

CALIFORNIA STATE BOARD OF BEHAVIORAL SCIENCES BILL ANALYSIS

BILL NUMBER: AB 427

VERSION: AMENDED APRIL 9, 2025

AUTHOR: JACKSON

**SPONSOR: NATIONAL ASSOCIATION OF SOCIAL
WORKERS – CALIFORNIA CHAPTER
(NASW-CA)**

POLICY & ADVOCACY COMMITTEE RECOMMENDATION: OPPOSE

SUBJECT: AMENDED: SOCIAL WORKERS: INTERSTATE COMPACT

Summary:

This bill would establish California as a member state in the Social Work Licensure Compact, which permits a licensed clinical social worker in a member state to practice in other member states. The Compact would only become operative in California if a majority of the Board of Behavioral Sciences votes in favor of joining the Compact, and the vote is certified by the Director of Consumer Affairs.

Existing Law:

- 1) Requires a California license to engage in the practice of clinical social work in this state and use the term “Licensed Clinical Social Worker.” (Business and Professions Code (BPC) §4996)
- 2) Establishes the Clinical Social Worker Practice Act and specifies requirements for licensure in California as a licensed clinical social worker (LCSW). Applicants must complete the following BPC §§4991, 4996.1, 4996.2, 4996.23):
 - A master’s degree from a school of social work accredited by the Commission on Accreditation of the Council on Social Work Education. Additional educational requirements are also prescribed in law.
 - Passage of a California law and ethics exam and the Association of Social Work Boards Clinical Exam.
 - At least 3,000 post degree supervised experience hours over a period of not less than 2 years.
- 3) Provides a streamlined licensure process for out-of-state licensees licensed for at least the 2 previous years who hold an equivalent license in another U.S. jurisdiction at the highest level of independent clinical practice. For these out-of-

state licensees, instead of determining whether their past education and experience meets all California requirements, the Board will issue a license if all the following are met (BPC §4996.17.1):

- The license has been active and unrestricted for at least the past two years. (The Board will review any past restrictions or disciplinary actions.)
 - The qualifying degree is a master's degree from an accredited school or department of social work.
 - The applicant complies with fingerprint requirements.
 - The applicant completes the following coursework from an accredited or approved school, or an acceptable continuing education provider:
 - 12 hours of California law and ethics.
 - 15 hours of California cultures.
 - 7 hours of California-specific child abuse assessment and reporting.
 - 6 hours of coursework or experience in suicide risk assessment and intervention (required only if they cannot provide proof of previously having this coursework or experience previously).
 - The applicant passes the California law and ethics exam. (Passage of the clinical exam is waived for these applicants.)
- 4) Provides that under the Federal Servicemembers Civil Relief Act, military members or their spouses who currently hold a license in good standing in another state may practice in California in that same profession if they are required to relocate here due to military orders. To do this, they must register with the Board and meet the following requirements (50 United States Code (USC) §4025a, BPC §115.10):
- Hold a professional or vocational license in good standing in another state, district, or territory of the United States in the same profession.
 - Relocate to California because of military orders for military service.
 - Have used the out-of-state license at some point during the two years immediately preceding relocation to California (e.g., performed at least one activity within the scope and under the authority of the out-of-state license).
 - Maintain in good standing all other valid and active out-of-state licenses in the same profession or vocation.
 - For spouses/domestic partners, maintain marriage or other legal union with a servicemember subject to military orders for military service.

- 5) Permits a person with a current, active, and unrestricted license in another state in a profession equivalent to the Board's LCSW license, to obtain a temporary practice allowance to provide services to a client travelling in or relocating to California for a period of 30 consecutive days in a calendar year. To qualify for the temporary practice allowance, certain qualifications must be met, including the client being a current client with an established, ongoing client-provider relationship with the therapist before travelling to this state. The therapist must also register with the Board. (BPC §4996.16.1)

This Bill:

- 1) Ratifies and approves the Social Work Licensure Compact (Compact). (BPC §4998.10)
- 2) Provides that holding a multistate license or multistate authorization to practice under the Compact is recognized as a license to practice clinical social work in California. (BPC §4996(d))
- 3) Specifies that the purpose of the Compact is to facilitate interstate practice of regulated social workers by improving public access to competent social work services. (BPC §4998.15, Section 1)
- 4) States that the Compact is designed to achieve numerous objectives, including increasing public access to social work services, reducing burdensome and duplicative requirements associated with holding multiple licenses, promoting mobility and addressing workforce shortages, and supporting military families. (BPC §4998.15, Section 1)
- 5) Defines certain terms used in the Compact, including the following (BPC §4998.15, Section 2):
 - Compact Commission, or "Commission" means the Social Work Licensure Compact Commission, which is the government agency whose membership consists of all states that have enacted the Compact.
 - Data System is defined as the repository of information about licensees, including continuing education, exam, licensure, current significant investigative information, disqualifying events, multistate licenses, and adverse action information.
 - Domicile means the jurisdiction where the licensee resides and intends to remain indefinitely.
 - Home State means the member state that is the licensee's primary domicile.

- Member State means a state, district, or territory of the United States that has enacted this compact.
 - Multistate Authorization to Practice means a legally authorized privilege to practice, equivalent to a license, associated with a multistate license permitting the practice of social work in a remote state.
 - Multistate License means a license to practice as a regulated social worker issued by a home state that authorizes the social worker to practice in all member states under a multistate authorization to practice.
 - Qualifying National Exam means a national licensing exam approved by the Commission.
 - Remote State means a member state other than the licensee's home state.
 - Single State License means a license issued by any state that authorizes practice only in that state and does not include multistate authorization to practice in member states.
- 6) Requires the Board to comply with the requirements of the Compact, and to adopt regulations to implement its requirements. (BPC §4998.20(a))
- 7) Provides that the Compact only becomes operative in California if a majority of the Board votes in favor of joining the Compact, and the Director of Consumer Affairs certifies this. (BPC §4998.20(b))

State Responsibilities

- 8) Provides that to be eligible to participate in the Compact, a state must (BPC §4998.15 Section 3(a)):
- License and regulate the practice of social work at either a clinical, master's or bachelor's level.
 - Require applicants to graduate from a social work program corresponds to the license sought, and that is operated by a college or university recognized by the licensing authority and accredited by the Council for Higher Education Accreditation or the United States Department of Education.
 - Require a period of supervised practice.
 - Have a mechanism in place for receiving, investigating, and adjudicating complaints about licensees.

- 9) Provides that to maintain Compact membership, the member state must (BPC §4998.15 Section 3(b)):
- Require applicants for a multistate license to pass a qualifying national exam for the type of license sought.
 - Participate in the data system.
 - Notify the Commission of any adverse action or current significant investigative information regarding a licensee.
 - Have procedures for considering the criminal history of an applicant for a multistate license (via fingerprints or other biometric based information) from the FBI and the state's criminal records agency.
 - Comply with the Commission's rules.
 - Require an applicant to obtain or retain a license in their home state and meet that state's qualifications and laws for licensure or renewal of licensure.
 - Authorize a licensee holding a multistate license in any member state to practice in accordance with the compact rules.
 - Designate a delegate to participate in the Commission meetings.
- 10) Requires a member state to designate the categories of social work licensure that applicants in that state may be issued a multistate license for (BPC §4998.15 Section 3(c)).
- 11) Provides that it is the home state's responsibility to determine an applicant's eligibility for a multistate license, and, if the applicant is eligible, the home state shall issue a multistate license that authorizes the applicant to practice in all member states under a multistate authorization to practice. (BPC §4998.15 Section 5 (a) and (b))
- 12) Permits a home state to charge a fee for granting a multistate license. (BPC §4998.15 Section 3(d))

Licensee Responsibilities

- 13) Specifies that to be eligible for a multistate license with the Compact, an applicant must (BPC §4998.15 Section 4(a)):
- Hold or be eligible for an active, unencumbered license in their home state.
 - Pay applicable fees, including any state fee, for the multistate license.

- Submit fingerprints (or other required biometric data) with their multistate license application
 - Notify the home state of any adverse action, encumbrance, or restriction on any professional license taken by any member or non-member state within 30 days.
 - Meet any continuing competence of the home state.
 - Follow the laws, regulations, and applicable standards in the member state where their client is located at the time of providing care.
- 14)** Requires an applicant for the clinical level social work multistate license to meet all the following (BPC §4998.15 Section 4(b)):
- A competency requirement, which consists of passing a clinical qualifying national exam. (Note: if clinically licensed in their home state prior to the time such an exam was required in that state, they will still qualify if they have been continuously licensed the entire time.) The Commission may also determine other substantially equivalent ways to meet the competency requirement by rule.
 - Obtain at least a master's degree in social work from a program recognized by the state's licensing authority and accredited by an accrediting agency recognized by either the Council for Higher Education Accreditation or the United States Department of Education.
 - A practice requirement consisting of 3,000 hours of postgraduate supervised clinical practice, or a minimum of two years of full-time postgraduate supervised clinical practice. The Commission may also determine other substantial equivalent ways to meet the practice requirement by rule.
- 15)** Specifies that the licensee's multistate license is subject to the renewal requirements of their home state (BPC §4998.15 Section 4(e)).
- 16)** Specifies that a licensee providing services in a remote state under a multistate authorization to practice must follow the laws of the remote state where the client is located. (BPC §4998.15 Section 16(a))

State Authority and Disciplinary Action

- 17)** Provides that a social worker's services in a remote state are subject to that member state's regulatory authority. A remote state may remove a regulated social worker's multistate authorization to practice in that state for a specific time

frame, impose fines, and take other needed actions to protect the public. (BPC §4998.15 Section 4(f))

