

HOUSE BILL 1164

K1, J2

2lr2079

By: **Delegates McComas, Henson, McKay, and Rosenberg**

Introduced and read first time: February 11, 2022

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – Workers’ Compensation – Licensed Certified Social**
3 **Worker–Clinical**

4 FOR the purpose of authorizing a licensed certified social worker–clinical to register as a
5 rehabilitation practitioner; authorizing a licensed certified social worker–clinical to
6 provide evaluation services for workers’ compensation claims related to permanent
7 impairments involving a behavioral or mental disorder; and generally relating to
8 licensed certified social workers–clinical and workers’ compensation.

9 BY repealing and reenacting, without amendments,
10 Article – Labor and Employment
11 Section 9–6A–01(a)
12 Annotated Code of Maryland
13 (2016 Replacement Volume and 2021 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Labor and Employment
16 Section 9–6A–01(d), 9–6A–04(c), 9–6A–09, and 9–721(c)
17 Annotated Code of Maryland
18 (2016 Replacement Volume and 2021 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

Article – Labor and Employment

22 9–6A–01.

23 (a) In this subtitle the following words have the meanings indicated.

24 (d) (1) “Rehabilitation practitioner” means an individual who provides

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 vocational rehabilitation services.

2 (2) "Rehabilitation practitioner" includes:

3 (i) **A LICENSED CERTIFIED SOCIAL WORKER—CLINICAL AS**
4 **CERTIFIED BY THE STATE BOARD OF SOCIAL WORK EXAMINERS;**

5 **(II)** a nurse certified by the State Board of Nursing as a nurse case
6 manager;

7 **[(ii)] (III)** a rehabilitation counselor; and

8 **[(iii)] (IV)** a vocational evaluator.

9 9–6A–04.

10 (c) Violation of the rules and regulations adopted or enforced by the Commission,
11 the State Board of Social Work Examiners, or the State Board of Nursing in accordance
12 with this title by a rehabilitation practitioner shall be grounds for denial of a registration
13 to any applicant, or suspension or revocation of a registrant's registration **[pursuant to] IN**
14 **ACCORDANCE WITH §§ 9–6A–15 and 9–6A–16** of this subtitle.

15 9–6A–09.

16 (a) **TO QUALIFY FOR REGISTRATION, A LICENSED CERTIFIED SOCIAL**
17 **WORKER—CLINICAL SHALL BE CERTIFIED AS SUCH BY THE STATE BOARD OF SOCIAL**
18 **WORK EXAMINERS.**

19 **(B)** To qualify for registration, a nurse case manager shall be certified as such by
20 the State Board of Nursing.

21 **[(b)] (C)** To qualify for registration, a rehabilitation counselor shall:

22 (1) have a bachelor's degree from an accredited institution in rehabilitation
23 counseling, human services, psychology, or a related field with at least 1 year of work
24 experience in a human services occupation;

25 (2) have a master's or doctoral degree in rehabilitation counseling, human
26 services, psychology, education, or a related field; or

27 (3) be a certified rehabilitation counselor, certified vocational evaluator,
28 certified disability management specialist, hold an equivalent national certification that is
29 acceptable to the Commission, or have met all of the education and experience
30 requirements to be eligible to be certified.

31 **[(c)] (D)** To qualify for registration, a vocational evaluator shall:

1 (1) have a bachelor's degree from an accredited institution in vocational
2 evaluation, rehabilitation psychology, human services, education, or a related field with 1
3 year of work experience in that field;

4 (2) have a master's or doctoral degree in rehabilitation, vocational
5 evaluation, psychology, human services, education, or a related field; or

6 (3) be certified or have met all of the educational and experience
7 requirements to be eligible to be certified in vocational evaluation by the Commission on
8 certification of work adjustment and vocational evaluation specialists, or have met all of
9 the education and experience requirements to be eligible for certification.

10 [(d)] (E) In addition to the requirements of subsections [(b)] (C) and [(c)] (D) of
11 this section:

12 (1) a rehabilitation counselor who has met the education requirements
13 under subsection [(b)(1)] (C)(1) or (2) of this section to qualify for registration shall work
14 under the administrative supervision of a certified rehabilitation counselor, certified
15 vocational evaluator, certified disability management specialist, certified case manager, or
16 certified rehabilitation registered nurse; and

17 (2) a vocational evaluator who has met the education requirements under
18 subsection [(c)(1)] (D)(1) or (2) of this section shall work under the administrative
19 supervision of a certified vocational evaluator, certified rehabilitation counselor, certified
20 disability management specialist, certified case manager, or certified rehabilitation
21 registered nurse.

22 9-721.

23 (c) If a permanent impairment involves a behavioral or mental disorder, a
24 licensed psychologist, **LICENSED CERTIFIED SOCIAL WORKER-CLINICAL**, or qualified
25 physician shall:

26 (1) perform an evaluation of only the mental or behavioral portion of the
27 permanent impairment; and

28 (2) report the evaluation to the Commission in accordance with the
29 regulations of the Commission.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2022.