

2013 BLSW Legislative Proposal Overview (House Bill 2082)

Oregon State Board of Licensed Social Workers

Oregon State Legislature –
House Human Services and Housing
Committee

- ▶ Martin Pittioni, Interim Executive Director
 - ▶ Kathy Outland, LCSW, Board Member
- February 8, 2013

Background / Regulatory and Political Context

- In 2009 Legislature, Board of Licensed Social Workers worked with its partners to pass broad social work regulatory reforms (SB 177)
- Prior to passage of those reforms, Board only had two voluntary clinical-level licensure options
- Public Protection Issue – in ability to protect the public from unlicensed practice including by those who had had their license revoked
- Broad, strongly bi-partisan set of reforms
- Effective Date for reforms January 1, 2011 – HB 2082 is next small step forward after SB 177

Current Reforms in Place:

Part –1 Mandatory Licensure for clinical–level social work

- Practice Act = Mandatory Licensure for those who practice clinical social work only (ORS 675.523)
- Anyone who engages in the conduct of practicing clinical social work must be licensed at the clinical level as a CSWA or LCSW or qualify for one of the exemptions from the licensure requirement
- Narrow set of exemptions
- House Bill 2082 does not change this in any way – ORS 675.523 is not amended by this bill
- This is critical to maintain consensus and for minimizing impact

Current Social Work Regulatory Reforms – Part 2: New Voluntary Licensure Options (non-clinical) and strong title protection for title “social worker

- Voluntary options for those not practicing clinical social work – not mandatory: LMSW and RBSW
- Registered Baccalaureate Social Worker (RBSW)
- Licensed Master’s Social Worker (LMSW)
- Available since January 1, 2011, strong response
- SB 177 also added strong title protection for use of title “social worker” – requires degree and license from Board
- RBSW/LMSW scope of practice not defined due to legislative history; no clinical practice permitted
- Conclusion: HB 2082 does not change the social work regulatory reforms from 2009’s Senate Bill 177; instead HB 2082 carefully adds definitions of non-clinical social work practice and updates the clinical practice definition

BLSW Legislative Proposal for 2013 – HB 2082 Proposed Changes

- ▶ Removes broad definition of clinical social work in ORS 675.510 dating back to 1977 (Oregon regulated only Masters–level clinical practice between 1977–2010)
- ▶ Adopts national model language defining the scope of the three levels of social work practice (Bachelors, Masters and Masters–clinical; supplemental presentation by Board member Kathy Outland, LCSW, regarding definitions)
- ▶ Turns one of four *existing* professional LCSW representation seats on the Board into a professional Board position that can be held by a LMSW, RBSW or CSWA (no change in Board size = no fiscal impact)
- ▶ None of the above proposed changes amend the basic social work regulatory framework established in 2009 (no changes as to what triggers licensure requirement = minimal fiscal impact)

IMPACTS of HB 2082 – Overview

- ▶ No changes to ORS 675.523 / licensure requirement
 - Exemptions are unchanged / Non-clinical Licensure remains voluntary
 - Title Protection for “Social Worker” remains in place
- ▶ Licensed Clinical Social Workers (LCSWs):
 - Updated clinical definition reflects current practice and does not add or subtract anything from scope of practice (no adds or take-aways)
 - No impact on access to insurance panels
- Clinical Social Work Associates (CSWAs) – no major impact
 - No changes to the CSWA program
 - CSWA Certification will permit consideration for service on the Board
- LMSWs and RBSWs: Gain scope of practice definition
 - LMSW/RBSW will permit consideration for service on the Board
- Unlicensed Practitioners – No impact directly, but clearer definitions
 - Triggers of when licensure is required under Board statutes (conduct and title triggers) are unchanged

Other Information re HB 2082

- Supported by National Association of Social Workers, Oregon Chapter
- Supported by Oregon Society of Clinical Social Workers
- Carefully vetted with other stakeholders inside and outside state government
- *Oral Testimony by Kathy Outland, LCSW (Board member) regarding definitions*
- *Questions from the Committee*