- 18)** Provides that if a multistate license is encumbered, the person's multistate authorization to practice is deactivated in all remote states until no longer encumbered. (BPC §4998.15 Section 4(g))
- 19)** Provides that if a multistate authorization to practice is encumbered in a remote state, the person's multistate authorization to practice may be deactivated in that state until no longer encumbered. (BPC §4998.15 Section 4(h))
- 20)** States that nothing in the Compact, or the rules it establishes limit, restrict, or reduce the ability of a remote state to take adverse action against a licensee's multistate authorization to practice in that state. (BPC §4998.15 Section 5(d))
- 21)** States that nothing in the Compact, or the rules it establishes limit, restrict, or reduce the ability of a licensee's home state to take adverse action against a licensee's multistate license based on information provided by a remote state. (BPC §4998.15 Section 5(e))
- 22)** States that the Compact, or any of its rules, do not constrict or limit the ability of a member state to enact and enforce laws related to the practice of social work in that state, so long as they are not inconsistent with the provisions of the Compact. (BPC §4998.15 Section 6(a))
- 23)** Provides a remote state the authority to take adverse action against a licensee's multistate authorization to practice in that state, and to issue subpoenas for hearings and investigations. However, only the home state has the power to take adverse action against a multistate license. (BPC §4998.15 Section 9(a))
- 24)** Requires the home state to give the same priority to reports from a member state as it would if the conduct had occurred in the home state, applying its own state laws to determine the appropriate action. (BPC §4998.15 Section 9(b))
- 25)** Permits a member state, following its own procedures for taking action, to take adverse action based on factual findings of another member state. (BPC §4998.15 Section 9(e))
- 26)** Permits member states to participate with other member states in joint investigations of licensees. (BPC §4998.15 Section 9(f))
- 27)** Provides if adverse action is taken by the home state against a multistate license, the licensee's multistate authorization to practice is deactivated in all member states until no longer encumbered. (BPC §4998.15 Section 9(g))

- 28)** If a member state takes adverse action, it must notify the administrator of the data system, which shall then promptly notify the home state and all other member states. (BPC §4998.15 Section 9(h))
- 29)** Prohibits a member state to discipline a licensee who holds a multistate authorization to practice for lawful actions in another member state. (BPC §4998.15 Section 9(k))

The Counseling Compact Commission

- 30)** Establishes a joint government agency of member states called the Social Work Licensure Compact Commission (Commission). (BPC §4998.15 Section 10(a))
- 31)** Provides that each member state has one delegate selected by its licensing authority who may be either a current board member (either a social work member or public member) or board administrator. Each delegate is entitled to one vote on all voting matters before the Commission. (BPC §4998.15 Section 10(b))
- 32)** Grants the Commission various powers including (BPC §4998.15 Section 10(c)):
- Establishing and amending rules and bylaws;
 - Meeting and taking actions consistent with the Compact and the bylaws;
 - Initiate and conclude legal proceedings in the name of the Commission;
 - Assess and collect fees;
 - Establish a budget and make expenditures;
 - Appoint committees; and
 - Establish and elect an Executive Committee, which has the power to act on behalf of the Commission.
- 33)** Requires that Commission meetings must be open to the public, with public notice given. However, permits the Commission to convene in a closed meeting for certain reasons. (BPC §4998.15 Section 10(f))
- 34)** Permits the Commission to levy and collect an annual assessment from each member state and impose fees on licensees of member states who have a multistate license, to cover the Commission's costs. The annual assessment amount shall be adopted via rule (BPC §4998.15 Section 10(g)(3)).
- 35)** Requires the Commission to provide a for the development, maintenance, operation and utilization of a coordinated data system (BPC §4998.15 Section 11(a)).

- 36) Requires member states to submit data to the system on all individuals the Compact is applicable to, including identifying information, licensure data, adverse actions, application denials and the reasoning, and current significant investigative information. Member states may designate information that is not to be shared publicly. (BPC §4998.15 Section 11(c) and(f))
- 37) Provides that it is the responsibility of member states to report any adverse actions against a licensee, and to monitor the database to determine whether adverse action has been taken against a licensee. (BPC §4998.15 Section 11(e))
- 38) Sets forth a rulemaking process for the Commission to follow in adopting rules to implement and administer the Compact, including holding a public hearing allowing public comment with at least 30 days advance notice. (BPC §4998.15 Section 12)
- 39) States that the rules of the Commission have the force of law in each member state. However, where the rules conflict with the laws of the member state, the rules shall be ineffective in that state to the extent of the conflict. (BPC §4998.15 Section 12 (b))
- 40) Specifies the process for a state to be terminated from the Compact. (BPC §4998.15 Section 13)
- 41) Provides that the Commission may initiate legal action against a member state to enforce compliance with the Compact. A member state may also initiate legal action against the Commission to enforce compliance with the Compact. (BPC §4998.15 Section 13)
- 42) States that laws in a member state that conflict with the Compact are superseded, and that all agreements between the Commission and the member states are binding. (BPC §4998.15 Section 16(c) and (d))

Comments:

- 1) **Author's Intent.** In the Assembly Business & Professions Committee analysis, the author states the following:

“[This bill] will significantly enhance the ability of social workers to provide essential services across state lines. This compact is vital not only for professionals in the field but also for the countless individuals and families who rely on their expertise and support. It is a commitment to improving the social services landscape in California and beyond. By removing barriers and fostering greater mobility for social workers, we are investing in the well-being of our communities and reinforcing the foundation of support that so many depend on.”

- 2) **Current Members and Start Date.** As of this date, 24 states have enacted legislation to join the Compact. A map of states that have joined can be found [here](#).

The Commission indicates they are currently in the implementation phase of the Compact and expect to be able to issue multistate licenses in the next 12 to 24 months. They are beginning the rulemaking process and the process to initiate building the data system.

- 6) **California-Specific Coursework Requirements for Out-of-State Applicants.** Under the Board's current license portability pathway to licensure (also known as Path A), an out-of-state licensee who has been equivalently licensed for at least 2 years in another state is eligible for a streamlined process to obtain a California license if they meet certain requirements, including passing the California law and ethics exam, and taking certain specific coursework: California law and ethics (12 hours), California cultures (15 hours), and child abuse reporting (7 hours, which must include content on California's mandated reporting requirements).

The Board implemented this streamlined pathway to licensure via legislation, which became effective in January 2020. This legislation was developed in a special License Portability Committee created by the Board, which met several times to explore the topic in-depth. One issue that the License Portability Committee found especially critical was that California has a uniquely diverse population, which may not be found in other states. California also has some laws that reflect the state's values, for example regarding reproductive rights or LGBTQ+ rights, which may differ in other states. For this reason, the Board felt strongly that out-of-state licensees should have certain supplemental coursework, of at least a continuing education course level, to ensure that out-of-state licensees had knowledge of California's laws and environment so that they could practice with a diverse population safely and competently. This is why the three California-specific courses became required.

This bill would exempt applicants for a multistate license who wish to practice in California as a remote state from needing to pass a California law and ethics exam or complete the California-specific coursework currently required of out-of-state applicants. This differs from the LPCC compact that the Board reviewed last year. Under that compact, LPCC applicants requesting the privilege to practice in California would still need to pass a California law and ethics exam, though they would not be required to complete any California-specific coursework.

- 7) **Delegation of Board's Authority.** The bill requires that member states to comply with the Compact Commission's legal requirements. Each member board gets one delegate on the commission, who has one vote regarding adoption of rules, regardless of a state's market share or number of licensees. This could potentially affect the Board's ability to act autonomously to accomplish its public protection mission.

- 8) **Supervision of Associates.** It is unclear from the language of the bill whether licensees holding a privilege to practice would be permitted to supervise associates. The Board would likely need to run regulations to answer this question, and others that would likely arise because of the compact.

9) **Fiscal Impact.**

The Board currently has approximately 3,700 LCSW licensees with an out-of-state address. The number of out-of-state applicants per year has increased since the Board introduced its license portability option. Below are the out-of-state LCSW applicants per fiscal year for the past 5 years:

Application Received	FY 2019/2020	FY 2020/2021	FY 2021/2022	FY 2022/2023	FY 2023/2024
LCSW Out-Of-State	465	502	586	663	584

Joining the compact would likely lead to some revenue loss if the home state of these licensees were also in the compact. These licensees would likely drop their California license in favor of paying for a multistate license through their home state instead.

However, some or all of this revenue loss may be offset by LCSWs obtaining a multistate license with California as their home state. The home state receives some revenue for a multistate license, although it is unclear at this time how much that fee would be and whether all the revenue it generates goes to the home state.

As of late 2024, the Board had 36,000 active LCSW licensees, and 41,000 total LCSW licensees (active, inactive, and delinquent).

The estimated number of LCSW licensees nationwide, and what percent of them may want to practice in California, is unknown. This information is needed to estimate an accurate fiscal impact.

New practitioners come with a potential cost to the Board if they face disciplinary action. The bill permits a state to act against a licensee's multistate authorization to practice, and it also permits a state to recover costs associated with investigations and disciplinary actions from the licensee. However, at this time it is unknown if the Board would have the ability to fully recover costs of the increased number of complaints, investigations, and disciplinary actions against a licensee. The bill only allows licensing boards to collect a fee for a multistate license from home state individuals. The allowable amount of that fee is unclear at this time and could in the future be dictated by rules established by Commission. If a large volume of individuals obtains a multistate license from their home state (from whom California cannot collect revenue) and California incurs significant enforcement expenses due to enforcement action related to these practitioners, it

could run a deficit or require a higher fee from full license holders if it cannot recover enough revenue to cover the costs of increased workload.

Staff also expects fiscal impacts related to the data system and required reporting, the need for the Board to run new regulations to comply with the Compact, and new staff in the licensing and enforcement units.

In addition, it appears the Commission could vote to have member boards incur additional costs. For example, the Commission may levy an annual assessment on member states, which is currently unspecified.

3) **Previous Legislation.**

- [AB 2501](#) (Bonta, 2024) proposed ratifying the Psychology Interjurisdictional Compact, which would be applicable to the Board of Psychology. AB 2501 died in the Senate Committee on Business, Professions, and Economic Development.
- AB 2566 (Wilson, 2024) would have established California as a member state in the Interstate Counseling Compact, which permits a licensed professional counselor (LPCC) in a member state to practice in other member states, if specified conditions are met. At its May 2024 meeting, this Board took an “oppose” position on the bill. AB 2566 died in the Senate Committee on Business, Professions, and Economic Development.

4) **Resources.** The Compact has a website with a variety of information, including FAQs. That website can be found [here](#).

5) **Staff Recommendation.** Staff recommends that the Board consider taking an “oppose” position on this bill. This will allow the Compact Commission more time to establish rules and begin operations, which should provide greater clarity to some of questions that the bill currently does not address.

6) **Support and Opposition.**

Support:

- National Association of Social Workers-California Chapter (NASW-CA) (Sponsor)
- California Association for Health Services at Home
- Harbor Association of Industry and Commerce
- San Diego Regional Chamber of Commerce
- Steinberg Institute
- Teladoc Health
- The Council for State Governments
- 46 individuals

Oppose:

- One individual

7) History.

