

**DESTINATION DEFERRED:  
A Report to the Minnesota Board of Social Work  
On the Exemption from Mandatory Licensing  
For Social Workers in Minnesota County Social Services**

Available under "Board Reports" at:  
<http://www.socialwork.state.mn.us/>

*"Licensure for social workers in all jurisdictions has been a difficult journey  
which has yet to be completed."  
(Barber & Branson, 2000, p. 193)*

Anthony A. Bibus III, Ph.D., LISW  
Professor and Chair  
Augsburg College Social Work Department  
2211 Riverside Ave., MPLS, MN 55454  
612-330-1746; bibus@augsborg.edu

November 25, 2007

## Acknowledgements

This study was made possible through the talents and resources of the Minnesota Board of Social Work, in particular its staff Connie Oberle, Frank Merriman, Kate Zacher-Pate, Sheryl McNair, and ASWB colleagues; also essential to the study were the cooperation and helpfulness of the Minnesota Department of Human Services Merit System, especially from Betty Carlson and Patricia Hanscom, and from the personnel staff at non-merit system county agencies. Deb Most and Stephanie Kibler at MSSA, and David Klaassen, archivist at the University of Minnesota Social Welfare History Archives, went out of their way to obtain elusive records. Key informants Liz Dodge, Alan Ingram, Barbara Kaufman, Pam Luinenburg, Mary White, and Rosemary Martin not only were generous in sharing their memories and insights with me, but they also reviewed and with their comments improved this report. Professor Christine Black-Hughes and Minnesota State University, Mankato student Yong-Seuk Park, along with staff in the Social Work Department at Augsburg College contributed significantly, especially in formatting the tables and maps and with other editing suggestions. And finally, I thank Augsburg College and colleagues covering for my sabbatical, and with gratitude I love the support and patience as well as practical and technical tips from my wife, daughter and son.

Notes from my interview with key informant Mary White, September 24, 2007:  
The current situation is especially grievous, Mary believes, because the use of the “county social worker” title is confusing to the public. A family member of hers was flabbergasted to learn that a county social worker did not have to be licensed:  
“Of course she’s licensed, she works for the county doesn’t she?”

DESTINATION DEFERRED:  
A Report to the Minnesota Board of Social Work  
On the Exemption from Mandatory Licensing  
For Social Workers in Minnesota County Social Services

**Table of Contents**

Acknowledgements.....	p. ii
Table of Contents.....	p. iii
Introduction.....	p. 1
Background.....	p. 2
Literature Review.....	p. 3
Historical Background.....	p. 11
1987: Licensing passes in Minnesota, but with exemptions	p. 11
1992: The Board of Social Work attempts to repeal the exemption	p. 17
1994: The Child Welfare Training System begins	p. 20
1995-1996: Repeal of exemption for nursing home/hospital social workers	p. 21
1997: The language on the exemption is modified	p. 23
1999 - 2001: Concerns voiced about county services for children	p. 23
2001: SCOBO recommends repealing exemptions	p. 24
2001: NADD and CSWE oppose licensing of social work faculty	p. 25
2002: The Board’s complaint resolution process is improved	p. 26
2002 - 2003: Merit System accepts ASWB exam as equivalent	p. 27
2005: A completely new Social Work Practice Act is enacted	p. 30
2007: Rural social services are experiencing a workforce shortage	p. 31

Method.....	p. 33
Protection of Human Subjects.....	p. 33
Design of Study and Analysis.....	p. 34
Findings.....	p. 37
Table 1 Proportion of Social Workers Licensed, Alphabetical	p. 38
Table 2 Proportion of Social Workers Licensed, Ranked	p. 39
Table 3 Licensed County Social Workers Per County, Alphabetical	p. 43
Table 4 Licensed County Social Workers Per County, Ranked	p. 44
Table 5 License Status of Social Workers, Count Per County	p. 45
Map of Distribution of Licensed County Social Workers	p. 46
Discussion.....	p. 47
Recommendations.....	p. 49
References.....	p. 54
Appendix.....	p. 59

## Introduction

This report presents the results of a preliminary study on the number of county social workers in Minnesota who are licensed to practice social work. Twenty years ago, Minnesota began to license social workers. The first social work practice act in 1987 established the following exemption for social workers employed by county social service agencies; subsequent practice acts retained this exemption:

MS148B.28 [1987] Exceptions to License Requirement  
Subdivision 4: City, county, and state agency workers.

The licensing of city, county, and state agency social workers shall be voluntary. City, county, and state agencies employing social workers shall not be required to employ licensed social workers....

[Current identical language is in MS 148D.065]

Over the years, the Board of Social Work has recognized that this exemption inhibits its statutory purpose of promoting and protecting the public health, safety, and welfare through the licensure and regulation of persons who practice social work in Minnesota (MS 148D.030. Subdivision 1. Duties). At its July 27, 2001 meeting, the Board approved by unanimous vote the recommendation from its Special Committee on Board Operations to “seek legislation repealing all licensure exemptions, so that all social workers practicing in Minnesota are required to be licensed.” This was understood to be a lengthy process extending perhaps over ten years.

In order to lay the groundwork for this repeal of exemptions, the Board first pursued informal study and contacts through its advisory committee and then in the fall of 2005 set up an *ad hoc* legislative task force composed of four Board members, five advisory committee members representing the National Association of Social Workers (NASW-MN), the Minnesota Conference on Social Work Education (MCSWE), and the Coalition of Licensed Social Workers, and the Executive Director and Assistant Director of the Board. Tony Bibus, the author of this report and a Board member, has been serving as chair of the task force. This task force has been gathering information

intended to help carry out the Board's 2001 resolution. In the interest of public protection, the task force decided to focus its attention primarily on exploring, developing, coordinating, and facilitating modifications in the exemption for social workers in public county social service agencies. Some basic data sought by the task force, such as the number of social workers employed in Minnesota's 87 counties and the proportion of county social workers who have a license to practice, have not been available.

This report provides a starting point for a clearer picture of the landscape of social work licensing in the state; I also hope that it will generate pragmatic strategies for improving the Board's capacity and sanction to carry out its regulatory duties. Beginning with a brief review of the literature on social work licensing and especially exemptions, this report includes a summary of the historical background to the exemption for county social workers, describes the research questions and the method used to address them, presents and discusses findings, and ends with offering recommendations as well as suggestions for further study.

## **Background**

Regulation of social work practice has been a topic of discourse, debate, and some controversy for at least 75 years. Samuel Goldsmith's paper presented to the National Conference of Social Work in Minneapolis in 1931 is an example of an early discussion of the need for social work practitioners to have an equivalent set of requirements for professional preparation and registration, certification or licensing as other professions (such as surgery, nursing, dentistry, law, accounting, architecture, veterinary medicine, and teaching). Goldsmith was the executive director of Jewish Charities of Chicago at the time, and he was reflecting on the maturation of social work as a profession across the United States. He noted that regulation of older professions, such as medicine, had been evolving from requiring no specialized formal training to requiring at least two years of premedical college training (though "six states still require only a high school education, and one has no definite requirement of preliminary education," Goldsmith, 1931, p. 557.)

Referring to social work as a “peripatetic profession” (p. 556), Goldsmith explained that, as still today, each state establishes its own set of requirements but also recognizes the common standard elements of professional preparation in order to employ workers from other states; (see ASWB, 2007; Robb, 2004; Boutté-Queen, 2003, pp. 34-36; and DeAngelis, 2001, for a description of the contemporary somewhat fragmented landscape of social work regulation in the U.S).

As we will see later in this report, many of today’s debates about licensing social workers echo the dilemmas and arguments Goldsmith addresses. While acknowledging that social work regulation was in an earlier stage of development than some other professions, perhaps because “the practice of social work is almost exclusively under auspices of groups that represent the public and presumably safeguard the public” (p. 555), Goldsmith concludes that regulation of social workers is important and desirable for protecting the interests of people “who are, or may become, the objects of the application of the techniques of social work”:

It is undoubtedly true in our profession, as it is true in other professions, that the percentage of error and the concomitant ineffectiveness, if not more serious results of poor work, will be large so long as it may not be possible to restrict the practice of social work to those who have the skill and (or) the training to conduct the various practice involved, in an able manner. (pp. 560-561)

## **Literature Review**

Given this long history of discussion and the attention that licensing receives at conferences and in government policies, one might anticipate that there would be a robust and extensive literature on social work licensing and in particular on the thorny issue of exemptions for practitioners in public settings. However, I found fewer published articles on social work licensing than I expected. Thyer and Biggerstaff’s 1989 monograph provides an annotated bibliography of 128 out of 199 citations covering social work regulation, vendorship and private practice, but their review has not been replicated in twenty years. I found fairly recent publications ranging from general descriptive essays such as Biggerstaff’s 1996 encyclopedia entry and Hoffman’s 2002 magazine article, to reviews of licensing controversies such as exchanges between Karls and Mathis (in

Gambrill & Pruger, 1992), chapters on controversial issues (Gambrill & Pruger, 1997), and Thyer and Seidl's 2000 debate, a few theses and dissertations, and a handful of empirical studies such as Daley and Doughy (2007) and Cavazos (2001), who remarked as well on the scarcity of licensure research (p. 72); I also located nine published articles on the examination and its validity.

A variety of social work texts include only short passages on licensing, not even whole chapters. For example, a typical introductory text in social work programs (Farley, Smith, & Boyle, 2006) devotes less than a page to certification and licensing, most of it describing the development of the National Association of Social Workers' (NASW) certification process through its Academy of Certified Social Workers. Noting that all 50 states and Puerto Rico have licensure or certification of social work practice, the authors explain that "*Licensure* is the term most frequently used and usually refers to authorization by a Board to practice in the profession. *Certification* authorizes persons to practice in their profession from the authority given by a government entity" (p. 404) and often reserves the right to use the title of the profession solely to certified individuals. *Registration* is a term that sometimes covers regulation only of the use of the title of social worker and sometimes also entails some of the requirements typical under licensure, such as accountability to minimum standards of conduct (Pew Health Professions Commission, 1995, p. 2). However, neither certification nor registration usually include the rigorous degree requirements, testing for competencies, criminal background checks, board oversight of practice standards, continuing education expectations, supervision, renewal procedures, complaint processes, and other regulatory functions included under licensing governed by practice acts.

Resource texts on social work and the law also vary on coverage from no mention of legal regulation of social work practice (Albert, 2000) to brief passages (Schroeder, 1995, and Saltzman & Proch, 1990) to chapters (Karger, 1988) to comprehensive explanations and analysis (Barker & Branson, 2000). (See also Madden's presentations of the legal principles in social work practice, e.g. 2007). Social work licensing has often over the years appeared to be a relevant issue only for practitioners in private practice.

The assumption was that clients of social workers in the public sector already have protections and procedures to redress grievances built into the government processes by way of elected officials' oversight as well as bureaucratic safeguards and due process rights. Indeed, a recent workforce study of licensed social workers indicates that "licensed social workers in many practice areas are most likely to work in the private/nonprofit sector (e.g., addictions, adolescents, aging, health and mental health)" (Center for Workforce Studies, 2006, p. 18). However, the same study found that "social workers in some other practice areas are more likely to work for public sector agencies" such as child welfare, criminal justice, higher education, and school social work (p. 18).

Barker and Barnson review the purposes of social work licensing, its history, previous studies, and some of the controversies licensing evokes. Remarking that "social work lagged behind many other professions, even those much younger and less well established" (p. 184), they explain that up through the 1950s in the U.S., licensing was presumed not to be needed because the services provided by social workers were primarily under the auspices of social agencies not individual practitioners; clients could rely on bureaucratic oversight and careful supervisors. "It was believed that the supervisors could do everything needed" (p. 185). Gradually, however, it became clear to NASW members and other social workers that the protections afforded clients by recourse to supervisors and agency appeal processes were not adequate. Nor was voluntary commitment to NASW's *Code of Ethics* enough to assure the public that all social workers were properly trained and would abide by minimum standards. The criticism that licensing was self-serving and would set up an elitist class of social workers was still sounding (as it does today), but during the 1970s the drive for professional recognition, the need for access to reimbursement for mental health services, and the desire to afford clients better legal protections led social workers in every state to move toward licensure. "The one consistency in all states is that the purpose of social work licensing statutes is not to protect the social worker or the social work profession but to protect the consumer from social workers" (p. 193).

