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TESTIMONY OF KRISTINA HALVORSEN
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
NEITHER FOR NOR AGAINST L.D. # 2140

AN ACT TO ENACT THE INTERSTATE SOCIAL WORK LICENSURE COMPACT
Sponsored by Representative Lydia Crafts

BEFORE THE JOINT STANDING COMMITTEE ON
HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES
Public Hearing: February 6, 2024, 1:00 PM

Senator Bailey, Representative Perry, and honorable members of the Joint Standing Committee on Health Coverage, Insurance and Financial Services, my name is Kristina Halvorsen, and I am a Regulatory Board Manager for seven licensing boards within the Office of Professional and Occupational Regulation (OPOR), including the Board of Social Worker Licensure. I am here to speak neither for nor against LD 2140 on behalf of OPOR.

The purpose of this bill is to allow Maine to join the Interstate Social Work Licensure Compact. To participate, states must enact the model compact legislation without alteration. Seven (7) states must enact the Model Social Work Compact Bill before the compact is "live" and the Compact Commission is established.

OPOR is generally supportive of the goal of compacts – intended to enhance interstate licensure mobility – but note below some issues that are raised by this particular legislation. We recognize this compact is in the very early stages, with some of these issues to be worked out in rulemaking by the yet-to-be-formed compact commission.

- Enacting the compact legislation may require the Board to amend its rules to align with the compact's requirements regarding education programs. The compact provides that a potential member state must require applicants for licensure to graduate from a program that is accredited by an accrediting agency recognized either by the Council for Higher Education Accreditation (CHEA) or the United States Department of Education (U.S. DOE). The Maine Board of Social Worker Licensure also recognizes degrees conferred by an institution located outside the United States that are determined equivalent by the

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International Social Work Degree Recognition and Evaluation Service of the Department of Social Work Accreditation, and defines “accredited program” as one accredited by the Council on Social Work Education or similar accrediting organization. Therefore, the Board’s willingness to accept education from applicants educated outside the United States may disqualify it from participating in the compact until it amends its rules.

- To maintain membership in the compact, a member state shall require applicants for a Multistate License to pass a Qualifying National Exam. At this time, Maine does require applicants for licensure to pass a national exam at the bachelor, master’s or clinical level. However, enactment of LD 1990, *An Act to Improve the Licensing Procedure for Certain Social Workers by Removing the Examination Requirement* would remove the requirement that a person pass an examination to be qualified for licensure in Maine as a licensed master social worker, a licensed social worker or a licensed master social worker, conditional.

The compact provides that if Maine does not meet the minimum criteria for a Multistate License at any category (because, for instance, it eliminated the examination requirement), it could nonetheless choose to issue a Multistate License in that category to an individual who meets all the requirements (*i.e.*, took the exam even though Maine does not require it), however this sets up some logistical challenges for OPOR and board staff to issue and track various types of the same level of license. The compact also appears to allow for a substantial equivalency to the examination to qualify an individual for the multistate license, but the legislation defers that alternative to “competency requirements which the Commission *may* determine by rule.”

- The compact prohibits a member state from imposing discipline against a licensed social worker who holds a Multistate Authorization to Practice for lawful actions in another member state. This could mean, for example, a social worker who is sitting in Maine and providing conversion therapy services to a minor located in another state via telehealth would not be subject to discipline by the Maine Board of Social Worker Licensure, even though such conduct would be prohibited by law in Maine.

Thank you for your attention and I am happy to answer questions now or at the work session.