04/09/25 Read second time and amended.
04/08/25 From committee: Amend, and do pass as amended and re-refer to
Com. on JUD. (Ayes 16. Noes 0.) (April 8).
03/25/25 Re-referred to Com. on B. & P.
03/24/25 From committee chair, with author's amendments: Amend, and re-refer
to Com. on B. & P. Read second time and amended.
03/24/25 Referred to Coms. on B. & P. and JUD.
02/06/25 From printer. May be heard in committee March 8.
02/05/25 Read first time. To print.

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AMENDED ATTACHMENT A

AMENDED IN ASSEMBLY APRIL 9, 2025

AMENDED IN ASSEMBLY MARCH 24, 2025

california legislature—2025–26 regular session

ASSEMBLY BILL

No. 427

Introduced by Assembly Member Jackson

February 5, 2025

An act to amend Section 4996 of, and to add Article 6 (commencing with Section 4998.10) to Chapter 14 of Division 2 of, the Business and Professions Code, relating to healing arts.

legislative counsel's digest

AB 427, as amended, Jackson. Social workers: interstate compact.

Existing law, the Clinical Social Worker Practice Act, provides for the licensure and regulation of clinical social workers by the Board of Behavioral Sciences. Existing law requires the board to issue a clinical social worker license to each applicant who qualifies pursuant to the act and who successfully passes a California law and ethics examination and a clinical examination.

This bill would ratify and approve the Social Work Licensure Compact, which authorizes member states to issue multistate licenses to applicants meeting specified education and experience requirements. Under the compact, a multistate license grants the holder an authorization to practice in other member states. The compact provides for the creation of a commission and requires the board to select a delegate to serve on the commission. This bill would require the board to comply with the requirements of the compact and to adopt regulations necessary to implement that compact.

Existing law prohibits an individual from styling themselves, or holding themselves out to be, a “licensed clinical social worker,” and makes it unlawful to engage in the practice of clinical social work unless they hold a license under the Clinical Social Worker Practice Act.

This bill would instead prohibit those acts unless they hold a license under the act or under the above-described compact.

This bill would become operative only upon certification by the Director of Consumer Affairs that a majority of the board has voted in favor of joining the compact and would require the director to notify the Secretary of State and the Legislative Counsel Bureau of the date of that certification.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4996 of the Business and Professions
2 Code is amended to read:
3 4996. (a) Only individuals who have received a license under
4 this chapter may style themselves as “Licensed Clinical Social
5 Workers.” Every individual who styles themselves or who holds
6 themselves out to be a licensed clinical social worker, or who uses
7 any words or symbols indicating or tending to indicate that they
8 are a licensed clinical social worker, without holding their license
9 in good standing under this article, is guilty of a misdemeanor.
10 (b) It is unlawful for any person to engage in the practice of
11 clinical social work unless at the time of so doing such person
12 holds a valid, unexpired, and unrevoked license under this chapter.
13 (c) A clinical social worker licensed under this chapter is a
14 licentiate for purposes of paragraph (2) of subdivision (a) of Section
15 805, and thus is a health care practitioner subject to the provisions
16 of Section 2290.5 pursuant to subdivision (b) of that section.
17 (d) (1) A person holds a license under this chapter if they ~~hold~~
18 *satisfy either of the following requirements:*
19 (A) *The person holds a license under this article or hold a article.*
20 (B) *The person holds a multistate license or multistate*
21 *authorization to practice under the Social Work Licensure Compact*
22 *as set forth in Article 6 (commencing with Section 4998.10).*

1 (2) *This subdivision shall become operative only upon*
2 *certification by the Director of Consumer Affairs as set forth in*
3 *subdivision (b) of Section 4998.20.*

4 SEC. 2. Article 6 (commencing with Section 4998.10) is added
5 to Chapter 14 of Division 2 of the Business and Professions Code,
6 to read:

7
8 Article 6. Social Work Licensure Compact
9

10 4998.10. The Social Work Licensure Compact, as set forth in
11 Section 4998.15, is hereby ratified and approved.

12 4998.15. The provisions of the Social Work Licensure Compact
13 between the State of California and other states that are party to
14 the compact are as follows:

15 Section 1: Purpose

16 The purpose of this compact is to facilitate interstate practice of
17 regulated social workers by improving public access to competent
18 social work services. The compact preserves the regulatory
19 authority of states to protect public health and safety through the
20 current system of state licensure.

21 This compact is designed to achieve the following objectives:

22 (a) Increase public access to social work services.

23 (b) Reduce overly burdensome and duplicative requirements
24 associated with holding multiple licenses.

25 (c) Enhance the member states' ability to protect the public
26 health and safety.

27 (d) Encourage the cooperation of member states in regulating
28 multistate practice.

29 (e) Promote mobility and address workforce shortages by
30 eliminating the necessity for licenses in multiple states by providing
31 for the mutual recognition of other member state licenses.

32 (f) Support military families.

33 (g) Facilitate the exchange of licensure and disciplinary
34 information among member states.

35 (h) Authorize all member states to hold a regulated social worker
36 accountable for abiding by a member state's laws, regulations, and
37 applicable professional standards in the member state in which the
38 client is located at the time care is rendered.

39 (i) Allow for the use of telehealth to facilitate increased access
40 to regulated social work services.

1 Section 2: Definitions

2 As used in this compact, and except as otherwise provided, the
3 following definitions shall apply:

4 (a) “Active military member” means any individual with
5 full-time duty status in the active armed forces of the United States
6 including members of the National Guard and Reserve.

7 (b) “Adverse action” means any administrative, civil, equitable,
8 or criminal action permitted by a state’s laws which is imposed
9 by a licensing authority or other authority against a regulated social
10 worker, including actions against an individual’s license or
11 multistate authorization to practice such as revocation, suspension,
12 probation, monitoring of the licensee, limitation on the licensee’s
13 practice, or any other encumbrance on licensure affecting a
14 regulated social worker’s authorization to practice, including
15 issuance of a cease and desist action.

16 (c) “Alternative program” means a nondisciplinary monitoring
17 or practice remediation process approved by a licensing authority
18 to address practitioners with an impairment.

19 (d) “Charter member states” means member states who have
20 enacted legislation to adopt this compact where such legislation
21 predates the effective date of this compact as described in Section
22 14.

23 (e) “Compact commission” or “commission” means the
24 government agency whose membership consists of all states that
25 have enacted this compact, which is known as the Social Work
26 Licensure Compact Commission, as described in Section 10, and
27 which shall operate as an instrumentality of the member states.

28 (f) “Current significant investigative information” means either
29 of the following:

30 (1) Investigative information that a licensing authority, after a
31 preliminary inquiry that includes notification and an opportunity
32 for the regulated social worker to respond has reason to believe is
33 not groundless and, if proved true, would indicate more than a
34 minor infraction as may be defined by the commission.

35 (2) Investigative information that indicates that the regulated
36 social worker represents an immediate threat to public health and
37 safety, as may be defined by the commission, regardless of whether
38 the regulated social worker has been notified and has had an
39 opportunity to respond.

1 (g) “Data system” means a repository of information about
2 licensees, including continuing education, examination, licensure,
3 current significant investigative information, disqualifying event,
4 multistate license, and adverse action information, or other
5 information as required by the commission.

6 (h) “Disqualifying event” means any adverse action or incident
7 which results in an encumbrance that disqualifies or makes the
8 licensee ineligible to either obtain, retain, or renew a multistate
9 license.

10 (i) “Domicile” means the jurisdiction in which the licensee
11 resides and intends to remain indefinitely.

12 (j) “Encumbrance” means a revocation or suspension of, or any
13 limitation on, the full and unrestricted practice of social work
14 licensed and regulated by a licensing authority.

15 (k) “Executive committee” means a group of delegates elected
16 or appointed to act on behalf of, and within the powers granted to
17 them by, the compact and commission.

18 (l) “Home state” means the member state that is the licensee’s
19 primary domicile.

20 (m) “Impairment” means a condition or conditions that may
21 impair a practitioner’s ability to engage in full and unrestricted
22 practice as a regulated social worker without some type of
23 intervention and may include alcohol and drug dependence, mental
24 health impairment, and neurological or physical impairments.

25 (n) “Licensee” means an individual who currently holds a license
26 from a state to practice as a regulated social worker.

27 (o) “Licensing authority” means the board or agency of a
28 member state, or equivalent, that is responsible for the licensing
29 and regulation of regulated social workers.

30 (p) “Member state” means a state, commonwealth, district, or
31 territory of the United States of America that has enacted this
32 compact.

33 (q) “Multistate authorization to practice” means a legally
34 authorized privilege to practice, which is equivalent to a license,
35 associated with a multistate license permitting the practice of social
36 work in a remote state.

37 (r) “Multistate license” means a license to practice as a regulated
38 social worker issued by a home state licensing authority that
39 authorizes the regulated social worker to practice in all member
40 states under multistate authorization to practice.

1 (s) “Qualifying national exam” means a national licensing
2 examination approved by the commission.

3 (t) “Regulated social worker” means any clinical, master’s, or
4 bachelor’s social worker licensed by a member state regardless of
5 the title used by that member state.

6 (u) “Remote state” means a member state other than the
7 licensee’s home state.

8 (v) “Rule” or “rule of the commission” means a regulation duly
9 promulgated by the commission, as authorized by the compact,
10 that has the force of law.

11 (w) “Single state license” means a social work license issued
12 by any state that authorizes practice only within the issuing state
13 and does not include multistate authorization to practice in any
14 member state.

15 (x) “Social work” or “social work services” means the
16 application of social work theory, knowledge, methods, ethics,
17 and the professional use of self to restore or enhance social,
18 psychosocial, or biopsychosocial functioning of individuals,
19 couples, families, groups, organizations, and communities through
20 the care and services provided by a regulated social worker as set
21 forth in the member state’s statutes and regulations in the state
22 where the services are being provided.

23 (y) “State” means any state, commonwealth, district, or territory
24 of the United States of America that regulates the practice of social
25 work.

26 (z) “Unencumbered license” means a license that authorizes a
27 regulated social worker to engage in the full and unrestricted
28 practice of social work.

29 Section 3: State Participation in the Compact

30 (a) To be eligible to participate in the compact, a potential
31 member state must currently meet all of the following criteria:

32 (1) License and regulate the practice of social work at either the
33 clinical, master’s, or bachelor’s category.

34 (2) Require applicants for licensure to graduate from a program
35 that meets all of the following:

36 (A) Operated by a college or university recognized by the
37 licensing authority.