A more recent basic text by Dinitto and McNeece (2007) devotes some pages to licensing, explaining that “by specifying the knowledge and skills required for a given level of social work practice, and a common code of professional conduct, individual state boards use licensure to protect those using social work services” (p. 23). Citing one of the few dissertations on social work licensing (Kinderknecht, 1995), the authors comment briefly on the gap in public protection resulting from exemptions with some evidence suggesting that licensees exempted from passing the licensing examination may be more likely than licensees who have passed the examination to be named in complaints that their practice fell below ethical standards and more likely to have those complaints substantiated. They conclude:

In many states, the great majority of individuals holding positions that most people would describe as social work jobs do not hold a social work degree....It is possible that the reprofessionalization for social work could be achieved through the implementation of rigorous licensing laws and a licensing process that is not directed solely toward the practice of clinical social work. Society needs social workers who are well prepared in all areas of practice.... (p. 383)

While agreeing that extending licensing regulation to social workers in public and other exempt agencies and “eliminating exclusions to licensure may promote the identification of the social work profession with quality services offered in a variety of settings to people who are unable to obtain services from other sources” (p. 112), Biggerstaff (2000) cautions that legal regulation of service providers does not guarantee that those services will in fact turn out to be effective: “Effectiveness of services calls for at minimum practice based on sound research, on-going empirical validation of interventions, commitment to consistently updating practice knowledge and skills, critical skills in evaluating interventions, and skill in evaluating one’s own practice effectiveness” (p. 114). (See also the recent special issue in the *Journal of Social Work Education* on evidence based practice and the editorial by Walker, Briggs, Koroloff, & Friesen, 2007). Moreover, we do not know enough from empirical research yet about what impact licensing has on the actual helpfulness of services in the lives of people who use them. I know of no study comparing the experience of clients served by county social workers who are licensed to the experience of clients served by county social

workers who are not licensed. A first step in designing such a study would be to identify who among county social workers are licensed and who are not, which is the primary objective of the current study.

Two masters' theses (Cloutier, 1997, and Overson, 2005) shed light on the issue of exemptions. As an intern with the Minnesota Coalition of Licensed Social Workers, Cloutier conducted a study of the regulatory experience of ten states with practice acts that either never exempted county or state social workers or had an original exemption successfully repealed. He interviewed licensing board administrators or executive directors from the state's NASW chapter who were knowledgeable about each state's practice act and the process of negotiating to include public agency practitioners under the regulations. These 14 key informants addressed two research questions (p. 30):

(1) "What problems did policy makers encounter in the process of licensing public social workers?"

(2) What were the reasons for passage of social work licensing laws, which included public social workers, in these same states?"

Both his review of the literature and the information that the Coalition had gathered indicated that the opposition to including public agency practitioners tended to hinge on the beliefs:

- that "there is a questionable relationship between the competency of social work practitioners who are and are not licensed,"
- that government civil service and due process regulations such as through the state's Department of Human Services were already in place to respond to malpractice issues and thus licensing would be duplicative,
- that licensing boards' policies and rules "would unnecessarily siphon off public agency resources (i.e., time and money)", and
- that "licensing would cause hiring problems such as restricting access to employment, especially in rural areas and for people of color" (pp. 8-9).

Cloutier found that half of the states who did not exempt county or state social workers used a grandparenting strategy to bring all public sector practitioners under regulation as social workers. The other states did not resort to grandparenting though some negotiated other revisions that satisfied those opposing inclusion of the public sector. Key informants identified as a major concern difficulties in recruitment of licensed social workers of color and licensed social workers in rural areas (see also Karger, 1988; Holcomb, 2003, with Overson, 2005, below; Daley & Doughty, 2006, and Christine Black-Hughes' upcoming study for the Board, including her literature review on rural social work workforce issues, e.g., Mackie, 2007). Cloutier observed that "in states where hiring licensed social workers of color and licensed social workers in rural areas was not a problem, participants responded that their state was successful because they had good partnerships that offered internships and employment opportunities between the schools of social work, NASW, and public social work agencies" (p. 46; see also DeAngelis, 2001).

Seven years later, Overson conducted a qualitative analysis of responses gathered by an electronic survey (Holcomb, 2003) of 618 Minnesota county social workers from 54 of Minnesota's 87 counties (but not including the metropolitan urban counties); this response rate represented about 50% of the potential respondents in the counties that replied to the invitation to participate. An earlier analysis of the participants' quantitative responses had found that 50% were opposed to removing the existing exemption and 30% were in favor of repealing the exemption and thus requiring all county social workers to be licensed (Overson, p. 32; Holcomb, 2003). Sixty-seven percent of the respondents had social work degrees (55% of these social work degrees were BSW and 31% were MSW); of those with a social work degree, 46% did not currently have a license to practice social work. Those opposed to making licensing mandatory for county social workers included both licensed and unlicensed respondents; the costs of licensing, vulnerability to vindictive complaints, and no anticipated benefits in increased pay or other advantage were "overriding opinions stated in opposition to licensure" (p. 32):

The respondents revealed a belief that safeguards to clients were already in place. Restrictions in the hiring pool in rural areas and minority workers [as well as a] preference for a variety of educational backgrounds were also reflected in the data.

Fears that the hiring pool could be affected by licensing are balanced to a degree by research also cited by Overson indicating “that the higher standards imposed by regulation might solve some concerns about hiring shortages. GAO (Albers, 1993; Dhoooper, 1990) research suggests that BSW and MSW degrees correlate with higher job performance and lower turnover rates among caseworkers” (p. 23). But the persistence and prevalence of perceptions regarding the hiring difficulties and other potential disadvantages of licensing are underlined by findings from Boutté-Queen’s dissertation study (2003), also cited by Overson; barriers of cost, testing, cultural and educational backgrounds, and differences in experiences surfaced in responses from 560 licensed social workers from Texas: “Cost was more likely to be perceived as a barrier by those whose current jobs did not require licensure” (Boutté-Queen, 2003, p. 130).

Overson’s review of the literature found few other studies of the perceptions of practitioners who might be affected by expansion of licensing into previously exempt positions. Therefore, her analysis of qualitative responses sought “to uncover what factors influence thinking of public social service professionals about the removal of the licensing exemption....” (p. 36). She read and coded 418 responses using the concepts of adaptation, transaction, and goodness of fit from ecological systems theory as her framework for analysis. “In general, the findings suggest adaptive issues were the most salient....These responses reflected concerns with practical matters such as cost and replication of existing professional controls” (p. 60). “The results indicate cost, protection (clients are protected by current safeguards), and salary (no increase after licensure), are the most represented responses, respectively” (p. 36).

Of particular interest for the current study of the proportion of county practitioners who are currently licensed social workers, Overson’s data reveal some of the motivation that licensed social workers in county settings might have to drop their

license: “Adaptively, dropping the license due to the cost appeared to be a leading factor...” (p. 65). (Interestingly, Boutté-Queen’s study did not find a statistically significant relationship between actual licensing costs and the perceived level of barriers to licensing, but she did conclude that “non-whites are more likely to perceive cost, cultural applicability of the exam, and applicant’s race/ethnicity as barriers than are whites” [p. 150]; she also found indications that the more students saw licensing as a requirement for the first jobs, the more likely they were to consider becoming licensed, but that once licensed, the costs of moving to a more advanced license were perceived as barriers to licensing.) Other factors in Overson’s study that contributed to opposition to licensing among county practitioners included witnessing a licensed colleague go through an ordeal of having an unsubstantiated complaint filed against them and not experiencing any benefits from licensing. A typical response was “I dropped my license when it became apparent that the only purpose was to make it easier to punish a worker, and offered no protection or advantage” (quoted in Overson, p. 55). Other responses indicated that some did not understand the fundamental purpose of licensing to establish standards of practice and provide recourse for redress to those clients whose social workers’ practice falls below standards. And others who did understand this purpose objected to the premise; here’s an example:

“I also feel that many people employed in the county system have received their excellent social work skills from years of experience, not a license....If licensing was a requirement, clients would be in jeopardy of losing quality social workers that have been a crucial part of their treatment teams.”  
(quoted in Overson, p. 49).

On the other hand, those in favor of removing the exemption identified the benefit that licensing could bring to quality of services:

“I feel social workers should be licensed for the same reasons that nurses are licensed. Workers with unrelated degrees and experiences are often hired as social workers and a requirement to be licensed would ensure some quality control in the workplace”  
(quoted in Overson, p. 58.)

However, whether or not licensure improves services has yet to be established empirically. As noted above, the Board of Social Work has identified as a priority

learning more about the experiences of clients with county social workers who are voluntarily licensed compared to the experiences of clients whose county practitioners who are not licensed. The next section of this report outlines how the licensure exemption for county social workers came to be in the first place.

### **Historical Background**

#### 1987: Licensing passes in Minnesota, but with exemptions.

Passage of social work licensure in Minnesota in 1987 was a landmark accomplishment for the profession and for the people of Minnesota. By requiring minimum standards of education, supervision, and continuing education, licensing strengthened the regulatory foundation and sanction for services that licensed social workers offer. Importantly, it also provided a legal recourse independent of the service delivery system for clients to report unethical or incompetent conduct when social workers' practice fell below those standards. The success of licensing social workers was the product of years of preparation, development, advocacy, and lobbying efforts led by the Minnesota Coalition for Licensure of Social Workers (now the Minnesota Coalition of Licensed Social Workers). The Coalition was established in 1978 and is still operating today. It is a non-profit, voluntary, consensus-based organization of professional social work associations such as NASW and MCSWE, established to protect the public, support social work licensure, and make licensing fair and user friendly; removing the exemption was also a goal, but for later attention when politically feasible (P. Luinenburg and M. White, personal communications, September 27 and 24, 2007; see the appendices to this report for a list of members and description of the Coalition.)

Despite extensive preparatory work and the impressive array of endorsements (see the list in this report's appendices of 64 associations, agencies and boards that endorsed licensure of social workers in Minnesota in 1987), the legislation introduced in 1987 was far from assured passage. The opposition was vehement, and the need for additional regulation was not necessarily self-evident. One significant coincidence that helped secure passage in 1987 was the highly visible and effective work of the Task Force on Sexual Exploitation by Counselors and Psychotherapists. This task force was formed in

1984 and led by Barbara Sanderson (1989; see also Schoener, Milgrom, Gonsiorek, Luepker, & Conroe, 1989; in my interviews for this report, Barbara Kaufman and Alan Ingram, who were members of the Coalition, both remembered the impact of the reports of abuse of vulnerable clients: legislators were much more receptive to the need for regulation of practitioners than otherwise would have been the case at that time).

Following up on a wide range of concerns for the rights of vulnerable people with disabilities and mental health difficulties who were subject to neglect, abuse, and poor services in facilities and in care from individual practitioners (which had led to the 1982 Vulnerable Adults Act), lawmakers were persuaded to make it a felony in Minnesota for psychotherapists to have sexual contact with clients, and they also strengthened civil law and regulations. Those professions engaged in counseling which had not yet at that time been licensed in Minnesota (social workers and marriage and family counselors, for example) were identified as needing licensure to further protect clients from exploitation. The focus here was on “therapists.” Although most of the offenders who had abused their clients had been in private practice, some were county practitioners: for example, criminal cases in 1986-1987 included a mental health worker employed by Faribault County Social Services and a chemical dependency counselor employed by Stevens County Social Services (Schoener et al., pp. 553-560.)

Nevertheless, perhaps because it was assumed that county social workers did not provide therapy, strong opposition to expanding regulation into the public sector was present in both the House and the Senate (A. Ingram, personal communication, September 26, 2007). Under persuasive influence of county administrators, legislators assumed that county workers already had sufficient supervision and oversight; but for the realization that abuse of children by incompetent or unethical private practitioners can occur, there might not have been enough votes for licensing any social workers. As we will consider in more detail shortly, the exemption became the lynchpin for passage that was even then uncertain (B. Kaufman, personal communication, September 17, 2007).

In the end, primarily under the leadership of Representative Lee Greenfield and Senator Donna Peterson, the legislature passed and Governor Rudy Perpich signed the Social Work Practice Act on June 1, 1987. The full page-turning story of this cliffhanger is told in the curriculum module composed by project leaders Pam Luinenburg and Kate Zacher-Pate with Ralph Holcomb, other colleagues, and me (Luienburg et al., 2002, pp. 7-12; see also “Last Phase of the Struggle: The Final Three Years,” a June 25, 1987, message from the Coalition in the appendices to this report).

For this study, it is instructive to review how the brand new social work licensing legislation came to include the exemption for social workers in county social service agencies. As Mary White, who was coordinator of the Minnesota Coalition for Licensure of Social Workers in 1987, recalls in her historical narrative “Social Workers at the Minnesota Capitol” (Luienburg et al., 2002, p. 10): “Although support was widespread, not all Minnesota social workers agreed that licensure was necessary. Many social workers employed by counties were opposed to an additional layer of regulation of their practice.”

Some of those county social workers opposing licensure were members of bargaining units represented by the American Federation of State, County, and Municipal Employees (AFSCME), and this union was ready to lobby against social work licensing if the legislation did not exempt its members. Even more assertively, the Minnesota Association of County Commissioners (MAC) and the Minnesota Association of County Social Service Administrators (MACSSA) made it known that they would do all in their power to block licensing of social workers unless there was an exemption for county social workers. Liz Dodge, who is a licensed social worker and administrator in Chisago County today and who as an MSW student intern in 1987 was present during Coalition discussions and negotiations with parties, remembers that primary concerns expressed were:

(1) the cost to employees possibly then passed on to counties as part of labor agreements if workers had to pay fees to be licensed, and (2) the recruitment challenges that smaller rural counties might face because few applicants would have the credentials required (L. Dodge, personal communication, September 18, 2007).

