Senator Donna Bailey of York- Chair
Committee On Health Coverage, Insurance and Financial Services
c/o Legislative Information Office
100 State House Station
Augusta, ME 04333

Re: Opposition LD 1298 "An Act Establishing Alternative Pathways to Social Worker Licensing"

April 15, 2025

Dear Chair Bailey and Distinguished Committee Members:

My name is Lavina Harless. I serve as the Senior Director of Examination Services for the Association of Social Work Boards (ASWB). ASWB supports the Maine Board of Social Work Examiners in fulfilling its public protection mandate. As the only nonprofit professional association dedicated to social work regulation, we serve the licensing authorities of all 64 state and provinical governments in the U.S. and Canada. Core to our mission are accountability and public protection through the promotion of safe, competent, and ethical social work practice. We provide a range of resources and services to help in the administration of social work regulation. It is because of the integrity of our work on behalf of these licensing authorities that I must express opposition to LD 1298.

Like similar associations in other healthcare fields — such as medicine, nursing, pharmacy, and physical therapy — ASWB oversees the development and administration of the social work licensing examinations. LD 1298 proposes changes to Maine's social work licensing requirements for all categories of practice regulated. It introduces a new licensure pathway for individuals who have attempted but have not passed the licensing examination. This provision to permit licensure without a passing score on a uniform competence assessment is deeply concerning. Professional licensure decisions are broadly based on three core components: education, experience, and examination. Of these, the examination is the only element directly overseen by regulatory bodies such as the Maine Board of Social Work Examiners—and importantly, it is the only uniform requirement across U.S. jurisdictions. Best practices in regulation hold that licensing boards should maintain direct oversight of at least one component of licensure decisions. Licensing exams lend credibility to the regulatory process and promote public trust in the profession.

Examinations are the only continuously validated, objective measure of entry-level competence included as a requirement for licensure. The social work examinations are reliable and valid because they follow a psychometric process that adheres to industry standards, developed jointly with the American Educational Research Association, the American Psychological Association, and the National Council on Measurement in Education.

Employing a state-of-the-art examination development process involves both subject matter experts and strong third-party psychometrics. It begins with a practice analysis, which gathers input from current practitioners to reflect

real-world social work practice. These national surveys of the profession occur approximately every five to seven years to keep up with evolving standards of practice. The last practice analysis concluded in June 2024 and will inform the exam blueprints which are the basis of the exams offered starting in 2026.

ASWB takes many steps to ensure exam fairness. Question writers receive rigorous and detailed training. Professional social workers are involved in examination development and represent diversity of race, ethnicity, gender, age, and practice area. ASWB submits all test questions to a rigorous pretest process. Every question on an ASWB examination is reviewed for signs of potential bias and every correct answer is supported by a valid and current social work reference. ASWB works with third-party psychometricians who monitor the performance of every test question, ensuring scientifically that questions do not advantage or disadvantage any group of test-takers.

In August 2022, ASWB became the first health or human service regulatory association to publish a pass rate analysis report with disaggregated data. The analysis revealed outcome disparities across demographics like age and race. However, it is critical to not mistake outcomes for origins. The descriptive data included as part of the report cannot be used to draw causal relationships. Candidates for licensure – across demographic subgroups – do not come to the exam experience with access to the same resources or opportunities. To assume as much runs directly counter to what we know about the systemic impacts on diverse populations.

ASWB published the disaggregated pass rate data as part of our commitment to participating in data-driven conversations about diversity, equity, and inclusion. ASWB is engaged in a wide range of activities to affect the pass rate differences from our sphere of influence, however, we cannot solve a systems problem alone. ASWB-led efforts include continuous improvements to the exam forms and test-taker experience. ASWB provides accommodation and special testing arrangements for eligible test-takers. ASWB supports test-takers with exam preparation including a free study guide, and a free program focused on test preparation and test readiness, which is available to all test-takers when they register for a licensing exam. ASWB publishes a free suite of resources to help educators better understand what knowledge and skills their students will need as they enter the profession, including free group review practice questions.

Even as ASWB conducts research to inform the next generation of licensing exams and how best to support test-takers, we are working with independent researchers to understand systemic factors that may influence exam performance. This research, led by Dr. Joy Kim, MSW, Ph.D., of Rutgers University, identified consistent racial and ethnic disparities in exam outcomes across multiple professions, including medicine, nursing, and psychology, indicating that broader systemic issues may be at play. Dr. Kim's findings suggest that when historically marginalized groups have equitable access to resources and opportunities, the disparities in pass rates significantly decrease. Her report highlights the urgent need for further empirical research to better understand and address these disparities.

ASWB remains steadfast in its support of a rigorous, fair, and evidence-based licensing exam process that upholds the public's trust and ensures that licensed social workers are prepared to serve competently and ethically. We respectfully urge the Committee to give a negative report on L.D. 1298. Rather than eliminate the licensing exam requirement, efforts in the State of Maine should focus on how its institutions can better prepare test-takers to be successful.

Respectfully submitted,

Lavina Harless, LCSW
Senior Director of Examination Services
Association of Social Work Boards