38 (B) Accredited, or in candidacy by an institution that
39 subsequently becomes accredited, by an accredited agency
40 recognized by either of the following:

1 (i) The Council for Higher Education Accreditation or its
2 successor.

3 (ii) The United States Department of Education.

4 (C) Corresponds to the licensure sought as outlined in Section
5 4.

6 (3) Require applicants for clinical licensure to complete a period
7 of supervised practice.

8 (4) Have a mechanism in place for receiving, investigating, and
9 adjudicating complaints about licensees.

10 (b) To maintain membership in the compact, a member state
11 shall meet all of the following criteria:

12 (1) Require that applicants for a multistate license pass a
13 qualifying national exam for the corresponding category of
14 multistate license sought as outlined in Section 4.

15 (2) Participate fully in the commission's data system, including
16 using the commission's unique identifier as defined in rules.

17 (3) Notify the commission, in compliance with the terms of the
18 compact and rules, of any adverse action or the availability of
19 current significant investigative information regarding a licensee.

20 (4) Implement procedures for considering the criminal history
21 records of applicants for a multistate license. Such procedures shall
22 include the submission of fingerprints or other biometric-based
23 information by applicants for the purpose of obtaining an
24 applicant's criminal history record information from the Federal
25 Bureau of Investigation and the agency responsible for retaining
26 that state's criminal records.

27 (5) Comply with the rules of the commission.

28 (6) Require an applicant to obtain or retain a license in the home
29 state and meet the home state's qualifications for licensure or
30 renewal of licensure, as well as other applicable home state laws.

31 (7) Authorize a licensee holding a multistate license in any
32 member state to practice in accordance with the terms of the
33 compact and rules of the commission.

34 (8) Designate a delegate to participate in the commission
35 meetings.

36 (c) A member state meeting the requirements of subdivisions
37 (a) and (b) of this section shall designate the categories of social
38 work licensure that are eligible for issuance of a multistate license
39 for applicants in such member state. To the extent that any member
40 state does not meet the requirements for participation in the

compact at any particular category of social work licensure, such member state may choose, but is not obligated, to issue a multistate license to applicants that otherwise meet the requirements of Section 4 for issuance of a multistate license in such category or categories of licensure.

(d) The home state may charge a fee for granting the multistate license.

Section 4: Social Worker Participation in the Compact

(a) To be eligible for a multistate license under the terms and provisions of the compact, an applicant, regardless of category, shall meet all of the following criteria:

(1) Hold or be eligible for an active, unencumbered license in the home state.

(2) Pay any applicable fees, including any state fee, for the multistate license.

(3) Submit, in connection with an application for a multistate license, fingerprints or other biometric data for the purpose of obtaining criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records.

(4) Notify the home state of any adverse action, encumbrance, or restriction on any professional license taken by any member state or nonmember state within 30 days from the date the action is taken.

(5) Meet any continuing competence requirements established by the home state.

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

(b) An applicant for a clinical-category multistate license must meet all of the following requirements:

(1) Fulfill a competency requirement, which shall be satisfied by any of the following:

(A) Passage of a clinical-category qualifying national exam.

(B) Licensure of the applicant in their home state at the clinical category, beginning prior to the time a qualifying national exam was required by the home state and accompanied by a period of continuous social work licensure thereafter, all of which may be further governed by the rules of the commission.

1 (C) The substantial equivalency of subparagraphs (A) or (B),
2 which the commission may determine by rule.

3 (2) Attain at least a master's degree in social work from a
4 program that meets both of the following:

5 (A) Operated by a college or university recognized by the
6 licensing authority.

7 (B) Accredited, or in candidacy that subsequently becomes
8 accredited, by an accrediting agency recognized by either of the
9 following:

10 (i) The Council for Higher Education Accreditation or its
11 successor.

12 (ii) The United States Department of Education.

13 (3) Fulfill a practice requirement, which shall be satisfied by
14 demonstrating completion of any of the following:

15 (A) A period of postgraduate supervised clinical practice equal
16 to a minimum of three thousand hours.

17 (B) A minimum of two years of full-time postgraduate
18 supervised clinical practice.

19 (C) The substantial equivalency of subparagraphs (A) or (B),
20 which the commission may determine by rule.

21 (c) An applicant for a master's-category multistate license must
22 meet all of the following requirements:

23 (1) Fulfill a competency requirement, which shall be satisfied
24 by any of the following:

25 (A) Passage of a master's-category qualifying national exam.

26 (B) Licensure of the applicant in their home state at the clinical
27 category, beginning prior to the time a qualifying national exam
28 was required by the home state and accompanied by a period of
29 continuous social work licensure thereafter, all of which may be
30 further governed by the rules of the commission.

31 (C) The substantial equivalency of subparagraphs (A) or (B),
32 which the commission may determine by rule.

33 (2) Attain at least a master's degree in social work from a
34 program that meets both of the following:

35 (A) Operated by a college or university recognized by the
36 licensing authority.

37 (B) Accredited, or in candidacy that subsequently becomes
38 accredited, by an accrediting agency recognized by either of the
39 following:

- 1 (i) The Council for Higher Education Accreditation or its
2 successor.
- 3 (ii) The United States Department of Education.
- 4 (3) Fulfill a practice requirement, which shall be satisfied by
5 demonstrating completion of any of the following:
- 6 (A) A period of postgraduate supervised clinical practice equal
7 to a minimum of three thousand hours.
- 8 (B) A minimum of two years of full-time postgraduate
9 supervised clinical practice.
- 10 (C) The substantial equivalency of subparagraphs (A) or (B),
11 which the commission may determine by rule.
- 12 (d) An applicant for a bachelor's-category multistate license
13 must meet all of the following requirements:
- 14 (1) Fulfill a competency requirement, which shall be satisfied
15 by any of the following:
- 16 (A) Passage of a bachelor's-category qualifying national exam.
- 17 (B) Licensure of the applicant in their home state at the clinical
18 category, beginning prior to the time a qualifying national exam
19 was required by the home state and accompanied by a period of
20 continuous social work licensure thereafter, all of which may be
21 further governed by the rules of the commission.
- 22 (C) The substantial equivalency of subparagraphs (A) or (B),
23 which the commission may determine by rule.
- 24 (2) Attain at least a bachelor's degree in social work from a
25 program that meets both of the following:
- 26 (A) Operated by a college or university recognized by the
27 licensing authority.
- 28 (B) Accredited, or in candidacy that subsequently becomes
29 accredited, by an accrediting agency recognized by either of the
30 following:
- 31 (i) The Council for Higher Education Accreditation or its
32 successor.
- 33 (ii) The United States Department of Education.
- 34 (e) The multistate license for a regulated social worker is subject
35 to the renewal requirements of the home state. The regulated social
36 worker must maintain compliance with the requirements of
37 subdivision (a) to be eligible to renew a multistate license.
- 38 (f) The regulated social worker's services in a remote state are
39 subject to that member state's regulatory authority. A remote state
40 may, in accordance with due process and that member state's laws,

1 remove a regulated social worker's multistate authorization to
2 practice in the remote state for a specific period of time, impose
3 fines, and take any other necessary actions to protect the health
4 and safety of its citizens.

5 (g) If a multistate license is encumbered, the regulated social
6 worker's multistate authorization to practice shall be deactivated
7 in all remote states until the multistate license is no longer
8 encumbered.

9 (h) If a multistate authorization to practice is encumbered in a
10 remote state, the regulated social worker's multistate authorization
11 to practice may be deactivated in that state until the multistate
12 authorization to practice is no longer encumbered.

13 Section 5: Issuance of a Multistate License

14 (a) Upon receipt of an application for multistate license, the
15 home state licensing authority shall determine the applicant's
16 eligibility for a multistate license in accordance with Section 4 of
17 this compact.

18 (b) If such applicant is eligible pursuant to Section 4 of this
19 compact, the home state licensing authority shall issue a multistate
20 license that authorizes the applicant or regulated social worker to
21 practice in all member states under a multistate authorization to
22 practice.

23 (c) Upon issuance of a multistate license, the home state
24 licensing authority shall designate whether the regulated social
25 worker holds a multistate license in the bachelor's, master's, or
26 clinical category of social work.

27 (d) A multistate license issued by a home state to a resident in
28 that state shall be recognized by all compact member states as
29 authorizing social work practice under a multistate authorization
30 to practice corresponding to each category of licensure regulated
31 in each member state.

32 Section 6: Authority of Interstate Compact Commission and
33 Member State Licensing Authorities

34 (a) Nothing in this compact, nor any rule of the commission,
35 shall be construed to limit, restrict, or in any way reduce the ability
36 of a member state to enact and enforce laws, regulations, or other
37 rules related to the practice of social work in that state, where those
38 laws, regulations, or other rules are not inconsistent with the
39 provisions of this compact.

1 (b) Nothing in this compact shall affect the requirements
2 established by a member state for the issuance of a single state
3 license.

4 (c) Nothing in this compact, nor any rule of the commission,
5 shall be construed to limit, restrict, or in any way reduce the ability
6 of a member state to take adverse action against a licensee's single
7 state license to practice social work in that state.

8 (d) Nothing in this compact, nor any rule of the commission,
9 shall be construed to limit, restrict, or in any way reduce the ability
10 of a remote state to take adverse action against a licensee's
11 multistate authorization to practice in that state.

12 (e) Nothing in this compact, nor any rule of the commission,
13 shall be construed to limit, restrict, or in any way reduce the ability
14 of a licensee's home state to take adverse action against a licensee's
15 multistate license based upon information provided by a remote
16 state.

17 Section 7: Reissuance of a Multistate License by a New Home
18 State

19 (a) A licensee can hold a multistate license, issued by their home
20 state, only in one member state at any given time.

21 (b) If a licensee changes their home state by moving between
22 two member states, all of the following shall apply:

23 (1) The licensee shall immediately apply for the reissuance of
24 their multistate license in their new home state. The licensee shall
25 pay all applicable fees and notify the prior home state in accordance
26 with the rules of the commission.

27 (2) Upon receipt of an application to reissue a multistate license,
28 the new home state shall verify that the multistate license is active,
29 unencumbered, and eligible for reissuance under the terms of the
30 compact and the rules of the commission. The multistate license
31 issued by the prior home state will be deactivated and all member
32 states notified in accordance with the applicable rules adopted by
33 the commission.