We should note here that Minnesota has a state supervised and county administered public (government) social service system, unlike three-fourths of the other states in the U.S. whose public social services are state administered. Minnesota's Department of Human Services (DHS) promulgates rules for county social services to follow, takes the lead in developing statewide programming for people in need, provides consultative support and training to county staff, maintains the civil service system that 73 counties use for hiring social workers (the Minnesota Merit System), administers licensing regulations covering institutions, agencies, and businesses, and has jurisdiction over appeals or complaints lodged by clients of county social services. However, it does not hire county social workers. So, whereas in most other states social workers in local public social service agencies are state employees, in Minnesota they work for one of the county social service agencies and are county employees; (Faribault & Martin counties have formed a single combined social service agency as have Lincoln, Lyon, & Murray counties).

This distinction is key in understanding why county social workers are still today exempt from the state licensing law – the counties are wary in supporting a proscriptive state policy that could expand their responsibilities, and they are resentful of “unfunded mandates.” This phrase is used to describe requirements that the state imposes on counties to carry out but does not pay for with state revenue, thus leaving counties to pay the costs of the requirement with property tax revenue. County administrators were concerned that if their social workers were required to be licensed, counties might have to assume the financial burden even though the Board's licensing functions are funded entirely by licensees' fees. If their employees successfully negotiated for the counties to cover the costs of licensing, they would need to find money in their already tight budgets for that additional expense. They also could potentially encounter more barriers in hiring if there were not enough qualified and diverse candidates for county social work positions. And they feared additional impediments to efficient services (not to mention legal expenses) due to having to respond to another layer of appeals from disgruntled clients.

For this report I interviewed several key informants who were instrumental in passage of the 1987 legislation and who were present during various stages of negotiations and drafting (Barbara Kaufman on 9/17/07, Liz Dodge on 9/18/07, Mary White on 9/24/07, Alan Ingram on 9/26/07, and Pam Luinenburg on 9/27/07 and 11/12/07). From these interviews and the historical record, it is clear that while the original proposed Social Work Practice Act (which Alan Ingram drafted) did not contain exemptions, at early legislative committee hearings, the Bill's chief author in the House, Rep. Lee Greenfield, introduced an amendment exempting county social workers from being required to be licensed. Ingram wrote the amendment using language which the lobbyist had cleared as acceptable with AFSME. Pam Luinenburg, who became coordinator of the Coalition in 1989, describes this strategic compromise in her historical account "Exemptions Become a Reality" (Luinenburg et al., pp. 11-12): "The Coalition knew that the opposition had the votes to carry out their threat, and decided to exempt county, city, and state social workers from licensing requirements rather than lose the whole bill."

According to Alan Ingram and other key informants, the arguments in favor of the exemption for county workers were:

- (1) licensing was not needed in the counties for public protection because the elected commissioners were public officials who provided oversight and accountability,
- (2) there was a satisfactory process already in place for handling complaints or grievances by clients, and
- (3) the layers of supervision within county social services assured competency and standards.

Mary White recalled that the Coalition's strategy was to "gladly grandparent," get a foot in the door with licensing legislation, and then go back to the legislature and have the exemptions repealed later. (She commented: "Who would know we would still be working on that 20 years later!") Alan Ingram explained to me that the Coalition assumed, based on the experience of other states like Massachusetts, which had passed licensing with exemptions for public sector social workers and then within a few years repealed the exemptions, that there was little to worry about. He said "We didn't

understand the impact of Minnesota's state supervised, county operated social services system compared to Massachusetts' state operated system.”

Once the language exempting county social workers was included in the bill, according to key informants little further testimony against the exemption, objections, or other efforts to repeal the exemption arose during the 1987 legislative session. However, the records of the Minnesota Association of County Social Service Administrators and their lobbyist, Virginia Watkins, indicate that “the exemption was removed in [Senate] Health and Human Services Committee, and Government Operations [Senate] committee resisted attempts to reinstate the exemption" (MACSSA, Legislative Committee Minutes, April 29, 1987, Treasurer's Report, pp. 3-4, Box 8, Minnesota Social Service Association records, Social Welfare History Archives, University of Minnesota). This move was in conjunction with Senate amendments apparently intended to narrow the definition of licensed social work practice as primarily psychotherapy, thus minimizing the need for exempting county social workers, whose public sector practice seldom entailed providing psychotherapy.

Nevertheless, the House version of the Board of Social Work Practice Act retained both the broader complete definition of the scope of social work practice and the exemption for county social workers, and this version ultimately prevailed. Indeed, other exemptions were added to accommodate concerns expressed by the American Indian community, other ethnic groups, and some hospital and nursing home administrators. (See Pam Luinenburg's historical account “Exemptions Become a Reality” in Luinenburg et al., 2002, pp. 11-12.)

Minnesota was not alone in adopting a social work licensing statute with particular groups of social workers exempted from at least some of the requirements. In fact, as Troy Elliott from the Association of Social Work Board (ASWB) observed in a September 27, 2007, e-mail message to me, many states whose regulations do not explicitly exempt any social workers actually have “functional exemptions” built into their regulatory structure, for example by only regulating MSW practice or clinical

practice. And if there is a grandparenting period (as there was in Minnesota for the first two years), social workers who do not meet all of the requirements in the legislation are nonetheless licensed. Today, 14 jurisdictions (23%) exempt local government employees and 20 jurisdictions (32%) exempt state employees; see the chart from ASWB in the appendix of this report. As of 2002, only eight jurisdictions exempted no one (Hoffman, 2002, p. 29; see also ASWB's state-by-state chart of exempted groups.) On the other hand, states such as North Carolina and Alabama have eliminated exemptions for public sector social workers; a recent comprehensive reform of Alabama's child welfare system required all child welfare workers "to obtain licensure within one year of employment (Walley, 2007, p. 19).

1992: The Board of Social Work attempts to repeal the exemption.

Soon after implementation of the 1987 Social Work Practice Act was under way and the Board of Social Work formed, efforts began to repeal the exemptions for county social workers. The Board of Social Work initiated a formal attempt to repeal the exemption in 1992. Board member William Anderson addressed this initiative in an article for the *MSSA Bulletin*. This monthly newsletter of the Minnesota Social Services Association (MSSA) provides a venue for discourse on issues important to the state's social service system and staff. Since 1893, MSSA has been the primary member organization in Minnesota for public sector and more recently non-profit human services professionals, administrators, and elected officials. Its mission has been to provide leadership to enhance the lives of Minnesotans by supporting diversity; offering education, training, and conferences; advocating for legislation and public policy; and providing scholarships, consultation, communication, networking, and leadership opportunities to its members.

Anderson has been a long-standing active member of MSSA, and in 1992, used the *Bulletin* to advocate for elimination of the exemption for social workers in government settings. He began by describing to readers how the exemption came to be:

In order to achieve passage of the law, the sponsoring coalition compromised by adding three significant exemptions: the licensure of state/county/city, hospital, and nursing home social workers was

made voluntary. This occurred primarily due to the Coalition's desire to avoid opposition from AFSCME, and from the hospital and nursing home directors associations. (Anderson, 1992).

He continued by observing that a number of individuals became licensed voluntarily and many agencies encouraged licensure, but that too many clients were working with practitioners not covered by licensing protections. So, he explained, the Board was moving to repeal the exemption. He argued against the contention that licensure would cause conflicts with current bargaining agreements and that agency personnel policies already provide recourse for clients by pointing out that union contracts focus on protecting employees but licensing focuses on protecting the public:

There is only one purpose for having licensure and that purpose is protection of the public....It is not at all clear that workers practicing ineffectively, dangerously or without appropriate knowledge, skills, or supervision are subject to sufficient accountability within settings exempted from licensure. (Anderson, 1992).

This MSSA article in July, 1992, provoked a series of opinion essays in the *MSSA Bulletin* responding to the Board of Social Work's initiative to expand licensing into exempt settings. In August a county practitioner, whose application for a social work license had been denied after the grandparenting period because his MA was not in social work, responded in opposition to licensing by stating that he had not heard any calls from social workers or administrators in the counties for repealing the exemption. "Things seem to be working" (Pauluk, p. 2). He feared that repealing the exemption would prevent otherwise qualified prospective employees from access to social work positions. He suspected that licensing was primarily a way for the Board to raise money to support itself. "Does the public need to be protected from all the unlicensed county social workers? I don't think so, but, if so, let's see proof of the need" (Pauluk, p. 2).

In September, 1992, another MSSA member wrote as an MSW: "Who needs government to make social workers' lives tougher – William [Board member Anderson] and his colleagues would be glad to do it for them!" (1992, p. 1). "Basically the licensing Board does nothing but duplicate a process that's already set regarding professional

degrees, supervision, continuing education, and the like (at this level they [the Board members] truly do absolutely nothing but collect money and issue a piece of paper” (p. 7, emphasis in the original). She considered the Board’s public protection mandate a “platitude,” “baloney,” “expensive fabrication,” and a “scam” because few complaints resulted in disciplinary action.

In another response to Anderson in October of 1992, an attorney who worked with county social workers and with client advocates concluded that “in hungering for respect akin to that accorded doctors, psychologists, and other ‘human service professionals,’ social work has lost sight of its original purpose, creatively empowering people to meet their needs where they are” (Strauss, 1992, p. 4). Professionalization was seen as having “raised walls between social workers and clients” (Strauss, 1992, p. 4). “Regulation has not worked to protect the public, in my opinion. I have observed conflicts of interest run amok...[including] regulators who take the professional social worker’s word as Gospel against any complaints lodged by the public” (Strauss, p. 4).

Among the four responses to Anderson’s original article calling for repeal of the exemption, one supported this proposal. In a letter published in the MSSA Bulletin in December 1992, I endorsed licensing because it encoded social workers’ commitment as a profession to high standards of practice and service to clients. I had witnessed colleagues integrating the Practice Act’s code of ethical conduct into their work meaningfully; on the whole in my view licensure improved services to clients. Romantic relationships with recent clients were no longer defensible simply because the client consented. I noted the value of the continuing education requirements. And I quoted Rosemary Martin, President of NASW-MN at the time, who observed that licensing may be just one on the bricks in the structure that protects the public from malpractice, but it does give licensees an important building block to press in place in the foundation for helping others and opposing abuse of power (Bibus, 1992). Nevertheless, that year MSSA passed a top priority resolution to oppose expansion of mandatory licensing into counties, and the Board of Social Work withdrew plans to modify the exemption (“Board of Social Work Withdraws Proposal,” MSSA Bulletin, February, 1993, p. 1).

Controversy over licensing and possible repeal of the exemption for county social workers continued to boil within MSSA and in other venues during the 1990s. For example, in 1995 one of MSSA's committees attempted to set up what was called a "dialogue event" or forum for members on one of the "healthy tensions in social work": regulation of human service professionals (memo from MSSA Executive Director Joanne Negstad, to the Education/Issues Committee, March 2, 1995). Ultimately, after one year of planning and negotiating, this forum on social work licensing was postponed because it was deemed too controversial (minutes of MSSA's Education/Issues Committee, April 24, 1996); there have been, though, a variety of opportunities for licensing issues to be presented and discussed at subsequent annual regional and statewide MSSA conferences.

1994: The Child Welfare Training System begins.

Meanwhile, concerns regarding whether in fact county social workers were receiving adequate training and questions about the competency of the social service system, especially in the area of child protection, continued to surface, and a need for a comprehensive state-wide system for training child welfare workers had been identified. "In 1988 the legislature authorized a program of preservice and probationary training for county child protection workers to be developed by the Department of Human Services with advice and recommendations of a steering committee" (Minnesota Department of Human Services, 1993, p. 1). I served on the task force that helped guide the strategic directions for developing this training system and eventually also became one of the certified trainers in the system. Trainings began in 1994 and continue today. All social workers beginning in child welfare positions in the counties must complete a core training consisting of 15 daylong workshops covering fundamental competencies in child protective services (see the Minnesota Child Welfare Training System brochure in the appendix). The training system also provides ongoing training for county social workers; those in child protective services are required to attend at least 15 hours of social work training per year.

On the one hand, the development of this training system covering many county social workers might be seen as fulfilling similar public protection goals as licensing's educational requirements, competency testing, and continuing education. On the other hand, it did not cover all county social workers, and it did not claim to duplicate social work degrees, set standards for all county social workers, fulfill supervision requirements, or provide a neutral recourse to which clients could turn should their social workers' practice fall below standards. The Coalition and Board continued to study what the barriers were to repealing the exemption.

1995-1996: The exemption for nursing home and hospital social workers is repealed; waters tested again for repeal of exemption for county social workers.

After two years of successful lobbying by the Coalition of Licensed Social Workers, with the support of hospital and nursing home administrators, employers, and professional associations and without major controversy, the exemption for nursing home and hospital social workers was repealed in 1995. In the following year, a report to the legislature by an interagency workgroup looking into identifying core competencies for case managers serving children with disabilities recommended continuing systemic review and in-depth, collaborative examination of Minnesota's system of licensing toward the goal of interdisciplinary licensure or certification (Erickson, 1995). Meanwhile, the Coalition turned its attention to examining whether there was enough political support to repeal the exemption for county social workers (Holcomb et al., p. 12). Coalition coordinator Pam Luinenburg conducted an informal study interviewing a number of county social service directors, managers, and supervisors. While there was a wide continuum of opinions and support varied from strongly in favor to vehemently opposed, there was so much animosity toward the Board and toward licensing that the conclusion was "we can't move forward until the Board improves the complaint investigation process so that counties will have more confidence in the process" (P. Luinenburg, personal communication, September 27 & November 12, 2007; see also the two page summary of findings "Licensure of Public Agency Social Workers" in the appendices to this report).

