget, hiring staff, and assessing and collecting fees. The Commission must establish an executive committee of up to 11 members to oversee day-to-day activities of Compact administration, including four non-voting members from four recognized national social work organizations. Meetings must be open to the public unless they are closed for the purpose of receiving legal advice, discussion of censure of a member state or an individual license holder, or for other enumerated purposes which the Commission may expand by rule. The members and employees of the Commission are immune from suit, and the Commission must indemnify and defend them in civil actions.

Coordinated Data System. The Commission must provide a coordinated data system to receive information about individuals to whom the Compact is applicable, including identifying information, licensure data, and adverse actions or significant investigative information. Member states must report all adverse information to this data system, the contents of which must be made available to other member states.

Licensing Exam. An intent is declared to collaborate with other states to find alternatives to the ASWB licensing test which has been shown to have severe disparities in outcomes based on the race, age, and language of test takers.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: We expect to reach the implementation threshold for this Compact during this legislative session, after which it will take one to two years to start. My husband is in the Army; we have been stationed in nine states over 17 years. It took four months to transfer my license to Washington using the expedited track for military family members. Other states will not be able to access Washington provider records related to reproductive and gender-affirming care. Being an early adopter will put Washington in a good position to develop an alternative to the problematic licensing test. We support equitable access into the social work profession. The process for gaining

licensure is otherwise difficult, tedious, and expensive. This is similar in form and function to the eight other compacts which Washington is a member of.

OTHER: This will streamline the licensure process. Adoption of this compact is a recommendation of DOH from the review process initiated by 2SSB 1724 in 2023.

Persons Testifying: PRO: Bob Cooper, National Association of Social Workers Washington Chapter; Jeremy Arp, National Association of Social Workers Washington Chapter; Tammie Perreault, Department of Defense; Kelsey Halpern; Charles Wharton, Veterans Legislative Coalition; Kaitlyn Bison, The Council of State Governments.

OTHER: Shawna Fox, Department of Health.

Persons Signed In To Testify But Not Testifying: No one.