34 (3) Prior to the reissuance of the multistate license, the new
35 home state shall conduct procedures for considering the criminal
36 history records of the licensee. Such procedures shall include the
37 submission of fingerprints or other biometric-based information
38 by the applicants for the purpose of obtaining an applicant's
39 criminal history record information from the Federal Bureau of

1 Investigation and the agency responsible for retaining that state's
2 criminal records.

3 (4) If required for initial licensure, the new home state may
4 require completion of jurisprudence requirements in the new home
5 state.

6 (5) Notwithstanding any other provision of this compact, if a
7 licensee does not meet the requirements set forth in this compact
8 for the reissuance of a multistate license by the new home state,
9 then the licensee shall be subject to the new home state
10 requirements for the issuance of a single state license in that state.

11 (c) If a licensee changes their primary state of residence by
12 moving from a member state to a nonmember state, or from a
13 nonmember state to a member state, then the licensee shall be
14 subject to the state requirements for the issuance of a single state
15 license in the new home state.

16 (d) Nothing in this compact shall interfere with a licensee's
17 ability to hold a single state license in multiple states; however,
18 for the purposes of this compact, a licensee shall have only one
19 home state and only one multistate license.

20 (e) Nothing in this compact shall interfere with the requirements
21 established by a member state for the issuance of a single state
22 license.

23 Section 8: Military Families

24 An active military member or their spouse shall designate a home
25 state where the individual has a multistate license. The individual
26 may retain their home state designation during the period the
27 service member is on active duty.

28 Section 9: Adverse Actions

29 (a) In addition to the other powers conferred by state law, a
30 remote state shall have the authority, in accordance with existing
31 state due process law, to:

32 (1) Take adverse action against a regulated social worker's
33 multistate authorization to practice only within that member state
34 and issue subpoenas for both hearings and investigations that
35 require the attendance and testimony of witnesses as well as the
36 production of evidence. Subpoenas issued by a licensing authority
37 in a member state for the attendance and testimony of witnesses
38 or the production of evidence from another member state shall be
39 enforced in the latter state by any court of competent jurisdiction,
40 according to the practice and procedure of that court applicable to

1 subpoenas issued in proceedings pending before it. The issuing
2 licensing authority shall pay any witness fees, travel expenses,
3 mileage, and other fees required by the service statutes of the state
4 in which the witnesses or evidence are located.

5 (2) Only the home state shall have the power to take adverse
6 action against a regulated social worker's multistate license.

7 (b) For purposes of taking adverse action, the home state shall
8 give the same priority and effect to reported conduct received from
9 a member state as it would if the conduct had occurred within the
10 home state. In so doing, the home state shall apply its own state
11 laws to determine appropriate action.

12 (c) The home state shall complete any pending investigations
13 of a regulated social worker who changes their home state during
14 the course of the investigations. The home state shall also have
15 the authority to take appropriate actions and shall promptly report
16 the conclusions of the investigations to the administrator of the
17 data system. The administrator of the data system shall promptly
18 notify the new home state of any adverse actions.

19 (d) A member state, if otherwise permitted by state law, may
20 recover from the affected regulated social worker the costs of
21 investigations and dispositions of cases resulting from any adverse
22 action taken against that regulated social worker.

23 (e) A member state may take adverse action based on the factual
24 findings of another member state, provided that the member state
25 follows its own procedures for taking the adverse action.

26 (f) Joint investigations:

27 (1) In addition to the authority granted to a member state by its
28 respective social work practice act or other applicable state law,
29 any member state may participate with other member states in
30 joint investigation of licensees.

31 (2) Member states shall share any investigative, litigation, or
32 compliance materials in furtherance of any joint or individual
33 investigation initiated under the compact.

34 (g) If adverse action is taken by the home state against the
35 multistate license of a regulated social worker, the regulated social
36 worker's multistate authorization to practice in all other member
37 states shall be deactivated until all encumbrances have been
38 removed from the multistate license. All home state disciplinary
39 orders that impose adverse action against the license of a regulated
40 social worker shall include a statement that the regulated social

1 worker's multistate authorization to practice is deactivated in all
2 member states until all conditions of the decision, order, or
3 agreement are satisfied.

4 (h) If a member state takes adverse action, it shall promptly
5 notify the administrator of the data system. The administrator of
6 the data system shall promptly notify the home state and all other
7 member states of any adverse actions by remote states.

8 (i) Nothing in this compact shall override a member state's
9 decision that participation in an alternative program may be used
10 in lieu of adverse action.

11 (j) Nothing in this compact shall authorize a member state to
12 demand the issuance of subpoenas for attendance and testimony
13 of witnesses or the production of evidence from another member
14 state for lawful actions within that member state.

15 (k) Nothing in this compact shall authorize a member state to
16 impose discipline against a regulated social worker who holds a
17 multistate authorization to practice for lawful actions within another
18 member state.

19 Section 10: Establishment of Social Work Licensure Compact
20 Commission

21 (a) The compact member states hereby create and establish a
22 joint government agency whose membership consists of all member
23 states that have enacted the compact known as the Social Work
24 Licensure Compact Commission. The commission is an
25 instrumentality of the compact states acting jointly and not an
26 instrumentality of any one state. The commission shall come into
27 existence on or after the effective date of the compact as set forth
28 in Section 14.

29 (b) Membership, Voting, and Meetings

30 (1) Each member state shall have and be limited to one delegate
31 selected by that member state's state licensing authority.

32 (2) The delegate shall be either of the following:

33 (A) A current member of the state licensing authority at the time
34 of appointment, who is a regulated social worker or public member
35 of the state licensing authority.

36 (B) An administrator of the state licensing authority or their
37 designee.

38 (3) The commission shall by rule or bylaw establish a term of
39 office for delegates and may by rule or bylaw establish term limits.

1 (4) The commission may recommend removal or suspension of
2 any delegate from office.

3 (5) A member state's state licensing authority shall fill any
4 vacancy of its delegate occurring on the commission within 60
5 days of the vacancy.

6 (6) Each delegate shall be entitled to one vote on all matters
7 before the commission requiring a vote by commission delegates.

8 (7) A delegate shall vote in person or by such other means as
9 provided in the bylaws. The bylaws may provide for delegates to
10 meet by telecommunications, videoconference, or other means of
11 communication.

12 (8) The commission shall meet at least once during each calendar
13 year. Additional meetings may be held as set forth in the bylaws.
14 The commission may meet by telecommunication, video
15 conference, or other similar electronic means.

16 (c) The commission shall have the following powers:

17 (1) Establish the fiscal year of the commission.

18 (2) Establish code of conduct and conflict of interest policies.

19 (3) Establish and amend rules and bylaws.

20 (4) Maintain its financial records in accordance with the bylaws.

21 (5) Meet and take such actions as are consistent with the
22 provisions of this compact, the commission's rules, and the bylaws.

23 (6) Initiate and conclude legal proceedings or actions in the
24 name of the commission, provided that the standing of any state
25 licensing board to sue or be sued under applicable law shall not
26 be affected.

27 (7) Maintain and certify records and information provided to a
28 member state as the authenticated business records of the
29 commission, and designate an agent to do so on the commission's
30 behalf.

31 (8) Purchase and maintain insurance and bonds.

32 (9) Borrow, accept, or contract for services of personnel,
33 including, but not limited to, employees of a member state.

34 (10) Conduct an annual financial review.

35 (11) Hire employees, elect or appoint officers, fix compensation,
36 define duties, grant such individuals appropriate authority to carry
37 out the purposes of the compact, and establish the commission's
38 personnel policies and programs relating to conflicts of interest,
39 qualifications of personnel, and other related personnel matters.

40 (12) Assess and collect fees.

1 (13) Accept any and all appropriate gifts, donations, grants of
2 money, other sources of revenue, equipment, supplies, materials,
3 and services, and receive, utilize, and dispense of the same;
4 provided that at all times the commission shall avoid any
5 appearance of impropriety or conflict of interest.

6 (14) Lease, purchase, retain, own, hold, improve, or use any
7 property, real, personal, or mixed, or any undivided interest therein.

8 (15) Sell, convey, mortgage, pledge, lease, exchange, abandon,
9 or otherwise dispose of any property, real, personal, or mixed.

10 (16) Establish a budget and make expenditures.

11 (17) Borrow money.

12 (18) Appoint committees, including standing committees,
13 composed of members, state regulators, state legislators or their
14 representatives, and consumer representatives, and such other
15 interested persons as may be designated in this compact and the
16 bylaws.

17 (19) Provide and receive information from, and cooperate with,
18 law enforcement agencies.

19 (20) Establish and elect an executive committee, including a
20 chair and a vice chair.

21 (21) Determine whether a state's adopted language is materially
22 different from the model compact language such that the state
23 would not qualify for participation in the compact.

24 (22) Perform such other functions as may be necessary or
25 appropriate to achieve the purposes of this compact.

26 (d) The Executive Committee

27 (1) The executive committee shall have the power to act on
28 behalf of the commission according to the terms of this compact.
29 The powers, duties, and responsibilities of the executive committee
30 shall include:

31 (A) Oversee the day-to-day activities of the administration of
32 the compact, including enforcement and compliance with the
33 provisions of the compact, its rules and bylaws, and other such
34 duties as deemed necessary.

35 (B) Recommend to the commission changes to the rules or
36 bylaws, changes to this compact legislation, fees charged to
37 compact member states, fees charged to licensees, and other fees.

38 (C) Ensure compact administration services are appropriately
39 provided, including by contract.

40 (D) Prepare and recommend the budget.

- 1 (E) Maintain financial records on behalf of the commission.
2 (F) Monitor compact compliance of member states and provide
3 compliance reports to the commission.
4 (G) Establish additional committees as necessary.
5 (H) Exercise the powers and duties of the commission during
6 the interim between commission meetings, except for adopting or
7 amending rules, adopting or amending bylaws, and exercising any
8 other powers and duties expressly reserved to the commission by
9 rule or bylaw.
10 (I) Other duties as provided in the rules or bylaws of the
11 commission.
12 (2) The executive committee shall be composed of up to 11
13 members:
14 (A) The chair and vice chair of the commission shall be voting
15 members of the executive committee.
16 (B) The commission shall elect five voting members from the
17 current membership of the commission.
18 (C) Up to four ex officio, nonvoting members from four
19 recognized national social work organizations.
20 (D) The ex officio members will be selected by their respective
21 organizations.
22 (3) The commission may remove any member of the executive
23 committee as provided in the commission's bylaws.
24 (4) The executive committee shall meet at least annually.
25 (A) Executive committee meetings shall be open to the public,
26 except that the executive committee may meet in a closed,
27 nonpublic meeting as provided in paragraph (2) of subdivision (f).
28 (B) The executive committee shall give seven days' notice of
29 its meetings, posted on its website and as determined to provide
30 notice to persons with an interest in the business of the commission.
31 (C) The executive committee may hold a special meeting in
32 accordance with subparagraph (B) of paragraph (1) of subdivision
33 (f).
34 *(e) The Commission shall adopt and provide to the member*
35 *states an annual report.*
36 (f) Meetings of the Commission
37 (1) All meetings shall be open to the public, except that the
38 commission may meet in a closed, nonpublic meeting as provided
39 in paragraph (2).