Once licensing had passed in 1987, there had been little contact between counties and the Board in Luinenburg's view: they were detached, each focused on their work independent of the other. But as soon as Board actions began to affect counties, distrust grew along with aggravated disengagement. Many county staff and administrators had been opposed to licensing, but they assumed that it would not affect them; however, as voluntarily licensed county social workers started to have complaints lodged against them, the Board's process of investigating the complaints was experienced as unfair and not appropriate for county workers: respondents told Luinenburg that the "Board doesn't understand our work." One director stated vehemently: "My social worker didn't do anything wrong!" This was in response to a situation in which, according to the director, a vindictive client made the complaint, the licensing Board disciplined the worker, and the ruling was published in the local paper giving the "whole county a black eye!" The director concluded that the incident was a major waste of time and money.

Luinenburg drew several conclusions regarding objections to repealing the exemption for county social workers:

1) One objection to removing the exemption was at a systemic level; licensure represented an intrusion and interference, unnecessary regulation and accompanying costs. The complaint process could damage the reputation of the county agency. The complaint process needed to be improved and become less adversarial, with more use of mediation.

2) At the individual worker level, some applicants felt they were treated unfairly; for example one respondent was not approved for clinical license. Some resented the implication that if they did not have BSW or MSW degrees, they were not good social workers. Some directors urged those employees who had voluntarily been licensed to drop their licenses.

3) Licensure was seen as divisive – setting up a hierarchy that threatened the multi-disciplinary team. This was an issue for licensed social workers more than other licensed professions in the counties such as licensed public health nurses: the social services staff share many social work functions with each other, but they do not share as many functions with county nurses.

Based on this study and on other research such as Cloutier's (1997) cited above and another later exploration in 2000 by Luinenburg on the feasibility of modifying the exemption, the Coalition decided to postpone any formal attempt to repeal the exemption. Instead it focused on working with the Board on improving the process for dealing with complaints, working with the counties and DHS to make sure case managers had

adequate competencies and training, and continuing dialogue with and outreach to those affected by the exemptions, including legislative leaders, directors, supervisors, and employees, and client advocacy groups.

1997: The language on the exemption is modified.

When the original 1987 Social Work Practice Act became law, the language instituting the exemption for county social workers also stated that city, county, and state agencies employing social workers were prohibited from requiring “their social worker employees to be licensed” (1987 MS 148B.28, subd. 4). In 1997, as part of other modifications in the practice act, the Board proposed eliminating this language, and there was no objection. Subsequently, some counties have made licensure a requirement for employment in certain social work positions, such as those providing case management or treatment services eligible for funding through federal and state medical assistance programs.

1999 - 2001: Concerns voiced about the quality of county services for children.

In the late 1990s another issue arose that related to the exemption for county workers (P. Luinenburg, personal communication, September 27, 2007). Jemel Aguilar, a University of Minnesota MSW student and child advocate, brought to the attention of the Coalition as well as other agencies and groups his analysis of child protection and foster care services in the state, which he had concluded were not adequate (Minnesota Coalition of Licensed Social Workers, June, 2001). His concerns included questions about the competence of child protective service workers and quality of child welfare services. In response to these concerns, the Coalition formed a study group including county a social service manager and a child welfare social worker.

After a year of study, this group developed recommendations to augment the educational preparation of social work students to practice in county child welfare settings, to improve the collaboration between county social services staff and social work programs at colleges and universities in the state, to involve clients in evaluating the Child Welfare Training System, and to require county social workers to be licensed

(recommendation #6). When these recommendations were presented to a subcommittee of the Minnesota Association of County Social Service Administrators, most were met with agreement and support, but there was strong objection to the recommendation to repeal the exemption: one of the directors took out his Swiss army knife, opened the scissors, and began to trim the report saying: “If you just cut out #6, this would be a good report” (P. Luinenburg, personal communication, September 27, 2007).

2001: Special Committee on Board Operations recommends repealing exemptions.

One of the most contentious issues ever faced by the Board of Social Work in its 20-year history was the Board’s fiscal crisis in 1999, to which the Board responded by raising fees by 44%. The ensuing outrage led to formal protests and an appeal to the administrative law judge to overrule the Board. While eventually upheld in its decision, on January 7, 2000, the Board voted to create a special committee on board operations (SCOBO) to find ways to minimize the need for large fee increases in the future. SCOBO was directed to “review the Board’s statutes and rules and overall operations, and in 18 months make recommendations to the Board on ways to streamline, simplify, and cut costs” (Minutes of Regular Board Meeting, January 7, 2000.) (Governor Ventura appointed me to the Board at this time, and I was one of the Board members appointed to serve on SCOBO.)

SCOBO was composed of representatives from the Board, its staff, its advisory committee, and the social work community. It began meeting monthly in November 2000 and concluded in January 2002 (Final Report of the Minnesota Board of Social Work’s Special Committee on Board Operations, March, 2002). At its April 5, 2001, meeting SCOBO adopted a recommendation to the Board that all the exemptions be repealed. The primary rationale for this recommendation was its potential positive impact on services to the people using social work services: the committee determined that the public would benefit from “improved accountability from newly-licensed social workers” should the exemptions be repealed (p. 7). The increase in revenue generated by new licensees (estimated to be about 1,500 at that time) was considered as a potential

advantage, but it also would entail an offsetting cost in that adding at least an additional 0.5 FTE staff to the Board would be required to implement and process this change (p 5). As noted at the beginning of this report, the Board adopted this recommendation by unanimous vote at its July 2001 regular meeting, with the understanding that implementing repeal of the exemptions would likely take ten years.

2001: Deans and directors of social work programs and the Council on Social Work Education oppose licensing of social work faculty.

While regulation of social work practice was expanding internationally, social work licensing in the United States continued to provoke controversy. In an example that has direct implications for repealing Minnesota's exemption for city, county, and state employees, the National Association of Deans and Directors of Social Work Programs (NADD) and the Council on Social Work Education (CSWE) took official positions opposing mandatory licensing of social work faculty (Council on Social Work Education, 2001). This action was in response to the Association of Social Work Board's (ASWB) Model Social Work Practice Act, which specifies that social work practice includes education and teaching social work and which provides for no exemptions to this standard for social work educators (available on line at [www.aswb.org](http://www.aswb.org)). Minnesota's Board of Social Work Practice act also defines practice of social work as including "teaching professional social work knowledge, skills, and values to students" (MS 148D.001, Subd. 9 [2][vii]), and requires individuals with social work degrees who teach social work to be licensed (MS 148D.055, Subd. 1 [b]). But social workers teaching for state colleges or universities are exempt (though many voluntarily maintain their social work licenses, and a majority of social work educators agree that county social workers with social work degrees should be licensed [Notvotny & Black-Hughes, 2006]).

The position statement issued by CSWE (included in the appendices to this report) "recognizes and supports the importance of licensing as a mechanism for the protection of the public where social workers have a direct relationship with clients or patients...[However,] there is no evidence that licensing of educators is necessary to protect the public." Concerns were expressed regarding development of varying

standards from state to state that would threaten the integrity of national accreditation, disrupt faculty mobility, and increase barriers to recruitment of diverse faculty. In the view of CSWE and NADD, traditional administrative systems in higher education of accreditation, peer review, and academic protocols are sufficient for public protection from social work professors' whose practice falls below standards. (See also ASWB, 2002, and Matz, 1996).

2002: The Board's complaint resolution process is improved.

Building on several years of collaborative efforts by the Minnesota's Coalition of Licensed Social Workers' complaint work group (Minnesota Coalition of Licensed Social Workers, 2000), the Board began implementing recommended improvements in the complaint process. Then, following this lead, the 15 Minnesota health licensing boards (including the Board of Social Work) adopted a set of guidelines to provide public protection by resolving complaints faster, striving for consistency and rehabilitation whenever possible, and treating complainants and respondents with respect (Health Licensing Boards, 2002, p. 2). The SCOBO committee recommended continuation and enhancement of these improvements and other efficiencies in the complaint process. Many of the guidelines addressed issues raised by county social services staff and administrators who were dismayed at the arduous, lengthy, secretive, and costly process of investigating and resolving clients' complaints against their county social workers (who had voluntarily maintained their licenses).

For example, the guidelines called for both complainants and respondents (the social workers) to be involved early in the investigative process and to be kept informed throughout as appropriate. Timely notice to all parties, with deadlines set in procedure and statute, was ideal. Due process considerations and use of dispute resolution strategies that tailor the procedures to the seriousness of the cases were highlighted as was use of educational conferences and agreements for corrective action where appropriate. Although having a complaint lodged against one as a licensee and undergoing an investigation (whether it results in required redress or discipline or is eventually dismissed as unsubstantiated) will always be an ordeal for the respondent,

since the Board has implemented these guidelines, the frequency and intensity of negative reactions from licensees appear to have subsided somewhat.

2002- 2003: The Board continues to pursue the prospects for repealing the exemption; and the Merit System agrees to consider ASWB's exam as equivalent.

At the same time that improvements in the complaint process were being implemented, the Legislative and Rules Committee of the Board was following up on the other SCOBO recommendations that the Board had adopted. Some fairly non-controversial changes in statute and rules were required and could be handled in a housekeeping bill, but a major overhaul of the practice act itself began to be contemplated for introduction in the 2005 legislative session. In addition, the Board was in the process of implementing new legislation in 2001 that set up an alternative path to licensing for applicants who were refugees or immigrants born outside of the United States for whom English was a second learned language (ESL) and who had taken but not passed ASWB's examination (Board of Social Work, 2004). The Board was also required to commission a study of the disparities in the rate that foreign-born ESL applicants fail the examination, the underlying causes of such disparities, and possible alternative methods of measuring social work competencies required of potential licensees (Board of Social Work, 2004).

Due to all of the other urgent legislative priorities and because of the relatively controversial nature of the exemption issue, the committee and Board in consultation with the Board's Advisory Committee (April 26, 2002) decided to move on repealing or modifying the exemptions as a separate legislative agenda apart from the other issues (see also the Board minutes for November 19, 2004, documenting the Advisory Committee's endorsement of the strategy not to pursue removing or modifying the exemption at that time). Advisory committee members urged the board to proceed deliberatively, making sure that those in support of removing the exemption were ready to lobby, preparing to make the best case for repealing the exemptions, and when ready meeting with those who might remain opposed to repealing the exemption, such as county social workers,

MACSSA, the unions, and the Minnesota Department of Human Services and Merit System.

The Merit System is the state's civil service office that administers initial qualification procedures for candidates for social work positions in 73 of the 87 counties in Minnesota and sets up lists of qualified candidates that those counties interview and hire from. For a number of years, officials in the state's Merit System office had been conferring with Board members and staff regarding the comparability of the licensing examination offered by the Association of Social Work Boards (ASWB) and the examination offered by the Merit System to test basic competencies of prospective county social workers. In 2002, the Merit System established a policy whereby applicants to the Merit System who have already passed ASWB's examination for BSW or MSW social workers to become licensed need not take the Merit System's examination. Social work licensees' ASWB examination results count now for the Merit System as well.

While the Board celebrated this positive step and resolved to cultivate a continuing collaborative relationship with the Merit System, the Board's dialogue with the county social service administrators, whom the Merit System serves, remained tense. The Minnesota Association of County Social Service Administrators (MACSSA) had responded assertively to proposed legislation repealing the exemption for county social workers. This legislation was introduced independently of the Board of Social Work and the Coalition of Licensed Social Workers by a legislator on behalf of a constituent. MACSSA passed a legislative resolution (see MACSSA 2003 Legislative Position, in the appendices to this report) which stated that requiring all county social workers to be licensed "could have unintended negative effects on the ability of counties to maintain a high level of service quality for consumers" (Minnesota Association of County Social Service Administrators, 2003.)

First, MACSSA members believed that the costs for counties to cover employees' licensing fees or for employees to pay the fees themselves when their wages were being

frozen would be a considerable burden. Second, new licensees would need to obtain more supervision than is required by county agencies and counties might need to hire additional employees with credentials necessary for licensing supervision. Third, the pool of potential applicants for social work positions would be limited to licensees only; this was potentially a particular hardship for rural counties who were already struggling to fill vacancies with qualified applicants and for applicants of color. “The labor market is simply not as broad in rural communities. In addition, considering barriers people of color may face in achieving advanced degrees, this proposal could negatively impact the ability of counties to recruit and retain staff of color” (Minnesota Association of County Social Service Administrators, 2003.)

