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## DIGEST

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HB 888 Engrossed

2024 Regular Session

Stagni

**Abstract:** Creates the Social Work Licensure Compact in Louisiana.

Proposed law shall be known and may be cited as the "Social Work Licensure Compact".

Proposed law further provides that its purpose is to facilitate the interstate practice of regulated social workers by improving public access to competent social work services and further requires the preservation of regulatory authority for states to protect public health and safety through the current system of state licensure.

Proposed law identifies certain objectives for which is designed to achieve.

Proposed law defines "active military member", "adverse action", "alternative program", "charter member states", "compact commission", "commission", "criminal history record information", "current significant investigative information", "data system", "disqualifying event", "domicile", "encumbrance", "executive committee", "home state", "impairment", "licensee", "licensing authority", "member state", "multistate authorization to practice", "multistate license", "qualifying national exam", "regulated social worker", "remote state", "rule", "rules of the commission", "single state license", "social work", "social work services", "state", and "unencumbered license".

Proposed law identifies certain criteria that applicants shall meet to be eligible to participate in the compact, which includes all of the following:

- (1) Holding or being eligible for an active, unencumbered license in the home state.
- (2) Paying any applicable fees, including any state fee, for the multistate license.
- (3) Submitting, in connection with an application for a multistate license, fingerprints, or other biometric data to obtain criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records.
- (4) Notifying the home state of any adverse action, encumbrance, or restriction on any professional license taken by any member state or non-member state within thirty days from the date the action is taken.
- (5) Meeting any continuing competence requirements established by the home state.

- (6) Abiding by the laws, regulations, and applicable standards in the member state where the client is located at the time care is rendered.

Proposed law further provides that there are certain criteria to be eligible for a multistate license in accordance with the provisions of the compact, which includes all of the following:

- (1) Fulfilling a competency requirement as detailed in proposed law.
- (2) Attaining at least a clinical, bachelor's, or master's degree in social work from a program that meets certain requirements identified in proposed law.
- (3) Fulfilling a practice requirement.

Proposed law establishes authority for the Interstate Compact Commission and outlines the abilities that states participating in the compact have and establishes rules for the commission. Proposed law further provides that such rules shall not be construed to limit, restrict, or in any way reduce for a member state.

Proposed law establishes certain criteria for reissuance of a multistate license by a new home state.

Proposed law requires an active military member or their spouse to designate a home state where the individual has a multistate license. Proposed law further provides that the individual may retain their home state designation during the period the service member is on active duty.

Proposed law establishes powers for a home state, member state, and remote state to take certain adverse actions against regulated social worker's multistate authorization to practice. Proposed law further establishes investigative provisions.

Proposed law establishes a joint government agency, which shall consist of all member states that have enacted the compact known as the Social Work Licensure Compact Commission and provides that the commission is an instrumentality of the compact states acting jointly and not an instrumentality of any one state.

Proposed law establishes certain criteria for membership, voting, and meetings. Proposed law provides for an executive committee, annual report, financing for the commission, and details certain provisions for qualified immunity, defense, and indemnification.

Proposed law requires the commission to provide for the development, maintenance, operation, and utilization of a coordinated data system and establishes provisions in furtherance of such requirements.

Proposed law establishes provisions for oversight, dispute resolution, and enforcement of the compact.

Proposed law provides that the compact shall come into effect on the date on which the compact

statute is enacted into law in the seventh member state. Proposed law further establishes provisions for a state's withdrawal from the compact.

Proposed law provides that the compact may be amended by the member states and further provides that no amendment to the compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

Proposed law establishes certain provisions for rulemaking and severability.

Proposed law requires a licensee providing services in a remote state under a multistate authorization to practice to adhere to the laws and regulations, including laws, regulations, and applicable standards, of the remote state where the client is located at the time care is rendered.

Proposed law further provides that nothing in proposed law shall prevent or inhibit the enforcement of any other law of a member state that is not inconsistent with the compact.

Proposed law provides that any laws, statutes, regulations, or other legal requirements in a member state in conflict with the compact are superseded to the extent of the conflict.

Proposed law further provides that all permissible agreements between the commission and the member states are binding in accordance with their terms.

Proposed law provides that the La. State Bd. of Social Work Examiners shall be entitled to the criminal record and identification files of the Bureau of Criminal Identification and Information for any person who is licensed to be a social worker in this state or as part of the Social Work Licensure Compact.

Proposed law further requires the costs associated with acquiring the background information of compact participants to be charged to the La. State Bd. of Social Work Examiners.

(Adds R.S. 37:2731-2746)

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Define "criminal history record information".
2. Provide that the La. State Bd. of Social Work Examiners shall be entitled to the criminal record and identification files of the Bureau of Criminal Identification and Information for any person who is licensed to be a social worker in this state or as part of the Social Work Licensure Compact.
3. Require the costs associated with acquiring the background information of compact

participants to be charged to the La. State Bd. of Social Work Examiners.

4. Make technical corrections.