1 (A) Public notice for all meetings of the full commission of
2 meetings shall be given in the same manner as required under the
3 rulemaking provisions in Section 12, except that the commission
4 may hold a special meeting as provided in subparagraph (B).

5 (B) The commission may hold a special meeting when it must
6 meet to conduct emergency business by giving 48 hours' notice
7 to all commissioners, on the commission's website, and other
8 means as provided in the commission's rules. The commission's
9 legal counsel shall certify that the commission's need to meet
10 qualifies as an emergency.

11 (2) The commission or the executive committee or other
12 committees of the commission may convene in a closed, nonpublic
13 meeting for the commission or executive committee or other
14 committees of the commission to receive legal advice or discuss:

15 (A) Noncompliance of a member state with its obligations under
16 the compact.

17 (B) The employment, compensation, discipline or other matters,
18 practices or procedures related to specific employees.

19 (C) Current or threatened discipline of a licensee by the
20 commission or by a member state's licensing authority.

21 (D) Current, threatened, or reasonably anticipated litigation.

22 (E) Negotiation of contracts for the purchase, lease, or sale of
23 goods, services, or real estate.

24 (F) Accusing any person of a crime or formally censuring any
25 person.

26 (G) Trade secrets or commercial or financial information that
27 is privileged or confidential.

28 (H) Information of a personal nature where disclosure would
29 constitute a clearly unwarranted invasion of personal privacy.

30 (I) Investigative records compiled for law enforcement purposes.

31 (J) Information related to any investigative reports prepared by,
32 or on behalf of, or for use of the commission or other committee
33 charged with responsibility of investigation or determination of
34 compliance issues pursuant to the compact.

35 (K) Matters specifically exempted from disclosure by federal
36 or member state law.

37 (L) Other matters promulgated by the commission by rule.

38 (3) If a meeting, or portion of a meeting, is closed, the presiding
39 officer shall state that the meeting will be closed and reference

1 each relevant exempting provision, and such reference shall be
2 recorded in the minutes.

3 (4) The commission shall keep minutes that fully and clearly
4 describe all matters discussed in a meeting and shall provide a full
5 and accurate summary of actions taken, and the reasons therefor,
6 including a description of the views expressed. All documents
7 considered in connection with an action shall be identified in such
8 minutes. All minutes and documents of a closed meeting shall
9 remain under seal, subject to release only by a majority vote of
10 the commission or order of a court of competent jurisdiction.

11 (g) Financing of the Commission

12 (1) The commission shall pay, or provide for the payment of,
13 the reasonable expenses of its establishment, organization, and
14 ongoing activities.

15 (2) The commission may accept any and all appropriate revenue
16 sources as provided in paragraph (13) of subdivision (c).

17 (3) The commission may levy on, and collect, an annual
18 assessment from each member state and impose fees on licensees
19 of member states to whom it grants a multistate license to cover
20 the cost of the operations and activities of the commission and its
21 staff, which must be in a total amount sufficient to cover its annual
22 budget as approved each year for which revenue is not provided
23 by other sources. The aggregate annual assessment amount for
24 member states shall be allocated based upon a formula that the
25 commission shall promulgate by rule.

26 (4) The commission shall not incur obligations of any kind prior
27 to securing the funds adequate to meet the same; nor shall the
28 commission pledge the credits of any of the member states, except
29 by and with the authority of the member state.

30 (5) The commission shall keep accurate accounts of all receipts
31 and disbursements. The receipts and disbursements of the
32 commission shall be subject to the financial review and accounting
33 procedures established under its bylaws. However, all receipts and
34 disbursement of funds handled by the commission shall be subject
35 to an annual financial review by a certified or licensed public
36 accountant, and the report of the financial review shall be included
37 in and become part of the annual report of the commission.

38 (h) Qualified Immunity, Defense, and Indemnification

39 (1) The members, officers, executive director, employees, and
40 representatives of the commission shall be immune from suit and

1 liability, both personally and in their official capacity, for any
2 claim for damage to or loss of property or personal injury or other
3 civil liability caused by or arising out of any actual or alleged act,
4 error, or omission that occurred, or that the person against whom
5 the claim is made had a reasonable basis for believing occurred
6 within the scope of commission employment, duties, or
7 responsibilities; provided that nothing in this paragraph shall be
8 construed to protect any such person from suit or liability for any
9 damage, loss, injury, or liability caused by the intentional or willful
10 or wanton misconduct of that person. The procurement of insurance
11 of any type by the commission shall not in any way compromise
12 or limit the immunity granted hereunder.

13 (2) The commission shall defend any member, officer, executive
14 director, employee, and representative of the commission in any
15 civil action seeking to impose liability arising out of any actual or
16 alleged act, error, or omission that occurred within the scope of
17 commission employment, duties, or responsibilities, or as
18 determined by the commission that the person against whom the
19 claim is made had a reasonable basis for believing occurred within
20 the scope of commission employment, duties, or responsibilities;
21 provided that nothing herein shall be construed to prohibit that
22 person from retaining their own counsel at their own expense; and
23 provided further, that the actual or alleged act, error, or omission
24 did not result from that person's intentional or willful or wanton
25 misconduct.

26 (3) The commission shall indemnify and hold harmless any
27 member, officer, executive director, employee, and representative
28 of the commission for the amount of any settlement or judgment
29 obtained against that person arising out of any actual or alleged
30 act, error, or omission that occurred within the scope of commission
31 employment, duties, or responsibilities, or that such person had a
32 reasonable basis for believing occurred within the scope of
33 commission employment, duties, or responsibilities, provided that
34 the actual or alleged act, error, or omission did not result from the
35 intentional or willful or wanton misconduct of that person.

36 (4) Nothing herein shall be construed as a limitation on the
37 liability of any licensee for professional malpractice or misconduct,
38 which shall be governed solely by any other applicable state laws.

39 (5) Nothing in this compact shall be interpreted to waive or
40 otherwise abrogate a member state's state action immunity or state

1 action affirmative defense with respect to antitrust claims under
2 the Sherman Act, Clayton Act, or any other state or federal antitrust
3 or anticompetitive law or regulation.

4 (6) Nothing in this compact shall be construed to be a waiver
5 of sovereign immunity by the member states or by the commission.

6 Section 11: Data System

7 (a) The commission shall provide for the development,
8 maintenance, operation, and utilization of a coordinated data
9 system.

10 (b) The commission shall assign each applicant for a multistate
11 license a unique identifier, as determined by the rules of the
12 commission.

13 (c) Notwithstanding any other provision of state law to the
14 contrary, a member state shall submit a uniform data set to the
15 data system on all individuals to whom this compact is applicable
16 as required by the rules of the commission, including:

17 (1) Identifying information.

18 (2) Licensure data.

19 (3) Adverse actions against a license and information related
20 thereto.

21 (4) Nonconfidential information related to alternative program
22 participation, the beginning and ending dates of such participation,
23 and other information related to such participation not made
24 confidential under member state law.

25 (5) Any denial of application for licensure, and the reasons for
26 such denial.

27 (6) The presence of current significant investigative information.

28 (7) Other information that may facilitate the administration of
29 this compact or the protection of the public, as determined by the
30 rules of the commission.

31 (d) The records and information provided to a member state
32 pursuant to this compact or through the data system, when certified
33 by the commission or an agent thereof, shall constitute the
34 authenticated business records of the commission, and shall be
35 entitled to any associated hearsay exception in any relevant judicial,
36 quasi-judicial, or administrative proceedings in a member state.

37 (e) Current significant investigative information pertaining to
38 a licensee in any member state will only be available to other
39 member states. It is the responsibility of the member states to report
40 any adverse action against a licensee and to monitor the database

1 to determine whether adverse action has been taken against a
2 licensee. Adverse action information pertaining to a licensee in
3 any member state will be available to any other member state.

4 (f) Member states contributing information to the data system
5 may designate information that may not be shared with the public
6 without the express permission of the contributing state.

7 (g) Any information submitted to the data system that is
8 subsequently expunged pursuant to federal law or the laws of the
9 member state contributing the information shall be removed from
10 the data system.

11 Section 12: Rulemaking

12 (a) The commission shall promulgate reasonable rules in order
13 to effectively and efficiently implement and administer the
14 purposes and provisions of the compact. A rule shall be invalid
15 and have no force or effect only if a court of competent jurisdiction
16 holds that the rule is invalid because the commission exercised its
17 rulemaking authority in a manner that is beyond the scope and
18 purposes of the compact, or the powers granted hereunder, or based
19 upon another applicable standard of review.

20 (b) The rules of the commission shall have the force of law in
21 each member state, provided however that where the rules of the
22 commission conflict with the laws of the member state that
23 establish the member state's laws, regulations, and applicable
24 standards that govern the practice of social work as held by a court
25 of competent jurisdiction, the rules of the commission shall be
26 ineffective in that state to the extent of the conflict.

27 (c) The commission shall exercise its rulemaking powers
28 pursuant to the criteria set forth in this section and the rules adopted
29 thereunder. Rules shall become binding on the day following
30 adoption or the date specified in the rule or amendment, whichever
31 is later.

32 (d) If a majority of the legislatures of the member states rejects
33 a rule or portion of a rule, by enactment of a statute or resolution
34 in the same manner used to adopt the compact within four years
35 of the date of adoption of the rule, then such rule shall have no
36 further force and effect in any member state.

37 (e) Rules shall be adopted at a regular or special meeting of the
38 commission.

1 (f) Prior to adoption of a proposed rule, the commission shall
2 hold a public hearing and allow persons to provide oral and written
3 comments, data, facts, opinions, and arguments.

4 (g) Prior to adoption of a proposed rule by the commission, at
5 least 30 days in advance of the meeting at which the commission
6 will hold a public hearing on the proposed rule, the commission
7 shall provide a notice of proposed rulemaking:

8 (1) On the website of the commission or other publicly
9 accessible platform.

10 (2) To persons who have requested notice of the commission's
11 notices of proposed rulemaking.