The attempted bill to repeal the exemption for county workers mentioned above did not pass out of committee in the legislature that session. Interestingly, legislation had passed in 2003 establishing a new license for alcohol and drug counselors which did not exempt county workers. In 2005, MACSSA, MSSA, and AMC successfully lobbied to have county workers exempted and to restate that licensure for county social workers is voluntary and counties are exempted from the requirement to employ licensed social workers. However, MACSSA’s interest in this issue did open the door for the Board to present at a MACSSA assembly meeting on December 11, 2003, and describe the exemption issue from the Board’s perspective as well as engage in conversation with members. Communication with MACSSA leaders continues today.

Also during this period, the Board gained more information regarding attitudes among county practitioners toward the exemption and the impact of removing it and requiring all county social workers to be licensed. Ralph Holcomb and his student Colleen Overson conducted a survey of county social service personnel in 54 counties (Holcomb, 2003). As reviewed above, results indicated that reactions to requiring licensure were generally negative with 50% of respondents opposed and 30% in favor (see Holcomb’s summary of this study in the appendices to this report). Themes that emerged from this study highlighted the need for the Board to clarify the public protection purpose of licensing, address the potential burdens of financial costs of

licensing and of vulnerability to vindictive complaints, and communicate with county social workers.

2005: A completely new Social Work Practice Act, combining rules and laws into a single, cohesive statute, is passed and signed into law.

As explained above, the Board decided to re-codify its administrative rules and statute into a revised Social Work Practice Act that would implement as many as possible of the relatively less controversial recommendations from SCOBO and other improvements. The new practice act incorporated the improvements in the complaint process. In addition, the Board sought to install a budget process that would set fees to cover the costs of doing business, and because the Board's budget was enjoying a surplus, the Board proposed a reduction in fees. The Board's proposed new Practice Act did pass the legislature and was signed by Governor Tim Pawlenty on June 3, 2006, and fees were reduced by 20-22%, to be reconsidered in 2009.

Even though the exemption language was not changed, one provision of the new act addressed concerns from county administrators and social workers regarding the exposure that their social workers have to vindictive complaints while they are investigating matters of abuse or neglect of children or vulnerable adults. In consultation with county directors, the following provisions were added:

#### 148D.245 INVESTIGATIVE POWERS AND PROCEDURES.

Subd. 7. Investigations involving vulnerable adults or children in need of protection. (a) Except as provided in paragraph (b), if the Board receives a complaint about a social worker regarding the social worker's involvement in a case of vulnerable adults or children in need of protection, the county or other appropriate public authority may request that the Board suspend its investigation, and the Board must comply until such time as the court issues its findings on the case.

(b) Notwithstanding paragraph (a), the Board may continue with an investigation if the Board determines that doing so is in the best interests of the vulnerable adult or child and is consistent with the Board's obligation to protect the public. If the Board chooses to continue an investigation, the Board must notify the county or

other appropriate public authority in writing and state its reasons for doing so.

Negotiations for these provisions set the stage for future dialogue with county social service administrators and their addressing concerns regarding the licensing of county social workers. For example, a recent meeting of the Board's Legislative Task Force included county supervisors and directors whose advice and guidance in how the Board could most fruitfully engage MACSSA and county staff regarding modifications in the exemption are most promising (see the Task Force's minutes from Oct. 5, 2007, and report to the Board at the November 16, 2007 Board meeting).

2007: Rural county social services are experiencing a workforce shortage in positions intended to provide care coordination for clients.

The Minnesota Merit System (DHS) and the Minnesota Association of County Social Service Administrators (MACSSA) have recently called to the Board's attention a shortage of social workers trained as care coordinators for clients whose health care is covered under what is called a county based purchasing (CBP) system. So far two non-profit CBP's have been formed by a total of 24 of Minnesota's 87 counties. They have been successful in investing the funds available through Medical Assistance into additional staff positions to provide case management services to clients with disabilities, clients with mental health difficulties or chronic medical conditions, or elderly clients.

Members of the Board and MCSWE have participated in several meetings this year with the Merit System staff and county directors from the South Country Alliance and PrimeWest Health (two CBP non-profits set up by partnering counties) discussing how the social work schools might play a role in developing the workforce for care coordinator positions. A set of competencies that combine the professional foundation of the social work curriculum with medical and health care content has been circulated.

Having summarized the Board's efforts to move toward repealing the exemption for county social workers, we turn now to the method and findings of the current study.

## **Method**

Earlier this year, I offered part of my fall 2007 sabbatical from my position as Social Work Professor at Augsburg College to the Minnesota Board of Social Work to examine *pro bono* an issue that the Board considers top priority. Out of eight possible study questions generated by Prof. Chris Black-Hughes from the social work department at Minnesota State University, Mankato, and me, the following research question was the top choice of Board members, staff and advisory committee:

"What is the experience of clients who use social work services provided by county social workers who are not licensed?"

During my sabbatical study, I planned to gather preliminary data that can form the basis for addressing this question and for exploring the quality of services from unlicensed social workers. This study was to determine how many practitioners are employed in social work positions in the public social service agencies serving Minnesota's 87 counties and how many of those county practitioners have a license to practice social work. This report presents preliminary findings.

### **Protection of Human Subjects**

In applying for approval from the Institutional Review Board (IRB) of Augsburg College (granted on May 9, 2007: #2007-48-3), I stated that I intended to gather and analyze the following public data available through the state's Merit System, county agencies, and the Minnesota Board of Social Work:

1. The number of social workers employed in each county;
2. The names of the social workers employed in each county;
3. The position titles of the social workers employed in each county;
4. The academic degrees of the social workers employed in each county.

I attached memorandums from the directors of the Merit System and the Board of Social Work stating that the data I sought were available to me as public data. I also

attached the Confidentiality Agreement that the Board of Social Work requires researchers to sign (see the appendices to this report).

When I began to request the data, I discovered that the Merit System and some of the counties not covered by the Merit System did not keep information regarding the educational backgrounds of their social workers in a format that was easily accessible or up to date. Therefore, I decided to focus on the first three sets of data. In addition, I added an historical review and obtained IRB approval (August 8, 2007) to interview key informants to gather the background for the current provision in state law that exempts county social workers from being required to hold a license to practice social work.

In researching this background, I planned to interview key informants who took part in the negotiations that led to the original Board of Social Work Practice Act in Minnesota in 1986-87, which established this exemption. These informants included staff at the Board of Social Work, the executive director of the Minnesota Chapter of the National Association of Social Workers, his MSW student intern at that time, other NASW-MN leaders, and staff for the Coalition of Licensed Social Workers, which lobbied for the practice act and opposed the exemption. I hoped to learn from these informants their recollections regarding the historical context of the exemption for county social workers, their perceptions of the rationale for incorporating the exemption, their historical analysis of the factors that were weighed by the legislature and governor in adopting this exemption into state law, their description of the positions taken by the parties supporting the exemption and those opposing it, and any records they may have relating to the exemption (for example, testimony at hearings, reports or other documentation). I did not tape my interviews (most of which were by telephone), but I took extensive notes. I also gave each informant an opportunity to verify my description of any points attributed to them and to add their own analysis to my summary should they choose to. (See the invitation letter and consent form in the appendix.)

### **Design of Study and Analysis**

This study used an exploratory descriptive design for gathering data and analyzing the information I found. To gather the data on the number and proportion of licensed social workers employed by county social service agencies, I obtained a list of all county social workers from the 73 Merit System counties and 14 counties who have their own personnel system by the end of the summer. (Note that Faribault & Martin counties have formed a single combined social service agency as have Lincoln, Lyon, & Murray counties, so the total number of agencies covered by the Merit System is 70, the total covered by their own civil services system is 14, and thus the total number of county social service agencies in Minnesota is 84.)

The Merit System's list consisted of names (total = 1377) in position classes for which the Merit System uses the following titles:

County Agency Social Worker	(894)
County Agency Social Worker (Child Protection Specialist)	(333)
County Agency Social Worker (Child Protection Specialist) (Master's Level)	(51)
County Agency Social Worker (Masters Level)	(74)
Mental Health Worker	(25)

According to position descriptions developed by the Merit System, county agency social workers provide social work services in cases involving complex social problems and social treatment plans; county agency social workers who are child protection specialists provide intensive social work services for the protection, rehabilitation and care of children; masters level county agency social workers provide intensive social work case services involving complex problems and social treatment plans; and mental health workers provide counseling and consulting services (see the position descriptions from the Merit System in the appendices). As other studies have shown (e.g., Cavazos, 2001), in order to retain a pool of potential applicants that is not restricted to social work licensees, many human service agencies, whether exempted from social work licensing or not, tend to use job titles that are not exactly those covered by the state's licensing statute. Nevertheless, it is clear from the position descriptions employed by the Merit System and

by the counties it serves that practitioners in these positions are expected to be competent at delivering social work services.

Some of the 14 counties that have their own civil service systems used straightforward position titles on their lists, such as “Social Worker I,” “Social Worker II,” “Social Worker, Masters” or “Senior Social Worker” (Beltrami, Dakota, Olmsted, Stearns, Washington, Wright). Others added special classifications such as “Child Protection” or “Psychiatric” or “Social Work Case Manager” (Hennepin, Ramsey, Scott), and others had a number of different classifications designating the area of practice (e.g., children’s mental health or licensing or school-based in Anoka; community health planning, urgent care, clinical social worker in Blue Earth; crisis therapist, behavior specialist, autism specialist in Carver; adult services in Itaska, and lead chemical dependency or development disabilities coordinator and custody mediator in Sherburne, for example). Three counties also included supervisors in their lists (four in Blue Earth, six in Carver, and three in Sherburne).

Board staff member Connie Oberle crosschecked the counties’ lists against the list of licensees maintained by the Board, and she was able to establish whether or not most of the county employees (98%) were or had been licensed as social workers. (Because the list did not include other identifying information such as a home address, when the individual had a common name, she was unable to determine for sure whether that person was the licensee who had the same name; this was the case with 56 common names or 1.6% of the total number of names on the list.) She constructed an Excel spreadsheet with the individual practitioners’ names, county agencies, and license number and status (i.e., whether the individual was an applicant or unlicensed; whether the individual was currently licensed as LSW, LGSW, LISW or LICSW, or the license had expired or been voluntarily terminated, been inactive, or revoked). Using Excel’s pivot table feature, we created Table 5 Licensed Status of Social Workers, Count by County. Tables 1 and 2 show the percentage of currently licensed social workers in each county agency. Rank ordering the percentages and other descriptive statistical procedures helped analyze the data. Finally, with the talented expertise of Yong-Seuk Park from Minnesota State University, Mankato, we tied county population figures to the number of licensees in

each county (Tables 3 & 4), and we created a map showing the distribution of the proportion of county social worker licensees across the state.

## Findings

There were several limitations in the study's design and implementation that need to be kept in mind before drawing conclusions. As noted above, even though the list of practitioners employed by the county social service agencies is the first relatively complete listing in recent memory, it is still an approximation because some counties may not have listed social work staff who hold positions with other titles besides "social worker," some social service supervisors (who were not included in most counties' lists) carry caseloads or are licensed as social workers, and some counties may have listed staff who do not actually have social work positions or who have since left employment. We were not able to verify the license status of 56 or 1.6% of the individuals listed. And those whom we were able to verify may have changed their status since summer of 2007 when the list was compiled. (For example, it is likely that the 34 applicants listed as not licensed have subsequently obtained their license.) Because the Merit System no longer collects educational background of county workers in an easily accessed database, we could not verify the academic degrees of unlicensed individuals on the list. More elaborate analysis is possible and may be reported at a later date. Still, even preliminary analysis gives a general picture of how many practitioners hold social work positions in Minnesota's counties and what proportion of them are licensed social workers.

According to this list, then, 1,252 of the 3,422 total practitioners or 37% are licensed (see Table 1: Proportion of Social Workers per County, Alphabetical; and Table 2: Proportion of Social Workers per County, Ranked.) Adding the 34 practitioners who have applied for licensure and presumably will be successful in attaining their licenses, a reasonable estimate of the proportion of currently licensed social workers within the total of practitioners in county social work positions in Minnesota is 38%.

