

2 THE SOCIAL WORK PROFESSION

WORKOUT 6 Understanding Social Work Regulation in Your State

At the present time, some regulation of the profession of social work exists in every state in the United States. Usually, this regulation takes the form of a system of licensure. *Licensure* is officially defined as

a process by which an agency of government grants permission to an individual to engage in a given occupation, upon finding that the applicant has attained the minimal degree of competency required to ensure that the public health, safety, and welfare will be reasonably well protected. (Karls, 1992, p. 53)

In other words, having a system in place that requires social workers to meet minimal standards for practice ostensibly ensures the protection of the service consumer from incompetent practitioners. Licensing also clarifies the “scope of practice,” that is, what the social worker may lawfully do. For example, in Kansas, the social worker may diagnose mental disorders (this is included in “scope of practice” statements that govern what professional social workers can do) but in no state can the social worker prescribe medication (not included in “scope of practice.”).

Given the pervasiveness of licensure in this country, it seems clear that such regulation is viewed as desirable. Both the profession and the public generally believe in the concept. However, not everyone agrees that the regulation of the profession is a good thing. Mathis (1992), for example, believes that licensing has a pernicious effect:

[It] narrows the scope and the nature of services delivered to people of color, . . . restricts job opportunities for [minorities] . . . by utilizing invalid and biased testing and formal, university-based education as the basic screening mechanisms for entering the profession, and screens out disproportionately . . . non-mainstream perspectives. (p. 59)

In other words, the institution of licensing is inherently racist and serves to maintain race- and class-based inequalities.

If the purpose of licensing is to protect the public from incompetence, you ought to know what its converse—competence—is. Regulation, coupled with the absence of such a definition, invites the criticism of “overregulation.” Here is an example: Recently, Kansas compelled a teenager to cease and desist the practice of cosmetology without a license. The nature of her crime? She was earning money (albeit less than a licensed beautician) by braiding the hair of friends and acquaintances into “cornrows,” tiny braids all over the head that take a very long time to do. When a group of licensed, professional beauticians heard about the girl and her business, they brought her to the attention of the local authorities. Citizens in the community, irritated that the young girl was

being punished, in effect, for showing some entrepreneurial instinct, questioned the decision to shut her down. Local beauticians defended the decision, stating that they had gone to beauty school, had learned about the skeletal structure of the head and about many different kinds of hair preparations, and that practices such as this girl's were dangerous to the public. What do you think? Did the cease-and-desist order protect the public? Or did the system of licensing simply keep a competent person from exercising her ability to compete in the marketplace?

This is not a small matter, either in theory or in practice, for the terms of the argument speak directly to the ongoing conflict within the profession about how it can remain true to its historical, anti-elitist mission while striving for the trappings of elitism—high pay and high status—that licensing requirements may reflect.

For some of you, licensing issues will become salient before you graduate, because your state regulates entry-level practice. Others of you will not need to consider licensure unless or until you attain a graduate degree. The question of the levels at which your state licenses can best be answered by your instructor. Nevertheless, it is important to understand the terms and conditions of attaining a license and keeping it active in the state in which you intend to practice, as well as getting a general sense of the whole regulation enterprise.

WORKOUT 6 *Instructions*

Location

In and outside class

Purpose

1. To understand the professional social work regulatory system in your state.
2. To learn more about how social work regulates itself across the country.
3. To gain the knowledge and understanding necessary for developing a critical perspective on the issue of licensure.

Background

This workout is based on the presumption that you have decided to attain an education that will get you to your goal of being a social worker. When we make the decision about what occupation or profession to pursue, we rarely think about what is required beyond the formal education component.

Graduation, however, is usually but one (albeit usually the most difficult) step toward being sanctioned by the state to practice your profession.

Persons contemplating entering the social work profession would be well served by learning about licensure requirements in their state, as well as answers to many other questions. For example, some states have licensing **reciprocity** with other states, which means that if you meet the requirements for licensing in one state, then the other state accepts your qualifications. Does your state have reciprocity? Another question often asked has to do with whether or not a student who has committed certain crimes in the past can be summarily prevented from being licensed by the state. How does your state handle an applicant's criminal record?

More important, though, what you learn about licensing will help you develop your own perspective about the functions it serves in society. That is the primary purpose of this workout.

Directions

1. Your instructor invites to class the credentialing specialist for your State Board to discuss licensing issues in your state. You should prepare for this talk by developing a list of questions you would like answered. These questions should relate to the specific requirements for attaining a license at the various levels, the costs associated with attaining and maintaining a license, and whether exceptions or waivers are ever granted for either of those two things. You might also ask about the scope of practice. In other words, what does having a license actually allow you to do? Query the credentialing specialist about reciprocity: Does your state have agreements with other states? On what grounds may a person be considered to be practicing social work without a

license? What happens to social workers who behave unethically? What other helping professionals are licensed through this same State Board? Are their requirements more, or less, stringent than those for social work? Take notes as part of this workout.

2. Your instructor then assigns each person in the class a state licensing board to write to, asking for specific information and answers to relevant questions. This part of the assignment can also be done in groups and takes almost no time. For example, one person in your group finds out the location of the State Board you have been assigned to write to (the Social Work Examination Service web page has links to addresses of all State Boards: <http://www.tiac.net/users/swes>). Another in your group writes the letter, asking that information be sent to the third member, who then is responsible for sharing that information.
3. On a day appointed by your instructor, all groups share the information they have gathered. Based on that information, your instructor leads you in a discussion about licensing and what you have learned.

Use this page to note the specifics of the letter you sent to the State Board assigned you by your teacher.

Address of Board: _____

Information requested:

Date the letter was mailed: _____

Person to whom information is to be sent: _____

Address: _____

Notes to Remember From Class Discussion About Licensure Around the Country

1. Based on what you have learned about licensure, what is your perspective?

2. Do you think the requirements set forth actually protect the public from the incompetent?

3. Do states make any exceptions to accommodate persons for whom licensing poses barriers to the ability to earn a living?

4. If not, do you think that such exceptions should be made, and if so, under what circumstances?

5. Should anyone who meets the minimum requirements be granted a license?

6. Are the sanctions for unethical behavior clear?

7. What should the future of licensing be?