12 (3) In other such ways as the commission may by rule specify.

13 (h) The notice of proposed rulemaking shall include all of the
14 following:

15 (1) The time, date, and location of the public hearing at which
16 the commission will hear public comments on the proposed rule
17 and, if different, the time, date, and location of the meeting where
18 the commission will consider and vote on the proposed rule.

19 (2) If the hearing is held via telecommunication, video
20 conference, or other electronic means, the commission shall include
21 the mechanism for access to the hearing in the notice of proposed
22 rulemaking.

23 (3) The text of the proposed rule and the reason therefor.

24 (4) A request for comments on the proposed rule from any
25 interested person.

26 (5) The manner in which interest persons may submit written
27 comments.

28 (i) All hearings will be recorded. A copy of the recording and
29 all written comments and documents received by the commission
30 in response to the proposed rule shall be available to the public.

31 (j) Nothing in this section shall be construed as requiring a
32 separate hearing on each rule. Rules may be grouped for the
33 convenience of the commission at hearings required by this section.

34 (k) The commission shall, by majority vote of all members, take
35 final action on the proposed rule based on the rulemaking record
36 and the full text of the rule.

37 (1) The commission may adopt changes to the proposed rule
38 provided the changes do not enlarge the original purpose of the
39 proposed rule.

1 (2) The commission shall provide an explanation of the reasons
2 for substantive changes made to the proposed rule as well as
3 reasons for substantive changes not made that were recommended
4 by commenters.

5 (3) The commission shall determine a reasonable effective date
6 for the rule. Except for an emergency as provided in subdivision
7 (l), the effective date of the rule shall be no sooner than 30 days
8 after issuing the notice that it adopted or amended the rule.

9 (l) Upon determination that an emergency exists, the commission
10 may consider and adopt an emergency rule within 48 hours' notice,
11 with opportunity to comment, provided that the usual rulemaking
12 procedures provided in the compact and in this section shall be
13 retroactively applied to the rule as soon as reasonable possible, in
14 no event later than 90 days after the effective date of the rule. For
15 the purposes of this provision, an emergency rule is one that must
16 be adopted immediately in order to do any of the following:

17 (1) Meet an imminent threat to public health, safety, or welfare.

18 (2) Prevent a loss of commission or member state funds.

19 (3) Meet a deadline for the promulgation of a rule that is
20 established by federal law or rule.

21 (4) Protect public health and safety.

22 (m) The commission or an authorized committee of the
23 commission may direct revisions to a previously adopted rule for
24 purposes of correcting typographical errors, errors in format, errors
25 in consistency, or grammatical errors. Public notice of any revisions
26 shall be posted on the website of the commission. The revision
27 shall be subject to challenge by any person for a period of 30 days
28 after posting. The revision may be challenged only on grounds
29 that the revision results in a material change to a rule. A challenge
30 shall be made in writing and delivered to the commission prior to
31 the end of the notice period. If no challenge is made, the revision
32 will take effect without further action. If the revision is challenged,
33 the revision may not take effect without the approval of the
34 commission.

35 (n) No member state's rulemaking requirements shall apply
36 under this compact.

37 Section 13: Oversight, Dispute Resolution, and Enforcement

38 (a) Oversight

1 (1) The executive and judicial branches of state government in
2 each member state shall enforce this compact and take all actions
3 necessary and appropriate to implement the compact.

4 (2) Except as otherwise provided in this compact, venue is
5 proper and judicial proceedings by or against the commission shall
6 be brought solely and exclusively in a court of competent
7 jurisdiction where the principal office of the commission is located.

8 The commission may waive venue and jurisdictional defenses to
9 the extent it adopts or consents to participate in alternative dispute
10 resolution proceedings. Nothing herein shall affect or limit the
11 selection or propriety of venue in any action against a licensee for
12 professional malpractice, misconduct, or any such similar matter.

13 (3) The commission shall be entitled to receive service of
14 process in any proceeding regarding the enforcement or
15 interpretation of the compact and shall have standing to intervene
16 in such a proceeding for all purposes. Failure to provide the
17 commission service of process shall render a judgment or order
18 void as to the commission, this compact, or promulgated rules.

19 (b) Default, Technical Assistance, and Termination

20 (1) If the commission determines that a member state has
21 defaulted in the performance of its obligations or responsibilities
22 under this compact or the promulgated rules, the commission shall
23 provide written notice to the defaulting state. The notice of default
24 shall describe the default, the proposed means of curing the default,
25 and any other action that the commission may take, and shall offer
26 training and specific technical assistance regarding the default.

27 (2) The commission shall provide a copy of the notice of default
28 to the other member states.

29 (c) If a state in default fails to cure the default, the defaulting
30 state may be terminated from the compact upon an affirmative
31 vote of a majority of the delegates of the member states, and all
32 rights, privileges, and benefits conferred on that state by this
33 compact may be terminated on the effective date of termination.
34 A cure of the default does not relieve the offending state of
35 obligations or liabilities incurred during the period of default.

36 (d) Termination of membership in the compact shall be imposed
37 only after all other means of securing compliance have been
38 exhausted. Notice of intent to suspend or terminate shall be given
39 by the commission to the governor of the defaulting state, the
40 majority and minority leaders of the defaulting state's legislature,

1 the defaulting state's state licensing authority, and each of the
2 members of the member state's state licensing authority.

3 (e) A state that has been terminated is responsible for all
4 assessments, obligations, and liabilities incurred through the
5 effective date of termination, including obligations that extend
6 beyond the effective date of termination.

7 (f) Upon the termination of a state's membership from this
8 compact, that state shall immediately provide notice to all licensees
9 within that state of such termination. The terminated state shall
10 continue to recognize all licenses granted pursuant to this compact
11 for a minimum of six months after the date of said notice of
12 termination.

13 (g) The commission shall not bear any costs related to a state
14 that is found to be in default or that has been terminated from the
15 compact, unless agreed upon in writing between the commission
16 and the defaulting state.

17 (h) The defaulting state may appeal the action of the commission
18 by petitioning the United States District Court for the District of
19 Columbia or the federal district where the commission has its
20 principal offices. The prevailing party shall be awarded all costs
21 of such litigation, including reasonable attorney's fees.

22 (i) Dispute Resolution

23 (1) Upon request by a member state, the commission shall
24 attempt to resolve disputes related to the compact that arise among
25 member states and between member and nonmember states.

26 (2) The commission shall promulgate a rule providing for both
27 mediation and binding dispute resolution for disputes as
28 appropriate.

29 (j) Enforcement

30 (1) By majority vote as provided by rule, the commission may
31 initiate legal action against a member state in default in the United
32 States District Court for the District of Columbia or the federal
33 district where the commission has its principal offices to enforce
34 compliance with the provisions of this compact and its promulgated
35 rules. The relief sought may include both injunctive relief and
36 damages. In the event judicial enforcement is necessary, the
37 prevailing party shall be awarded all costs of such litigation,
38 including reasonable attorney's fees. The remedies herein shall
39 not be the exclusive remedies of the commission. The commission

1 may pursue any other remedies available under federal or the
2 defaulting member state's law.

3 (2) A member state may initiate legal action against the
4 commission in the United States District Court for the District of
5 Columbia or the federal district where the commission has its
6 principal offices to enforce compliance with the provisions of this
7 compact and its promulgated rules. The relief sought may include
8 both injunctive relief and damages. In the event judicial
9 enforcement is necessary, the prevailing party shall be awarded
10 all costs of such litigation, including reasonable attorney's fees.

11 (3) No person other than a member state shall enforce this
12 compact against the commission.

13 Section 14: Effective Date, Withdrawal, and Amendment

14 (a) The compact shall come into effect on the date on which the
15 compact statute is enacted into law in the seventh member state.

16 (1) On or after the effective date of the compact, the commission
17 shall convene and review the enactment of each of the first seven
18 member states, known as charter member states, to determine if
19 the statute enacted by each such charter member state is materially
20 different than the model compact statute.

21 (A) A charter member state whose enactment is found to be
22 materially different from the model compact statute shall be entitled
23 to the default process set forth in Section 13.

24 (B) If any member state is later found to be in default, or is
25 terminated or withdraws from the compact, the commission shall
26 remain in existence and the compact shall remain in effect even if
27 the number of member states should be less than seven.

28 (2) Member states enacting the compact subsequent to the seven
29 initial charter member states shall be subject to the process set
30 forth in paragraph (21) of subdivision (c) of Section 10 to
31 determine if their enactments are materially different from the
32 model compact statute and whether they qualify for participation
33 in the compact.

34 (3) All actions taken for the benefit of the commission or in
35 furtherance of the purposes of the administration of the compact
36 prior to the effective date of the compact or the commission coming
37 into existence shall be considered actions of the commission unless
38 specifically repudiated by the commission.

39 (4) Any state that joins the compact subsequent to the
40 commission's initial adoption of the rules and bylaws shall be

1 subject to the rules and bylaws as they exist on the date in which
2 the compact becomes law in that state. Any rule that has been
3 previously adopted by the commission shall have the full force
4 and effect of law on the day the compact becomes law in that state.

5 (b) Any member state may withdraw from this compact by
6 enacting a statute repealing the same.

7 (1) A member state's withdrawal shall not take effect until 180
8 days after enactment of the repealing statute.

9 (2) Withdrawal shall not affect the continuing requirement of
10 the withdrawing state's licensing authority to comply with the
11 investigative and adverse action reporting requirements of this
12 compact prior to the effect date of withdrawal.

13 (3) Upon enactment of a statute withdrawing from this compact,
14 a state shall immediately provide notice of such withdrawal to all
15 licensees within that state. Notwithstanding any subsequent
16 statutory enactment to the contrary, such withdrawing state shall
17 continue to recognize all licenses granted pursuant to this compact
18 for a minimum of 180 days after the date of such notice of
19 withdrawal.

20 (c) Nothing contained in this compact shall be construed to
21 invalidate or prevent any licensure agreement or other cooperative
22 arrangement between a member state and a nonmember state that
23 does not conflict with the provisions of this compact.

24 (d) This compact may be amended by the member states. No
25 amendment to this compact shall become effective and binding
26 upon any member state until it is enacted into the laws of all
27 member states.

28 Section 15: Construction and Severability

29 (a) This compact and the commission's rulemaking authority
30 shall be liberally construed so as to effectuate the purposes, and
31 the implementation and administration of the compact. Provisions
32 of the compact expressly authorizing or requiring the promulgation
33 of rules shall not be construed to limit the commission's rulemaking
34 authority solely for those purposes.