**TABLE 1. Proportion of Social Workers Licensed per County, Alphabetical**

AGENCY NAME	LICENSE STATUS		SOCIAL WORKERS
	Currently Licensed	County Total	Percentage
AITKIN COUNTY FAMILY SERVICE AGENCY	4	14	29%
ANOKA COUNTY	67	146	46%
BECKER COUNTY HUMAN SERVICES	12	26	46%
BELTRAMI COUNTY HUMAN SERVICES	6	28	21%
BENTON COUNTY SOCIAL SERVICES	15	24	63%
BIG STONE COUNTY FAMILY SERVICES	3	10	30%
BLUE EARTH COUNTY HUMAN SERVICES	9	52	17%
BROWN COUNTY FAMILY SERVICES	10	26	38%
CARLTON COUNTY HUMAN SERVICE CENTER	16	34	47%
CARVER COUNTY COMMUNITY SOCIAL SERVICES	26	81	32%
CASS COUNTY HEALTH AND HUMAN SERVICES	7	22	32%
CHIPPEWA COUNTY FAMILY SERVICES	3	15	20%
CHISAGO COUNTY HEALTH & HUMAN SERVICES	13	38	34%
CLAY COUNTY SOCIAL SERVICE CENTER	22	37	59%
CLEARWATER COUNTY DEPT OF HUMAN SERVICES	1	6	17%
COOK COUNTY SOCIAL SERVICES	2	5	40%
COTTONWOOD COUNTY FAMILY SERVICE AGENCY	4	14	29%
CROW WING COUNTY SOCIAL SERVICE CENTER	20	53	38%
DAKOTA COUNTY COMMUNITY SERVICES ADMINISTRATION	75	181	41%
DODGE COUNTY HUMAN SERVICES	3	11	27%
DOUGLAS COUNTY SOCIAL SERVICES	16	27	59%
FILLMORE COUNTY SOCIAL SERVICES	2	8	25%
FREEBORN COUNTY DEPT OF HUMAN SERVICES	17	31	55%
GOODHUE COUNTY SOCIAL SERVICE CENTER	5	22	23%
GRANT COUNTY SOCIAL SERVICE DEPT	1	5	20%
HENNEPIN COUNTY	229	776	30%
HOUSTON COUNTY DEPT OF HUMAN SERVICES	7	12	58%
HUBBARD COUNTY SOCIAL SERVICE CENTER	6	13	46%
HUMAN SERVICES OF FARIBAULT & MARTIN COUNTIES	11	28	39%
ISANTI COUNTY FAMILY SERVICES	12	23	52%
ITASCA COUNTY HEALTH AND HUMAN SERVICES	8	20	40%
JACKSON COUNTY HUMAN SERVICES	8	12	67%
KANABEC COUNTY FAMILY SERVICE DEPT	3	13	23%
KANDIYOHI COUNTY FAMILY SERVICE DEPT	21	37	57%
KITSON COUNTY SOCIAL SERVICES	2	4	50%
KOOCHICHING COUNTY COMMUNITY SERVICES	0	10	0%
LAC QUI PARLE COUNTY FAMILY SERVICE CENTER	2	6	33%
LAKE COUNTY SOCIAL SERVICE DEPT	2	10	20%
LAKE OF THE WOODS SOCIAL SERVICE DEPT	2	5	40%
LESUEUR COUNTY DEPT OF HUMAN SERVICES	1	17	6%
LINCOLN, LYON AND MURRAY HUMAN SERVICES	17	36	47%
MAHNOMEN COUNTY HUMAN SERVICES	0	4	0%
MARSHALL COUNTY SOCIAL SERVICES	6	10	60%
MCLEOD COUNTY SOCIAL SERVICE CENTER	17	33	52%
MEEKER COUNTY SOCIAL SERVICES	5	17	29%
MILLE LACS COUNTY FAMILY SERVICE & WELFARE DEPT	15	24	63%
MORRISON COUNTY SOCIAL SERVICES	15	24	63%
MOWER COUNTY HUMAN SERVICES	8	18	44%
NICOLLET COUNTY SOCIAL SERVICES	11	20	55%
NOBLES COUNTY FAMILY SERVICE AGENCY	2	15	13%
NORMAN COUNTY SOCIAL SERVICE CENTER	4	7	57%
OLMSTED COUNTY COMMUNITY SERVICES	68	160	43%
OTTER TAIL COUNTY DEPT OF SOCIAL SERVICES	21	32	66%
PENNINGTON COUNTY DEPT OF WELFARE & HUMAN SERVICE	0	11	0%
PINE COUNTY DEPT OF HUMAN SERVICES	4	15	27%
PIPESTONE COUNTY FAMILY SERVICE AGENCY	3	8	38%
POLK COUNTY SOCIAL SERVICE CENTER	10	32	31%
POPE COUNTY FAMILY SERVICE DEPT	2	9	22%
RAMSEY COUNTY HUMAN SERVICE DEPT	82	297	28%
RED LAKE COUNTY SOCIAL SERVICE CENTER	0	2	0%
REDWOOD COUNTY HUMAN SERVICES	3	13	23%
RENVILLE COUNTY HUMAN SERVICES	10	18	56%
RICE COUNTY SOCIAL SERVICES	18	42	43%
ROCK COUNTY FAMILY SERVICE AGENCY	3	7	43%
ROSEAU COUNTY SOCIAL SERVICE CENTER	6	11	55%
SCOTT COUNTY HUMAN SERVICES	16	47	34%
SHERBURNE COUNTY SOCIAL SERVICES	23	40	58%
SIBLEY COUNTY HUMAN SERVICES	5	13	38%
ST LOUIS COUNTY SOCIAL SERVICE DEPT	47	189	25%
STEARNS COUNTY SOCIAL SERVICE	33	66	50%
STEELE COUNTY HUMAN SERVICES	9	18	50%
STEVENS COUNTY HUMAN SERVICES DEPT	3	8	38%
SWIFT COUNTY HUMAN SERVICES	4	13	31%
TODD COUNTY COUNTY SOCIAL SERVICES	12	17	71%
TRAVERSE COUNTY SOCIAL SERVICES DEPT	1	3	33%
WABASHA COUNTY DEPT OF SOCIAL SERVICES	8	12	67%
WADENA COUNTY SOCIAL SERVICE DEPT	5	19	26%
WASECA COUNTY DEPT OF HUMAN SERVICES	5	8	63%
WASHINGTON COUNTY COMMUNITY SERVICES	35	89	39%
WATONWAN COUNTY HUMAN SERVICES	3	16	19%
WILKIN COUNTY FAMILY SERVICE AGENCY	1	6	17%
WINONA COUNTY DEPT OF HUMAN SERVICES	7	17	41%
WRIGHT COUNTY HUMAN SERVICES	29	62	47%
YELLOW MEDICINE COUNTY FAMILY SERVICE CENTER	3	12	25%
<b>Grand Total</b>	<b>1252</b>	<b>3422</b>	<b>37%</b>

**TABLE 2. Proportion of Social Workers Licensed per County, Ranked**

AGENCY NAME	LICENSE STATUS	SOCIAL WORKERS	
	Currently Licensed	County Total	Percentage
TODD COUNTY COUNTY SOCIAL SERVICES	12	17	71%
JACKSON COUNTY HUMAN SERVICES	8	12	67%
WABASHA COUNTY DEPT OF SOCIAL SERVICES	8	12	67%
OTTER TAIL COUNTY DEPT OF SOCIAL SERVICES	21	32	66%
BENTON COUNTY SOCIAL SERVICES	15	24	63%
MILLE LACS COUNTY FAMILY SERVICE & WELFARE DEPT	15	24	63%
MORRISON COUNTY SOCIAL SERVICES	15	24	63%
WASECA COUNTY DEPT OF HUMAN SERVICES	5	8	63%
MARSHALL COUNTY SOCIAL SERVICES	6	10	60%
CLAY COUNTY SOCIAL SERVICE CENTER	22	37	59%
DOUGLAS COUNTY SOCIAL SERVICES	16	27	59%
HOUSTON COUNTY DEPT OF HUMAN SERVICES	7	12	58%
SHERBURNE COUNTY SOCIAL SERVICES	23	40	58%
NORMAN COUNTY SOCIAL SERVICE CENTER	4	7	57%
KANDIYOHI COUNTY FAMILY SERVICE DEPT	21	37	57%
RENVILLE COUNTY HUMAN SERVICES	10	18	56%
NICOLLET COUNTY SOCIAL SERVICES	11	20	55%
FREEBORN COUNTY DEPT OF HUMAN SERVICES	17	31	55%
ROSEAU COUNTY SOCIAL SERVICE CENTER	6	11	55%
ISANTI COUNTY FAMILY SERVICES	12	23	52%
MCLEOD COUNTY SOCIAL SERVICE CENTER	17	33	52%
KITSON COUNTY SOCIAL SERVICES	2	4	50%
STEARNS COUNTY SOCIAL SERVICE	33	66	50%
STEELE COUNTY HUMAN SERVICES	9	18	50%
LINCOLN, LYON AND MURRAY HUMAN SERVICES	17	36	47%
CARLTON COUNTY HUMAN SERVICE CENTER	16	34	47%
WRIGHT COUNTY HUMAN SERVICES	29	62	47%
BECKER COUNTY HUMAN SERVICES	12	26	46%
HUBBARD COUNTY SOCIAL SERVICE CENTER	6	13	46%
ANOKA COUNTY	67	146	46%
MOWER COUNTY HUMAN SERVICES	8	18	44%
RICE COUNTY SOCIAL SERVICES	18	42	43%
ROCK COUNTY FAMILY SERVICE AGENCY	3	7	43%
OLMSTED COUNTY COMMUNITY SERVICES	68	160	43%
DAKOTA COUNTY COMMUNITY SERVICES ADMINISTRATION	75	181	41%
WINONA COUNTY DEPT. OF HUMAN SERVICES	7	17	41%
COOK COUNTY SOCIAL SERVICES	2	5	40%
ITASCA COUNTY HEALTH AND HUMAN SERVICES	8	20	40%
LAKE OF THE WOODS SOCIAL SERVICE DEPT	2	5	40%
WASHINGTON COUNTY COMMUNITY SERVICES	35	89	39%
HUMAN SERVICES OF FARIBAUT & MARTIN COUNTIES	11	28	39%
BROWN COUNTY FAMILY SERVICES	10	26	38%
SIBLEY COUNTY HUMAN SERVICES	5	13	38%
CROW WING COUNTY SOCIAL SERVICE CENTER	20	53	38%
PIPESTONE COUNTY FAMILY SERVICE AGENCY	3	8	38%
STEVENS COUNTY HUMAN SERVICES DEPT	3	8	38%
CHISAGO COUNTY HEALTH & HUMAN SERVICES	13	38	34%
SCOTT COUNTY HUMAN SERVICES	16	47	34%
LAC QUI PARLE COUNTY FAMILY SERVICE CENTER	2	6	33%
TRAVERSE COUNTY SOCIAL SERVICES DEPT	1	3	33%
CARVER COUNTY COMMUNITY SOCIAL SERVICES	26	81	32%
CASS COUNTY HEALTH AND HUMAN SERVICES	7	22	32%
POLK COUNTY SOCIAL SERVICE CENTER	10	32	31%
SWIFT COUNTY HUMAN SERVICES	4	13	31%
BIG STONE COUNTY FAMILY SERVICES	3	10	30%
HENNEPIN COUNTY	229	776	30%
MEEKER COUNTY SOCIAL SERVICES	5	17	29%
AITKIN COUNTY FAMILY SERVICE AGENCY	4	14	29%
COTTONWOOD COUNTY FAMILY SERVICE AGENCY	4	14	29%
RAMSEY COUNTY HUMAN SERVICE DEPT	82	297	28%
DODGE COUNTY HUMAN SERVICES	3	11	27%
PINE COUNTY DEPT OF HUMAN SERVICES	4	15	27%
WADENA COUNTY SOCIAL SERVICE DEPT	5	19	26%
FILLMORE COUNTY SOCIAL SERVICES	2	8	25%
YELLOW MEDICINE COUNTY FAMILY SERVICE CENTER	3	12	25%
ST LOUIS COUNTY SOCIAL SERVICE DEPT	47	189	25%
KANABEC COUNTY FAMILY SERVICE DEPT	3	13	23%
REDWOOD COUNTY HUMAN SERVICES	3	13	23%
GOODHUE COUNTY SOCIAL SERVICE CENTER	5	22	23%
POPE COUNTY FAMILY SERVICE DEPT	2	9	22%
BELTRAMI COUNTY HUMAN SERVICES	6	28	21%
CHIPPEWA COUNTY FAMILY SERVICES	3	15	20%
GRANT COUNTY SOCIAL SERVICE DEPT	1	5	20%
LAKE COUNTY SOCIAL SERVICE DEPT	2	10	20%
WATONWAN COUNTY HUMAN SERVICES	3	16	19%
BLUE EARTH COUNTY HUMAN SERVICES	9	52	17%
CLEARWATER COUNTY DEPT OF HUMAN SERVICES	1	6	17%
WILKIN COUNTY FAMILY SERVICE AGENCY	1	6	17%
NOBLES COUNTY FAMILY SERVICE AGENCY	2	15	13%
LESUEUR COUNTY DEPT OF HUMAN SERVICES	1	17	6%
KOOCHICHING COUNTY COMMUNITY SERVICES	0	10	0%
MAHNOMEN COUNTY HUMAN SERVICES	0	4	0%
PENNINGTON COUNTY DEPT OF WELFARE & HUMAN SERV.	0	11	0%
RED LAKE COUNTY SOCIAL SERVICE CENTER	0	2	0%
<b>Grand Total</b>	<b>1252</b>	<b>3422</b>	<b>37%</b>

The estimated 1286 county licensees represent 12% of all licensees (N= 10,328 on 9/26/07). If all of the roughly 3,422 county social workers were licensed, the total number of licensees would increase by about 2,136 to 12,464 licensees, and the proportion of that total consisting of county social workers would be 27%.

