

HOUSE No. 208

The Commonwealth of Massachusetts

PRESENTED BY:

James J. O'Day

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to ensure parity in social work licensure.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|------------------------------------|-----------------------------------------|------------------|
| <i>James J. O'Day</i> | <i>14th Worcester</i> | <i>1/20/2023</i> |
| <i>Daniel M. Donahue</i> | <i>16th Worcester</i> | <i>1/25/2023</i> |
| <i>David Henry Argosky LeBoeuf</i> | <i>17th Worcester</i> | <i>1/25/2023</i> |
| <i>Smitty Pignatelli</i> | <i>3rd Berkshire</i> | <i>1/25/2023</i> |
| <i>Steven Ultrino</i> | <i>33rd Middlesex</i> | <i>1/25/2023</i> |
| <i>Susannah M. Whipps</i> | <i>2nd Franklin</i> | <i>1/25/2023</i> |
| <i>Steven Owens</i> | <i>29th Middlesex</i> | <i>1/25/2023</i> |
| <i>Jack Patrick Lewis</i> | <i>7th Middlesex</i> | <i>1/26/2023</i> |
| <i>David Paul Linsky</i> | <i>5th Middlesex</i> | <i>1/26/2023</i> |
| <i>Rebecca L. Rausch</i> | <i>Norfolk, Worcester and Middlesex</i> | <i>1/26/2023</i> |
| <i>Josh S. Cutler</i> | <i>6th Plymouth</i> | <i>1/26/2023</i> |
| <i>Lindsay N. Sabadosa</i> | <i>1st Hampshire</i> | <i>1/26/2023</i> |
| <i>Michael D. Brady</i> | <i>Second Plymouth and Norfolk</i> | <i>1/26/2023</i> |
| <i>Adrienne Pusateri Ramos</i> | <i>14th Essex</i> | <i>1/26/2023</i> |
| <i>James K. Hawkins</i> | <i>2nd Bristol</i> | <i>1/30/2023</i> |
| <i>Brian W. Murray</i> | <i>10th Worcester</i> | <i>1/30/2023</i> |
| <i>Margaret R. Scarsdale</i> | <i>1st Middlesex</i> | <i>1/30/2023</i> |
| <i>Jason M. Lewis</i> | <i>Fifth Middlesex</i> | <i>2/1/2023</i> |

| | | |
|-------------------------------------|--------------------------------|------------------|
| <i>Erika Uytterhoeven</i> | <i>27th Middlesex</i> | <i>2/1/2023</i> |
| <i>Jon Santiago</i> | <i>9th Suffolk</i> | <i>2/7/2023</i> |
| <i>Mary S. Keefe</i> | <i>15th Worcester</i> | <i>2/7/2023</i> |
| <i>Frank A. Moran</i> | <i>17th Essex</i> | <i>2/8/2023</i> |
| <i>James C. Arena-DeRosa</i> | <i>8th Middlesex</i> | <i>2/8/2023</i> |
| <i>Tricia Farley-Bouvier</i> | <i>2nd Berkshire</i> | <i>2/8/2023</i> |
| <i>Natalie M. Higgins</i> | <i>4th Worcester</i> | <i>2/9/2023</i> |
| <i>Carmine Lawrence Gentile</i> | <i>13th Middlesex</i> | <i>2/9/2023</i> |
| <i>Edward R. Philips</i> | <i>8th Norfolk</i> | <i>2/9/2023</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> | <i>2/13/2023</i> |
| <i>Adrian C. Madaro</i> | <i>1st Suffolk</i> | <i>2/14/2023</i> |
| <i>David Allen Robertson</i> | <i>19th Middlesex</i> | <i>2/15/2023</i> |
| <i>Daniel Cahill</i> | <i>10th Essex</i> | <i>2/22/2023</i> |
| <i>Rodney M. Elliott</i> | <i>16th Middlesex</i> | <i>2/22/2023</i> |
| <i>Christopher Richard Flanagan</i> | <i>1st Barnstable</i> | <i>2/28/2023</i> |
| <i>Michael P. Kushmerek</i> | <i>3rd Worcester</i> | <i>3/13/2023</i> |
| <i>Rita A. Mendes</i> | <i>11th Plymouth</i> | <i>4/11/2023</i> |

HOUSE No. 208

By Representative O'Day of West Boylston, a petition (accompanied by bill, House, No. 208) of James J. O'Day and others relative to social work licensure and establishing a special commission (including members of the General Court) relative to the creation of a new certification for child welfare workers at the Department of Children and Families. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to ensure parity in social work licensure.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 131 of chapter 112 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by striking out, in the first paragraph, the following:- “has
3 passed an examination prepared by the board for this purpose; and”.

4 SECTION 2. Said Section 131 of Chapter 112, as so appearing, is further amended by
5 striking out, in the second paragraph, the words “he has passed an examination prepared by the
6 board for this purpose; and will conduct his”, and inserting in place thereof the following: “they
7 will conduct their”.