35 (b) The provisions of this compact shall be severable and if any
36 phrase, clause, sentence, or provision of this compact is held by a
37 court of competent jurisdiction to be contrary to the constitution
38 of any member state, a state seeking participation in the compact,
39 or of the United States, or the applicability thereof to any
40 government, agency, person, or circumstance is held to be

1 unconstitutional by a court of competent jurisdiction, the validity
2 of the remainder of this compact and the applicability thereof to
3 any other government, agency, person, or circumstance shall not
4 be affected thereby.

5 (c) Notwithstanding subdivision (b), the commission may deny
6 a state's participation in the compact or, in accordance with the
7 requirements of subdivision (b) of Section 13, terminate a member
8 state's participation in the compact, if it determines that a
9 constitutional requirement of a member state is a material departure
10 from the compact. Otherwise, if this compact shall be held to be
11 contrary to the constitution of any member state, the compact shall
12 remain in full force and effect as to the remaining member states
13 and in full force and effect as to the member states affected as to
14 all severable matters.

15 Section 16: Consistent Effect and Conflict with Other State Laws

16 (a) A licensee providing services in a remote state under a
17 multistate authorization to practice shall adhere to the laws and
18 regulations, including laws, regulations, and applicable standards,
19 of the remote state where the client is located at the time care is
20 rendered.

21 (b) Nothing herein shall prevent or inhibit the enforcement of
22 any other law of a member state that is not inconsistent with the
23 compact.

24 (c) Any laws, statutes, regulations, or other legal requirements
25 in a member state in conflict with the compact are superseded to
26 the extent of the conflict.

27 (d) All permissible agreements between the commission and
28 the member states are binding in accordance with their terms.

29 4998.20. (a) The board shall comply with the requirements
30 of the compact, as set forth in Section 4998.15, and shall adopt
31 regulations necessary to implement the requirements of the
32 compact.

33 (b) *This article shall become operative only upon certification*
34 *by the Director of Consumer Affairs that a majority of the board*
35 *has voted, during a regular meeting, in favor of joining the*
36 *compact.*

37 (c) *The director shall notify the Secretary of State and the*
38 *Legislative Counsel Bureau of the date of that certification.*

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**Board of Behavioral Sciences
Policy and Advocacy Committee
1625 N Market Blvd., Suite S-200
Sacramento, CA 95834**

4/10/2025

Dear Honorable Chair Christopher Jones,

I hope this letter finds you well. My name is Kimberly Warmesley, MSW, LCSW, and I am the Executive Director of the National Association of Social Workers (NASW), California Chapter. At NASW, we are deeply committed to advancing social work practice and the well-being of the individuals and communities we serve. As the largest professional association for social workers in California, we represent thousands of social workers across the state, advocating for policies and initiatives that benefit our profession and the vulnerable populations we serve.

Social workers represent the highest number of mental health professionals in California, and we are often on the front lines of addressing mental health challenges. Our members work tirelessly to support individuals facing mental health crises, trauma, substance use disorders, and many other challenges. We are mainly vested in serving vulnerable communities, ensuring that underserved individuals, such as those in rural areas, communities of color, and people from disadvantaged backgrounds, receive the care and support they need.

On behalf of NASW, we urgently request your support in endorsing **Assembly Bill 427**. This bill, which would join California in the Social Work Interstate Compact, presents a crucial opportunity to address the escalating mental health needs across our state. Expanding access to licensed social workers can improve service delivery, particularly in rural and underserved areas. Your timely support is essential in this endeavor.

Your endorsement of AB 427 will play a vital role in helping California modernize licensure and ensure that more individuals needing mental health care receive the support they deserve. This is not just a contribution to policy reform but a testament to your commitment to the well-being of all Californians.

Here are several reasons why supporting AB 427 and the Social Work Interstate Compact is crucial:

- 1. Expanding Access to Care in Underserved Areas**

The compact allows California to tap into a broader pool of qualified social workers from other states, helping address the rise in mental health needs, especially in rural areas and among vulnerable communities. It will also support telehealth, enhancing access to care for residents in remote regions.

2. Increasing Workforce Mobility and Professional Development

The compact enhances mobility by allowing social workers to practice across state lines, expanding the pool of available professionals. This is especially beneficial in addressing workforce shortages and responding more efficiently to emerging needs. Additionally, it provides social workers with the opportunity to gain diverse experiences, contributing to their professional development.

3. Reducing Barriers and Strengthening Professional Standards

By aligning licensure standards across participating states, the compact ensures social workers maintain high professional standards while reducing barriers for diverse professionals seeking licensure in multiple states. This helps reflect the diversity of the community's social workers service.

4. Supporting Mental Health Care During Crises

In times of national or regional crises (e.g., natural disasters, public health emergencies), the compact allows social workers to quickly respond to areas of need, ensuring a timely and coordinated response to urgent social service requirements.

5. Enhancing Consumer Protection and Workforce Retention

The compact ensures that licensed social workers meet rigorous, consistent standards across states, safeguarding the public by maintaining high ethical standards. It also helps retain social workers in the profession by offering more job opportunities and reducing burnout, ultimately strengthening the workforce.

6. Streamlined Licensing Process and Cost Savings

The compact reduces the barriers to practicing across state lines by providing a more straightforward licensing process. Social workers licensed in one compact member state can more easily practice in others without duplicating extensive state-specific requirements. It also saves social workers time and money by reducing the need to pay for multiple licensing fees and exam costs.

7. Increased Recognition of Professional Standards

By ensuring that social workers meet consistent professional standards across states, the compact promotes recognition and consistency within the social work profession at the national level.

By supporting AB 427, you will be endorsing a critical piece of legislation and positioning California as a leader in responding to the evolving needs of social work professionals and the communities they serve. As more states join the Social Work Interstate Compact, California can modernize licensure policies and practices, ensuring a more equitable future for all. Your support will be instrumental in this journey.

NASW CALIFORNIA CHAPTER

SERVICE. INTEGRITY. SOCIAL JUSTICE.



We respectfully urge you to endorse AB 427 and support the continued advancement of this critical compact. Your support is crucial in our efforts to improve mental health care access, strengthen our workforce, and ensure a more equitable future for social workers and those we serve.

Thank you for your thoughtful consideration of this critical step. We eagerly anticipate your partnership in advancing this legislation. Your support is vital to our mission to improve mental health care access and strengthen our workforce for a better future.

Sincerely,

Kimberly Warmesley, MSW, LCSW

Executive Director

National Association of Social Workers (NASW), California Chapter



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Fact Sheet: Supporting AB 427 & The Social Work Licensure Compact

Mental Health Landscape in the U.S. & California:

- 1 in 5 American adults and 2 in 5 high school students experience mental health symptoms (CDC, 2023).¹
- Over 284,000 youth are diagnosed with major depression, and 66% do not receive care.²
- 40% of U.S. high school students report persistent sadness or hopelessness.³
- In California, severe mental illness affects racial and ethnic minorities at higher rates (American Indians: 6.8%, Black or African American: 5.3%, Multiracial: 4.9%) compared to White populations (4.2%).⁴
- Low-income individuals and people of color face significant barriers to accessing care and often receive lower quality services.⁵

The Need for Telehealth & Interstate Licensure:

- **Expanding Access:** 81% of Californians overall say it's "extremely" or "very" important to increase access to mental health treatment, making it one of Californians' highest health priorities for state government. And 46% of Californians think their community does not have enough mental health care providers, including psychologists and therapists, to serve the needs of residents.⁶
- **Utilization Trends:** While telehealth usage has decreased from pandemic peaks, it remains higher than pre-2020 levels, with 12.6% of Medicare beneficiaries using telehealth services by late 2023.⁷
- **Supporting High-Need Populations:** Telehealth extends psychiatric care and substance use disorder treatment to underserved areas.⁸
- **Regulatory Barriers:** Licensure restrictions prevent qualified social workers from providing care across state lines via telehealth.

California's Behavioral Health Workforce Shortage:

- **Provider Gaps:** California has just 2.35 social workers per 1,000 residents, well below the necessary threshold to meet increasing demands.⁹
- **Projected Shortages:** Demand for Medi-Cal behavioral health services outpaces provider availability, leaving thousands without adequate care.¹⁰
- **Geographic Disparities:** Rural and low-income communities face the highest shortages, exacerbating health inequities.
- **Military Families:** Spouses and transient populations face challenges obtaining new licenses, disrupting continuous mental health care.

Benefits of AB 427 & The Social Work Licensure Compact:

- **Increased Mobility:** Social workers licensed in compact states can practice in California without redundant applications.
- **Expanded Access:** Increases the number of available qualified professionals, addressing shortages in mental health services.
- **Streamlined Licensing:** Reduces licensing barriers by providing a framework for multi-state practice while maintaining California's social work standards.
- **Supports Telehealth:** Allows providers to offer virtual care across state lines, improving access for underserved populations.
- **Regulatory Oversight:** Maintains California's regulatory control over the practice of social work while promoting interstate mobility.

Additional Benefits of the Compact:

1. **Increased Workforce Mobility:** Social workers can practice across states without needing new licenses, increasing flexibility for relocation and job opportunities.
2. **Streamlined Licensing Process:** Simplifies the process for social workers to practice in multiple states, saving time and reducing administrative costs.
3. **Access to More Job Opportunities:** By removing licensing barriers, social workers can access jobs across states, particularly during workforce shortages.
4. **Professional Development:** Social workers can gain diverse experiences by working in different states, enhancing their skills.
5. **Crisis Response:** The compact enables rapid deployment of social workers to areas in need during national or regional crises.
6. **Enhanced Client Services:** Ensures continuity of care for clients moving between states, particularly in border areas.
7. **Cost Savings:** Social workers save money by reducing the need for multiple licensing fees and paperwork.
8. **Increased Professional Recognition:** The compact promotes uniform standards for licensure, raising the profile of the social work profession.
9. **Better Workforce Retention:** The compact offers more job opportunities, reducing burnout and increasing job satisfaction.
10. **Enhanced Consumer Protection:** Maintains high standards of practice and ethics across participating states, ensuring quality care and accountability.

**In Solidarity,
NASW-CA Chapter**

End Notes:

¹ Centers for Disease Control and Prevention. (n.d.). What CDC is doing to improve the nation's mental health. U.S. Department of Health & Human Services. <https://www.cdc.gov/mental-health/about/what-cdc-is-doing.html>

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