The average number of active current licensees per county is 14.9, but there is a vast range (from no licensees in four county agencies to 229 at the Hennepin Human Services and Public Health Department). Moreover, the distribution of licensees across the state varies widely. The percentage of licensed county social workers ranges from 71% (at Todd County Social Services) to none (at Koochiching, Mahnomon, Pennington, and Red Lake county social service agencies). The median and mode percentage point is 38%. In 46 of the county agencies more than 37% of their county social workers are licensed (spread out fairly evenly from 38% to 71%), and in the other 38 agencies less than 37% of the county social workers are licensed, spread down to zero.

A total of 1,756 (51%) county practitioners in social work positions have never had a social work license; in addition, 357 formerly licensed social workers in county social work positions have allowed their licenses to expire, another 50 have voluntarily terminated their license, 7 social workers' licenses are inactive, and one license has been revoked (see Table 5, below). In 27 counties, no licensees voluntarily terminated their license or let it expire. In several other counties (such as Dakota, Chisago, Clay, Olmsted, Stearns, and Wright) less than 10% of their staff have dropped their license. However, in a few counties nearly one third of their social workers dropped their license (e.g., St. Louis). Board staff have identified reasons why county licensees might voluntarily terminate their license, including the cost of renewal fees, difficulty in meeting supervision requirements, lack of support from their employer, the perception that the license has become a liability because the licensee is subject to the Board's compliance process and works with involuntary clients, ineligibility for an advanced license, and no plans to practice in a non-exempt setting (K. Zacher-Pate, personal communication, October 25, 2007). More analysis and further inquiries would be

worthwhile to understand why social workers in some counties retain their licenses while colleagues in other counties do not.

In total about 62% of county practitioners in social work positions are not licensed to practice social work. If the exemption from licensure for county social workers were to be repealed, these 2,136 county employees could be directly affected.

Because the list of county social work practitioners identifies a total of practitioners in county social work positions and proportion licensed for each county, the distribution of licensed county social workers across the state is now clear (see the map, below, showing the percentage distribution combining all licenses: LSW's, LGSWs, LISWs, and LICSWs). There is a wide range and variability in the numbers of staff in each county social service agency extending from Hennepin County's 776 positions, by far the largest, to the 17 counties that have less than 10 social work line positions. In 23 county agencies (27%), more than 50% of the social workers are licensed. In 22 additional county agencies between 37% and 49% of the social workers are licensed. In only four counties are there no county social workers licensed.

Three of the largest counties (with more than 100 social workers employed) have a proportion of licensed social workers higher than 38% but less than 50%: Anoka (67 out of 146 or 46%), Olmsted (68 out of 160 or 43%), and Dakota (75 out of 181 or 41%). In the three other largest counties (with more than 100 social workers) fewer than 38% of their social workers are licensed: Hennepin (the largest: 229 licensed out of 776 or 30%), Ramsey (82 out of 297 or 28%), and St. Louis (47 out of 189 or 25%). In other relatively populous counties in the metropolitan area such as Carver (26 out of 81 or 32%), Scott (16 out of 47 or 34%), Washington (35 out of 89 or 39%), and Wright (29 out of 62 or 47%) less than half of their social workers are licensed. The counties with 50% or more of their social workers licensed range in size from rural counties with less than 10 total workers (Kittson, Norman, and Waseca) to mid-sized urban corridor counties such as Sherburne (23 social workers out of 40 licensed or 58%) and Stearns (33 out of 66 or 50%).

While sizable and growing counties like Dakota or Scott rank near the middle of the distribution in terms of proportion of licensees among their total complement of social work staff, they end up in the lower third of the distribution in terms of licensees as a proportion of their population. Conversely, counties with fewer people but with a relatively full complement of social workers yet smaller proportion of licensed social workers rank higher in the proportion of licensees as a percentage of their populations (Tables 3 & 4). And adjacent counties of similar size and presumably similar demographic and cultural factors sometimes vary in proportion of licensees.

**TABLE 3. Licensed Social Workers Per County, Alphabetical**

COUNTY	Population in 2005	Licensed Social Workers	Total Social Workers	% Licensed per Pop.
Aitkin	17032	4	14	0.0235
Anoka	327532	67	146	0.0205
Becker	32245	12	26	0.0372
Beltrami	42783	6	28	0.0140
Benton	38619	15	24	0.0388
Big Stone	5591	3	10	0.0537
Blue Earth	59703	9	52	0.0151
Brown	26973	10	26	0.0371
Carlton	34174	16	34	0.0468
Carver	85782	26	81	0.0303
Cass	30329	7	22	0.0231
Chippewa	12966	3	15	0.0231
Chisago	49961	13	38	0.0260
Clay	53569	22	37	0.0411
Clearwater	8351	1	6	0.0120
Cook	5478	2	5	0.0365
Cottonwood	11786	4	14	0.0339
Crow Wing	63280	20	53	0.0316
Dakota	392401	75	181	0.0191
Dodge	20041	3	11	0.0150
Douglas	36543	16	27	0.0438
Faribault	15580	5	14	0.0321
Fillmore	21885	2	8	0.0091
Freeborn	32256	17	31	0.0527
Goodhue	46573	5	22	0.0107
Grant	6204	1	5	0.0161
Hennepin	1161381	229	776	0.0197
Houston	20061	7	12	0.0349
Hubbard	19538	6	13	0.0307
Isanti	37669	12	23	0.0319
Itasca	45558	8	20	0.0176
Jackson	11100	8	12	0.0721
Kanabec	16229	3	13	0.0185
Kandiyohi	42232	21	37	0.0497
Kittson	4994	2	4	0.0400
Koochiching	14195	0	10	0.0000
Lac qui Parle	7971	2	6	0.0251
Lake	11472	2	10	0.0174
Lake of the Woods	4489	2	5	0.0446
Le Sueur	27297	1	17	0.0037
Lincoln	6132	5	12	0.0815
Lyon	25745	6	12	0.0233
Mahnomen	5155	0	4	0.0000
Marshall	9905	6	10	0.0606
Martin	21194	6	14	0.0283
McLeod	37157	17	33	0.0458
Meeker	24035	5	17	0.0208
Mille Lacs	25202	15	24	0.0595
Morrison	34027	15	24	0.0441
Mower	39476	8	18	0.0203
Murray	8936	6	12	0.0671
Nicollet	31523	11	20	0.0349
Nobles	20556	2	15	0.0097
Norman	7137	4	7	0.0560
Olmsted	140058	68	160	0.0486
Otter Tail	59892	21	32	0.0351
Pennington	13798	0	11	0.0000
Pine	28391	4	15	0.0141
Pipestone	9499	3	8	0.0316
Polk	31404	10	32	0.0318
Pope	11572	2	9	0.0173
Ramsey	516019	82	297	0.0159
Red Lake	4266	0	2	0.0000
Redwood	16364	3	13	0.0183
Renville	16912	10	18	0.0591
Rice	62093	18	42	0.0290
Rock	9421	3	7	0.0318
Roseau	16781	6	11	0.0358
Scott	118308	16	47	0.0135
Sherburne	81205	23	40	0.0283
Sibley	15625	5	13	0.0320
St. Louis	200541	47	189	0.0234
Stearns	144250	33	66	0.0229
Steele	35825	9	18	0.0251
Stevens	10084	3	8	0.0298
Swift	11831	4	13	0.0338
Todd	25128	12	17	0.0478
Traverse	3955	1	3	0.0253
Wabasha	22974	8	12	0.0348
Wadena	13976	5	19	0.0358
Waseca	19839	5	8	0.0252
Washington	226766	35	89	0.0154
Watsonwan	11557	3	16	0.0260
Wilkin	7058	1	6	0.0142
Winona	50834	7	17	0.0138
Wright	112538	29	62	0.0258
Yellow Medicine	10729	3	12	0.0280

**TABLE 4. Licensed Social Workers Per County, Ranked from High to Low**

COUNTY	Population in 2005	Social Workers Licensed	TOTAL Social Workers	% of Population Licensed
Lincoln	6132	5	12	0.0815
Jackson	11100	8	12	0.0721
Murray	8936	6	12	0.0671
Marshall	9905	6	10	0.0606
Mille Lacs	25202	15	24	0.0595
Renville	16912	10	18	0.0591
Norman	7137	4	7	0.0560
Big Stone	5591	3	10	0.0537
Freeborn	32256	17	31	0.0527
Kandiyohi	42232	21	37	0.0497
Olmsted	140058	68	160	0.0486
Todd	25128	12	17	0.0478
Carlton	34174	16	34	0.0468
McLeod	37157	17	33	0.0458
Lake of the Woods	4489	2	5	0.0446
Morrison	34027	15	24	0.0441
Douglas	36543	16	27	0.0438
Clay	53569	22	37	0.0411
Kittson	4994	2	4	0.0400
Benton	38619	15	24	0.0388
Becker	32245	12	26	0.0372
Brown	26973	10	26	0.0371
Cook	5478	2	5	0.0365
Wadena	13976	5	19	0.0358
Roseau	16781	6	11	0.0358
Otter Tail	59892	21	32	0.0351
Nicollet	31523	11	20	0.0349
Houston	20061	7	12	0.0349
Wabasha	22974	8	12	0.0348
Cottonwood	11786	4	14	0.0339
Swift	11831	4	13	0.0338
Faribault	15580	5	14	0.0321
Sibley	15625	5	13	0.0320
Isanti	37669	12	23	0.0319
Rock	9421	3	7	0.0318
Polk	31404	10	32	0.0318
Crow Wing	63280	20	53	0.0316
Pipestone	9499	3	8	0.0316
Hubbard	19538	6	13	0.0307
Carver	85782	26	81	0.0303
Stevens	10084	3	8	0.0298
Rice	62093	18	42	0.0290
Sherburne	81205	23	40	0.0283
Martin	21194	6	14	0.0283
Yellow Medicine	10729	3	12	0.0280
Chisago	49961	13	38	0.0260
Watonwan	11557	3	16	0.0260
Wright	112538	29	62	0.0258
Traverse	3955	1	3	0.0253
Waseca	19839	5	8	0.0252
Steele	35825	9	18	0.0251
Lac qui Parle	7971	2	6	0.0251
Aitkin	17032	4	14	0.0235
St. Louis	200541	47	189	0.0234
Lyon	25745	6	12	0.0233
Chippewa	12966	3	15	0.0231
Cass	30329	7	22	0.0231
Stearns	144250	33	66	0.0229
Meecker	24035	5	17	0.0208
Anoka	327532	67	146	0.0205
Mower	39476	8	18	0.0203
Hennepin	1161381	229	776	0.0197
Dakota	392401	75	181	0.0191
Kanabec	16229	3	13	0.0185
Redwood	16364	3	13	0.0183
Itasca	45558	8	20	0.0176
Lake	11472	2	10	0.0174
Pope	11572	2	9	0.0173
Grant	6204	1	5	0.0161
Ramsey	516019	82	297	0.0159
Washington	226766	35	89	0.0154
Blue Earth	59703	9	52	0.0151
Dodge	20041	3	11	0.0150
Wilkin	7058	1	6	0.0142
Pine	28391	4	15	0.0141
Beltrami	42783	6	28	0.0140
Winona	50834	7	17	0.0138
Scott	118308	16	47	0.0135
Clearwater	8351	1	6	0.0120
Goodhue	46573	5	22	0.0107
Nobles	20556	2	15	0.0097
Fillmore	21885	2	8	0.0091
Le Sueur	27297	1	17	0.0037
Koochiching	14195	0	10	0.0000
Mahnomen	5155	0	4	0.0000
Pennington	13798	0	11	0.0000
Red Lake	4266	0	2	0.0000

