



Texas Department of State Health Services

Texas State Board of Social Worker Examiners

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Summary

In 1993, the Legislature established the full licensure of social workers, created the Texas State Board of Social Worker Examiners (the Board), and transferred regulatory functions to the Department of Health, now the Department of State Health Services. Today the Board oversees social work by licensing qualified individuals, setting rules, and enforcing the Social Work Act by investigating and resolving complaints. The Board currently licenses about 22,000 social workers, with a staff of eight employees and an annual budget of \$500,000.

The Legislature adopted all of the Sunset Commission's recommendations to continue the Board for 12 years, improve the Board's licensing procedures, and strengthen enforcement of the Social Work Act. The list below summarizes the major provisions of Senate Bill 415, and a more detailed discussion follows.

Sunset Provisions

1. Conform Key Elements of the Board's Licensing and Regulatory Functions to Commonly Applied Licensing Practices.
2. Continue Regulation of Social Workers With an Independent Board at the Department of State Health Services for 12 Years.

Provision Added by the Legislature

3. Authorize the Board to License Out-of-State Applicants With Qualifications Substantially Equivalent to Texas Licensees.

Sunset Provisions

1. Conform Key Elements of the Board's Licensing and Regulatory Functions to Commonly Applied Licensing Practices.

Senate Bill 415 includes several provisions that align the regulation of social work with standard licensing agency practices, including the following.

- Clarifies that the Board must address felony and misdemeanor convictions in the standard manner defined in the Occupations Code.
- Requires applicants to pass a jurisprudence exam as a condition of licensure.
- Removes exemptions from the Social Work Act for non-Texas residents to practice without temporary licensure.
- Requires the Board to base delinquent license renewal fees on the normally required renewal fee unless the Board determines that the fees would not cover costs.
- Requires the Board to include a public member on complaint committees.
- Authorizes the Board to refuse to renew a license as an administrative sanction.
- Increases the maximum administrative penalty of the Board from \$500 to \$5,000 per violation, per day.
- Requires the Board to adopt a penalty matrix with dollar amounts associated with violations.
- Authorizes the Board to provide for refunds by licensees to the consumer as part of the settlement conference process.
- Authorizes the Board to issue cease-and-desist orders against unlicensed activity.
- Clarifies the Board's authority to appoint Board committees, but only composed of Board members.

2. Continue Regulation of Social Workers With an Independent Board at the Department of State Health Services for 12 Years.

Senate Bill 415 continues the Board at the Department of State Health Services for the standard 12-year period.

Provision Added by the Legislature

3. Authorize the Board to License Out-of-State Applicants With Qualifications Substantially Equivalent to Texas Licensees.

The bill allows the Board to waive the examination of licensed out-of-state applicants who have largely the same experience as a Texas licensee who was grandfathered into licensure without examination. Also, the bill authorizes the Board to license out-of-state applicants who have obtained

credentials from national organizations that the Board determines sufficient. Finally, the bill authorizes the Board to consider supervision received by an applicant if the supervision were deemed sufficient in the applicant's state of origin.

Fiscal Implication Summary

Senate Bill 415 will not have a significant fiscal impact to the State.