8 SECTION 3. Said Section 131 of Chapter 112, as so appearing, is further amended by
9 striking out the third paragraph in its entirety.

10 SECTION 4. Said Section 131 of chapter 112 of the General Laws, as so appearing, is
11 hereby amended by striking out, in the fourth paragraph, the words “he has passed an
12 examination prepared by the board for this purpose; and will conduct his” and inserting in place
13 thereof the following: “they will conduct their”.

14 SECTION 5. Said section 131 of Chapter 112, as so appearing, is further amended by
15 striking out the fifth paragraph in its entirety.

16 SECTION 6. Said section 131 of Chapter 112, as so appearing, is hereby amended by
17 striking out, in the sixth paragraph, the words “and has passed a specialty examination in clinical
18 social work prepared by the board for this purpose”.

19 SECTION 7. Section 132 of chapter 112 of the General Laws, as appearing in the 2018
20 Official edition, is hereby amended by striking out, in the first paragraph, the words “licensed
21 certified social workers, including those in independent clinical practice, licensed social workers
22 and”.

23 SECTION 8. Chapter 112, as appearing in the 2018 Official Edition, is hereby amended
24 by inserting after section 132 the following new section:-

25 Section 132A: (a) A provisional license shall be granted to those applicants who have
26 taken the examination for a social work associate no less than two times and failed within 15
27 points. The provisional license shall be valid for a maximum of one year. The licensee shall
28 complete professional development, supervisory and educational requirements within no less
29 than one year. Upon completion of the provisional license requirements the licensee shall be
30 exempt from the testing requirement within section 132 and granted a full license.

31 (b) A licensee operating with a provisional license shall maintain a professional portfolio
32 that shall include the following:

33 i. Affidavits of understanding regarding the provisional licensing process and
34 requirements;

35 ii. Eleven separate 3-5 page typed, double spaced papers, each one covering a separate,
36 specific core content area of social work practice;

37 iii. A daily journal of the probationary licensee's activities and supervision for the
38 probationary period;

39 iv. A 7-10 page typed, double spaced case analysis covering the probationary licensee's
40 work with a typical client during the probationary period;

41 v. A 3-5 page typed, double spaced self-evaluation completed by the probationary
42 licensee which includes an analysis of the licensee's professional knowledge, skills and abilities;

43 vi. Quarterly evaluations completed and submitted to the board by the supervisor
44 regarding the probationary licensee's development;

45 vii. An evaluation of the supervisor's supervision skills completed by the probationary
46 licensee;

47 viii. A notarized affidavit from the supervisor attesting to the readiness of the
48 probationary licensee's ability to perform as a professional social worker based on the
49 knowledge, skills and abilities observed during the supervision period.

50 SECTION 9. There shall be established a special legislative commission, hereinafter the
51 commission, to investigate the creation of a new certification for child welfare workers at the
52 department of children and families. The commission shall consist of the house and senate chairs
53 of the joint committee on children, families, and persons with disabilities, or their designees, who
54 shall serve as co-chairs; the child advocate, or a designee; the commissioner of the department of
55 children and families, or their designee; two current workers employed by the the department of
56 children and families and appointed by SEIU Local 509 who have served at the department for
57 over five years; two representatives of child or family welfare organizations from communities
58 which are disproportionately involved with the department of children and families, appointed by
59 the co-chairs; and two individuals previously personally involved with the department of
60 children and families, appointed by the co-chairs. All appointments shall be made not later than
61 60 days after the effective date of this act. The commission shall convene its first meeting not
62 more than 90 days from the effective date of this act.

63 The commission shall examine the feasibility and make recommendations regarding the
64 creation of a new certification for child welfare workers at the department of children and
65 families, including, without limitation: 1) whether social work licensure, as outlined in section
66 121 of Chapter 112 of the general laws, is the only appropriate qualification to be a child welfare
67 professional employed by the department of children and families; 2) explore the possibility of a
68 new certification or form of licensure to be made available in addition to social work licensure,
69 with training and education requirements specific to child protection and the work of the
70 department of children and families; 3) consider what would qualify an individual for this new
71 certification, recognizing that standardized tests are inherently biased and do not effectively
72 evaluate a person's ability to provide services to children and families; 4) ensure that the

73 recommended criteria for child welfare certification not serve as a barrier to certification for
74 members of communities disproportionately involved with the department of children and
75 families, and ensures parity for workforce access regardless of primary language, cultural
76 background, or race.

77 The Commission shall, no later than fifteen months from the effective date of this act,
78 report to the general court on the results of its investigation and study together with its finding,
79 by filing the same with the clerks of the house of representatives and senate who shall forward
80 the same to the secretary of the executive office of health and human services, the house and
81 senate committees on ways and means, the joint committee on children, families, and persons
82 with disabilities, and the joint committee on consumer protection and professional licensure.