

HOUSE BILL REPORT

SHB 1357

As Passed House:

March 6, 2009

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: Regarding the designation of "social worker."

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

Brief History:

Committee Activity:

Health Care & Wellness: 1/30/09, 2/6/09 [DPS].

Floor Activity

Passed House: 3/6/09, 92-3.

Brief Summary of Substitute Bill

- Beginning July 1, 2010, prohibits a person from representing himself or herself as a social worker unless he or she is qualified as a social worker by licensure or by graduation from an accredited social work program.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Cody, Chair; Bailey, Campbell, Clibborn, Green, Kelley, Moeller, Morrell and Pedersen.

Minority Report: Do not pass. Signed by 1 member: Representative Ericksen, Ranking Minority Member.

Staff: Chris Cordes (786-7103)

Background:

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

Social Worker Licensure.

The Department of Health (DOH) licenses two categories of social workers:

- licensed advanced social workers, whose work includes the application of social work theory and methods, certain psychotherapy, case management, advocacy, and counseling; and
- licensed independent clinical social workers, whose work includes both advanced social work and the diagnosis and treatment of emotional and mental disorders for individuals, couples, families, groups, or organizations.

To be licensed as an advanced social worker or independent clinical social worker, an applicant must meet the educational, supervised experience, and examination requirements specified for the category of licensure. Educational requirements include graduation from a bachelor's, master's, or doctorate social work educational program accredited by the Council on Social Work Education and approved by the DOH. (The Council on Social Work Education is a nonprofit association recognized by the Council for Higher Education Accreditation as the sole accrediting agency for social work education in the United States.)

A person is prohibited from representing himself or herself as a licensed advanced social worker or a licensed independent clinical social worker unless he or she is licensed by the DOH. Violators are subject to the Uniform Disciplinary Act for unlicensed practice and for complaints alleging unprofessional conduct or violations of the standards of practice.

Employment of Social Workers.

Many public agencies, including the Department of Social and Health Services (DSHS) and the public schools, employ persons in social worker job titles. These positions are described in various ways using either functional or education-based definitions. Similarly, Washington law may require social workers, like other listed professionals in private or public employment, to report instances of patient or client abuse or neglect, or the law may authorize social workers, as one of a list of mental health professionals, to assist in determining a person's mental capacity.

Degree-Granting Higher Education Institutions.

As directed by statute, the Higher Education Coordinating Board (HECB) adopts minimum standards for institutions granting degrees beyond the secondary level. Under this chapter of law, degree-granting higher education institutions operating in Washington must be accredited or have a waiver or exemption from the HECB. A person or entity that grants degrees without authorization from the HECB is guilty of a misdemeanor. In addition, a person willfully violating the chapter is subject to a civil penalty of up to \$100 per violation per day to be imposed by the HECB or a court. A violation of the chapter is also a Consumer Protection Act violation.

Summary of Substitute Bill:

A provision is added to the statute regulating degree-granting higher education institutions to prohibit, beginning July 1, 2010, a person from representing himself or herself as a social worker unless he or she is qualified as a social worker. A social worker is qualified by either:

- being licensed as an advanced social worker or an independent clinical social worker under Washington law; or
- having graduated with a bachelor's, master's, or doctoral degree from a social work program accredited by the Council on Social Work Education.

A person employed under the job title of "social worker" on the bill's effective date is exempt from the prohibition as long as he or she continues employment in the same position and under the same job description and title held on that date.

Public agencies and private entities doing business in Washington may not use any form of the "social worker" title to designate volunteer or employment positions, or within contracts or other documents, unless the person working in the position is qualified as a social worker.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect July 1, 2010.

Staff Summary of Public Testimony:

(In support) Using the title "social worker" should tell others the qualifications the person holds, but now it is a challenge to know what the title means. There is no title protection except for the 60 percent of social workers who are licensed under state credentialing laws. To protect the public, the use of the title "social worker" should be limited to those who have the unique training and field experience that is required to graduate from a school of social work. The training for social workers was developed initially to deal with social conditions. As schools developed, doing research and advocating for the oppressed became important, too. Under the social work practice models, social workers are trained to intervene on three levels: on behalf of the person at risk, at the organizational level, and at the policy-making level. The public should have a right to have quality advocacy for social justice. Research indicates that social workers stay longer in their jobs if they have a social work degree. Ten other states have strict title protection.

(Opposed) None.

Persons Testifying: (In support) Representative Pettigrew, prime sponsor; Hoyt Suppes, Lynn Carrigan, Roseann Martinez, and Betsy Elgar, National Association of Social Workers – Washington Chapter; and Laura Groshong, Washington State Society for Clinical Social Workers.

Persons Signed In To Testify But Not Testifying: None.