

PROFESSIONAL SOCIAL WORK REGULATION

How to use this resource

The Association of Social Work Boards (ASWB) is committed to protecting the public by providing support and services to the social work regulatory community to advance safe, competent, and ethical practices. As part of that mission, ASWB has prepared talking points about the importance of social work regulation and its contribution to public protection and enhancement of the profession. Feel free to use and share this information to support your education and advocacy efforts.

Licensure is governmental recognition and acknowledgment that professional social work competence has a direct impact on public health and safety.

All 50 states, the District of Columbia, the U.S. Virgin Islands, Guam, Puerto Rico, and the Northern Mariana Islands license the profession of social work. In Canada, the social work profession is controlled by provincial or territorial law and governed by a professional organization or regulatory body. Social workers must register with this regulatory body in order to practice; this process is the equivalent of becoming licensed in the United States.

- Licensure affords a privilege to practice in the jurisdiction where the license is issued. To be approved for a license, an applicant must meet certain minimum standards, including: education from an accredited school of social work, passing a high-stakes licensing exam, and supervised practice/experience for some categories of licensure.
- Licensure is proof that the practitioner has demonstrated the ability to perform safely, ethically, and competently.
- Licensure lowers barriers to practice mobility; without a license, a social worker will not be able to transfer to another jurisdiction that requires a license to practice.
- Licensure enables practitioners to treat veterans, Medicare/Medicaid recipients, those covered by private insurance, and those covered by the Affordable Care Act—all insurance providers that require licensure in order to make payment for services.
- In jurisdictions with title protection and/or practice act protection, only licensed social workers are qualified or permitted to call themselves social workers and practice the profession. In the United States, 46 jurisdictions have both practice and title protections; the remaining jurisdictions have either title or practice protection.

Regulatory boards protect the public by providing accountability to the public and to the profession.

Regulatory boards establish standards of minimum social work competence, methods of fairly and objectively addressing consumer complaints, and means of removing incompetent and/or unethical practitioners from practice.

- Efficient and effective regulatory structures are premised on the use of volunteer board members who possess the knowledge and expertise of the relevant profession to render decisions based on their expertise and knowledge that will stand up to legal scrutiny.
- Regulatory boards provide consumers a legal guarantee—that service will be safe, competent, ethical, and responsible.
- Public accountability is a commitment to investigate complaints and sanction licensees when appropriate, including removing the licenses of those who are found to be unfit to practice.

- Professional accountability is a commitment to establish appropriate educational, experience, and exam thresholds for license application and appropriate continuing education requirements for license renewal.
- Social work regulation protects the consumer.
- Regulatory structures are statutorily created to provide consumers of products and services with protections that they would otherwise not realize.
- Social workers practice in hospitals, state and local government, clinics, correctional facilities, schools, military bases, and in private practice among other settings. Consumers are best served by social workers who are regulated through common values, ethics, and practice standards.
- Social workers provide services and care to some of the most vulnerable populations in our communities. These consumers often are unable to protect themselves. Jurisdictional regulatory boards stand behind licensed practitioners to provide protection to these populations.
 - Abused and neglected children
 - People with mental illness and substance use disorders
 - Individuals and families dealing with medical issues or disability
 - Children and school issues
 - Survivors of crime and domestic violence
 - Veterans and their families
- Social workers manage public and private programs and funds through the administration of social services. As taxpayers, consumers are best protected when such programs are overseen by licensed practitioners.

Appropriate professional regulation is good for business.

Health care and social services agencies that employ licensed social workers benefit in the following ways.

- Employers can bill for Medicare and Medicaid reimbursement, Tricare/veterans' reimbursement, and reimbursement from most private third-party carriers and carriers under the Affordable Care Act.
- Employers can have confidence that they are hiring staff who have met minimum standards of social work knowledge, skills, and abilities by passing a national licensing exam.
- Licensed staff members are accountable to the jurisdictional board for their actions. If brought before the board and found unfit, they will be reported to the National Practitioner Data Bank.
- Licensed staff members maintain continued competence by completing continuing education to comply with license renewal requirements.
- The vulnerable publics these employers serve will be treated by staff whose licensed status demonstrates their ability to practice ethically, safely, and competently.
- Employers of licensed social workers will be able to demonstrate to the public that their staff meet a higher threshold of professionalism.
- Employers in jurisdictions with practice act protections can be confident that licensed staff members are qualified and legally entitled to carry out social work services.
- Employers in jurisdictions with title protection can be confident that the licensed staff members they hire are legally entitled to call themselves social workers and have the qualifying education and experience.

Deregulation of the social work profession is a disservice to the public.

Social justice is a guiding light for the social work profession. When a government recognizes the importance of the social work profession, by extension it recognizes the fundamental role that social justice plays in safe and competent practice. Social justice is the fundamental reason for public protection.

- Without access to services of a licensed practitioner, clients for mental health services will have to pay out of pocket for 100% of the cost of care because most insurance companies will not pay for services performed by unlicensed practitioners.
- Without title protection, which is a legal construct in most jurisdictions, clients have no assurance that the person they seek services from is a licensed social worker.
- Without practice protection, which is a legal construct in most jurisdictions, clients have no certainty that a licensed social worker will be providing the services that they seek.
- Without regulation of the profession, the public has no guarantee that there is recourse if they are harmed and that practitioners will be held accountable for their actions.
- Without regulation of the profession, disciplinary actions taken against social workers would not be reported to the National Practitioner Data Bank, as required by federal law.
- Without oversight of social service funds and programs by licensed social workers, tax dollars may be wasted or mismanaged.

For more information about regulation and public protection, visit www.aswb.org or your jurisdictional board's website.