

SENATE BILL REPORT

2SHB 1357

As Reported by Senate Committee On:
Human Services & Corrections, February 25, 2010

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: House Committee on Health Care & Wellness (originally sponsored by Representatives Pettigrew, Dickerson, Orwall, Walsh, Moeller, Kenney and Wood).

Brief History: Passed House: 2/10/10, 92-4.

Committee Activity: Human Services & Corrections: 2/19/10, 2/25/10 [DPA].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell 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 direct mental health-related counseling services to clients, social workers in state agencies may refer clients to professionals in various fields, including counseling, who provide the service directly. Minimum qualifications of an entry level social worker under DOP's classification system are: (1) a master's degree in social services, human

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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 Bill (Recommended Amendments): 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 and approved by DOH.

The provisions of this act do not apply to:

- a person who is employed in Washington on the effective date of this bill with the job title of social worker so long as the person remains employed with the same agency;
- 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 Code 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, supervising court ordered contact between a child who has been sexually abused by a parent and the offending parent, or providing services to those in home health or hospice care;
- 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; and
- job titles previously designated as social worker but for which there is no educational requirement in social work are now referred to as social service case workers.

For purposes of mandatory reporting of abuse, 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.

EFFECT OF CHANGES MADE BY HUMAN SERVICES & CORRECTIONS COMMITTEE (Recommended Amendments): Current social workers may continue to use the title of social worker so long as they remain employed with the same agency.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on July 1, 2011.

Staff Summary of Public Testimony Second Substitute House Bill: PRO: The NASW is in support of this bill. This is a consumer protection bill to ensure that a person receiving social services can be assured that a social worker has a minimum level of education in social services. It is important that a person is trained to deal with the complex personal issues that a client may have.

CON: There is a good deal of history behind the issues in this bill. The title of social worker verses social services case worker has been a topic of collective bargaining and is part of a current memorandum of understanding. The easiest way to avoid running afoul of the collective bargaining agreement is to exempt those employees from the provisions of this bill. The grandfathering clause should also be expanded so that someone can have promotional opportunities and still keep their title.

Persons Testifying: PRO: Hoyt Suppes, Taylene Watson, National Association of Social Workers, WA Chapter.

CON: Alia Griffing, WA Federation of State Employees.