**TABLE 5. License Status of Social Workers: Count per County**

AGENCY NAME:	LICENSE STATUS:							
	CURRENT	EXPIRED	INACTIVE	REVOKED	TEMP. LEAVE	VOL. TERM.	NEVER	Total
AITKIN COUNTY FAMILY SERVICE AGENCY	4	2					8	14
ANOKA COUNTY	67	6					73	146
BECKER COUNTY HUMAN SERVICES	12	4				2	8	26
BELTRAMI COUNTY HUMAN SERVICES	6	4					18	28
BENTON COUNTY SOCIAL SERVICES	15	1					8	24
BIG STONE COUNTY FAMILY SERVICES	3						7	10
BLUE EARTH COUNTY HUMAN SERVICES	9	4					39	52
BROWN COUNTY FAMILY SERVICES	10	4				1	11	26
CARLTON COUNTY HUMAN SERVICE CENTER	16	5					13	34
CARVER COUNTY COMMUNITY SOCIAL SERVICES	26	9	1			2	43	81
CASS COUNTY HEALTH AND HUMAN SERVICES	7	4					11	22
CHIPPEWA COUNTY FAMILY SERVICES	3		1			2	9	15
CHISAGO COUNTY HEALTH & HUMAN SERVICES	13	1					24	38
CLAY COUNTY SOCIAL SERVICE CENTER	22	1					14	37
CLEARWATER COUNTY DEPT OF HUMAN SERVICES	1	1					4	6
COOK COUNTY SOCIAL SERVICES	2						3	5
COTTONWOOD COUNTY FAMILY SERVICE AGENCY	4						10	14
CROW WING COUNTY SOCIAL SERVICE CENTER	20	9					24	53
DAKOTA COUNTY COMMUNITY SERVICES ADMINISTRATION	75	32				1	73	181
DODGE COUNTY HUMAN SERVICES	3	2					6	11
DOUGLAS COUNTY SOCIAL SERVICES	16						11	27
FILLMORE COUNTY SOCIAL SERVICES	2	2				1	3	8
FREEBORN COUNTY DEPT OF HUMAN SERVICES	17	1					13	31
GOODHUE COUNTY SOCIAL SERVICE CENTER	5	7	1				9	22
GRANT COUNTY SOCIAL SERVICE DEPT	1	1					3	5
HENNEPIN COUNTY	229	104	1			14	428	776
HOUSTON COUNTY DEPT OF HUMAN SERVICES	7						5	12
HUBBARD COUNTY SOCIAL SERVICE CENTER	6	1				1	5	13
HUMAN SERVICES OF FARIBAUT & MARTIN COUNTIES	11						17	28
ISANTI COUNTY FAMILY SERVICES	12						11	23
ITASCA COUNTY HEALTH AND HUMAN SERVICES	8	1					11	20
JACKSON COUNTY HUMAN SERVICES	8						4	12
KANABEC COUNTY FAMILY SERVICE DEPT	3						10	13
KANDIYOHI COUNTY FAMILY SERVICE DEPT	21						16	37
KITTSOON COUNTY SOCIAL SERVICES	2	1					1	4
KOOCHICHING COUNTY COMMUNITY SERVICES		3					7	10
LAC QUI PARLE COUNTY FAMILY SERVICE CENTER	2						4	6
LAKE COUNTY SOCIAL SERVICE DEPT	2	1				1	6	10
LAKE OF THE WOODS SOCIAL SERVICE DEPT	2						3	5
LESUEUR COUNTY DEPT OF HUMAN SERVICES	1	1				1	14	17
LINCOLN, LYON AND MURRAY HUMAN SERVICES	17	2					17	36
MAHNOMEN COUNTY HUMAN SERVICES							4	4
MARSHALL COUNTY SOCIAL SERVICES	6					1	3	10
MCLEOD COUNTY SOCIAL SERVICE CENTER	17						16	33
MEEKER COUNTY SOCIAL SERVICES	5						12	17
MILLE LACS COUNTY FAMILY SERVICE & WELFARE DEPT	15						9	24
MORRISON COUNTY SOCIAL SERVICES	15	2					7	24
MOWER COUNTY HUMAN SERVICES	8						10	18
NICOLLET COUNTY SOCIAL SERVICES	11	1					8	20
NOBLES COUNTY FAMILY SERVICE AGENCY	2						13	15
NORMAN COUNTY SOCIAL SERVICE CENTER	4						3	7
OLMSTED COUNTY COMMUNITY SERVICES	68	10		1		1	80	160
OTTER TAIL COUNTY DEPT OF SOCIAL SERVICES	21	1					10	32
PENNINGTON COUNTY DEPT OF WELFARE & HUMAN SERVICE		2	1				8	11
PINE COUNTY DEPT OF HUMAN SERVICES	4	4					7	15
PIPESTONE COUNTY FAMILY SERVICE AGENCY	3						5	8
POLK COUNTY SOCIAL SERVICE CENTER	10	3					19	32
POPE COUNTY FAMILY SERVICE DEPT	2	1					6	9
RAMSEY COUNTY HUMAN SERVICE DEPT	82	29			1	5	180	297
RED LAKE COUNTY SOCIAL SERVICE CENTER						1	1	2
REDWOOD COUNTY HUMAN SERVICES	3	2					8	13
RENVILLE COUNTY HUMAN SERVICES	10	2					6	18
RICE COUNTY SOCIAL SERVICES	18	6					18	42
ROCK COUNTY FAMILY SERVICE AGENCY	3	1					3	7
ROSEAU COUNTY SOCIAL SERVICE CENTER	6						5	11
SCOTT COUNTY HUMAN SERVICES	16	5	1				25	47
SHERBURNE COUNTY SOCIAL SERVICES	23						17	40
SIBLEY COUNTY HUMAN SERVICES	5	1					7	13
ST LOUIS COUNTY SOCIAL SERVICE DEPT	47	41				12	89	189
STEARNS COUNTY SOCIAL SERVICE	33	5				1	27	66
STEELE COUNTY HUMAN SERVICES	9	1					8	18
STEVENS COUNTY HUMAN SERVICES DEPT	3	1					4	8
SWIFT COUNTY HUMAN SERVICES	4	2				1	6	13
TODD COUNTY COUNTY SOCIAL SERVICES	12						5	17
TRAVERSE COUNTY SOCIAL SERVICES DEPT	1						2	3
WABASHA COUNTY DEPT OF SOCIAL SERVICES	8						4	12
WADENA COUNTY SOCIAL SERVICE DEPT	5	2					12	19
WASECA COUNTY DEPT OF HUMAN SERVICES	5						3	8
WASHINGTON COUNTY COMMUNITY SERVICES	35	13				1	40	89
WATONWAN COUNTY HUMAN SERVICES	3	3					10	16
WILKIN COUNTY FAMILY SERVICE AGENCY	1						5	6
WINONA COUNTY DEPT OF HUMAN SERVICES	7	2					8	17
WRIGHT COUNTY HUMAN SERVICES	29	2					31	62
YELLOW MEDICINE COUNTY FAMILY SERVICE CENTER	3	1					8	12
<b>Grand Total</b>	<b>1252</b>	<b>357</b>	<b>6</b>	<b>1</b>	<b>1</b>	<b>49</b>	<b>1756</b>	<b>3422</b>



## Discussion

Now that the Board of Social Work has a fairly reliable estimate of the number of practitioners who would be affected if the exemption for county social worker is repealed or modified, policy planning and further study of the impact of exemptions and changes in exemptions are possible. There are about 3,422 practitioners employed as social workers in Minnesota's 87 counties, and about 2,136 of them are not currently licensed to practice social work. This estimate does not include most of the social service supervisors and agency directors who guide, administer, monitor, evaluate, and sometimes deliver the social work services. The role of supervisors and directors in promoting licensure and supporting licensed social workers on their staff is undoubtedly a key for increasing the proportion of licensees in county agencies (B. Kaufman, personal communication, September 17, 2007). Thus, continuing dialogue between the Board and the Minnesota Association of County Social Service Administrators is critical.

One of the implications of this study is the importance of encouraging the substantial number of county social workers who have voluntarily maintained their social work license to continue to do so. Perhaps the Board could consider communicating directly with each licensee in support of their decision to be licensed. Surveying those former licensees whose license has expired, become inactive, or terminated could reveal potential incentives for county social workers to reinstate their licenses as appropriate. To foster growth in the pool of licensable candidates for county social work positions, the Board could explore incentives for students to do their practicum work at county agencies (L. Dodge, personal communication, September 19, 2007).

Given the dramatic variation in the number and proportion of licensed and unlicensed social workers across the state, the impact of modifying the exemptions would also vary. An informative research task could be to determine how many of the 62% of county workers who are not licensed as social workers but who are in positions that can be described as providing social work services are licensable. For example, how many have social work degrees accredited by CSWE? Earlier studies have found that up to

67% might be a rough guess, but further study may be able to refine that estimate. Perhaps some other form of regulation (such as registration) for county practitioners who are not social workers would approach meeting licensure's public protection goal by establishing standards and recourse for redress independent of the social service system itself. It is most important to provide clients the means to report incompetent or unethical practice to a regulatory board.

County social workers provide vital services to people who are in the most vulnerable circumstances. The county is often the refuge of last resort for people lacking basic needs, individuals who are in danger of abuse or neglect and desperate for protection, families seeking support in caring for loved ones or under pressure to apply for public assistance, persons suffering from illness and without insurance coverage or access to competent treatment and case management, people who have a right to public social services for developmental or age related conditions, and the children and adults for whom county social services is ultimately responsible. In other words, potentially all of us at some point in our lives will use the services of a county social worker. County social workers maintain the infrastructure of social supports, health care, corrections, income maintenance, job training, housing stability, community resources, neighborhood viability, service development and coordination, child welfare, family services, and human rights advocacy. Fortunately, most Minnesota county social workers practice with integrity and respect, devoted to serving others and treating them with dignity.

Many of clients of county social services are involuntary, which sets up adversarial dynamics, at least at first (Daley & Doughty, 2007; Rooney, 1992). To transcend these potentially harmful interactions requires patient, persistent, careful, informed and sophisticated social work competencies. If county social workers practice ethically, renewed hope, effective help, and success in achieving goals are likely outcomes. In the rare circumstances when a social worker's practice does not meet minimum standards, clients deserve an opportunity for redress beyond what might be available within the county or state social service system itself. For licensed county social workers, the standards and procedures established by the Board of Social Work can play a role in sustaining and nurturing as well as regulating their good practice.

## Recommendations

Based on findings and implications suggested by this study, I recommend that the Minnesota Board of Social Work:

*1. Identify and carry out strategies to encourage licensed county social workers to maintain their licenses and to persuade those who have dropped their licenses or have expired or inactive licenses to reactivate their licenses.*

Studies such as Boutté-Queen's and Overson's provide guidance to what licensees might perceive as barriers to maintaining their license, and discussions between Board and Coalition staff and county staff over the years have also highlighted the challenges county social workers face in regards to licensure. Cost is one factor, but so also are the knowledge that a license is not required for the job, the difficulties in obtaining supervision, the fear of destabilizing a collegial and multidisciplinary team, no plans to move to a non-exempt setting, and the perception that the process of investigating complaints is unfair or unduly arduous (S. McNair, personal communication, September 21, 2007). Efforts to educate licensees and administrators as well as the public and educators about the purpose and benefits of licensure could be most fruitful:

“Most important appears to be the need to educate those who administer agencies and organizations that hire social workers since the personal need of license seekers [to be licensed] appears to be related to employment status” (Boutté-Queen, p. 148).

*2. Consider replicating this study with county social service supervisors, all of whom supervise social workers, some of whom provide direct services, and some of whom are licensed (though we do not know the proportion).*

There are at least two reasons for this recommendation. The first is that some county social service supervisors are licensed social workers and some who are not licensed but do provide social work services would be affected by a modification of the exemption; so we need to know how many and who they are. (The Minnesota Department of Human Services is just now beginning a census of county social service supervisors.) The second reason is the importance of supervision for competent (and licensed) social

work practice. Comparing the experience with supervision of social workers who were licensed against the experience with supervision of social workers who were not licensed, Gray (1990) found that “supervision under licensure conditions was significantly more likely to be held for longer periods of time...[And] licensure was associated with frequent, weekly supervision” (p. 58). Regular and frequent sessions between supervisor and supervisee are among the primary factors related to effective supervision (Bibus, 1993). Some counties have also recently realized the value of licensed supervisors for tapping Medical Assistance and insurance reimbursement.

*3. Seek proposals for studies to examine from clients’ perspective their experience with county social workers who are licensed and with social workers who are not licensed.*

I know of no studies that have explored in depth from the clients’ perspective the quality of services from licensed social workers compared to services from unlicensed social workers. Such studies would be difficult and costly to design and conduct, but given that the fundamental purpose of licensure is to set minimum professional practice standards and provide protection for clients when those standards are not met, investment in this research is in the interests of the people of Minnesota. There is a chance that statistically significant differences between licensed and unlicensed social work practice might not be detected (e.g., Pardeck, Chung, & Murphy, 1997), but even if such were the case, access to an independent board to redress harm resulting from incompetent or unethical practice is a valuable legal right in itself. This legal right should be present not matter which social worker clients happen to be assigned. And more information about factors that lead to helpful and ethical practices would result from more study.

*4. Continue analyses of the data from this study.*

Such analyses, including correlations, could potentially reveal more specific factors that encourage or discourage licensure in county agencies by looking into variables of geographic location, socioeconomic or political or cultural dynamics, administrative leaders’ support (or opposition), strength of a unionized workforce, or other demographics that might be factors in supporting or undercutting social work licensure in county agencies. In which counties have the majority of social workers

maintained their social work license compared to counties where previously licensed social workers voluntarily terminated their license or let it expire? According to key informants for this study, such as Liz Dodge, a county social service administrator, “Leadership is the key” – if the leader champions licensing, then staff will join in – if not, grassroots support could wither. Some supervisors and directors value social work’s unique perspective; employees with other backgrounds are seen as “personable” but they don’t have the person-in-environment perspective or community organization, systems management, policy practice skills or social justice values of social workers.

5. *Continue educational outreach and dialogue.*

Earlier studies on the exemption for county social workers (Cloutier, 1997; Holcomb, 2003; and Overson, 2005), have recommended that the Board communicate regularly with county social workers, county social service supervisors, directors, and the public. This communication should highlight the value of licensing in potentially improving client services, enhancing social work supervision (beyond administrative case audits), raising practitioners’ credibility as members of a licensed profession, promoting continuing education, and providing oversight for public accountability and a recourse to redress harm done by substandard practice. Barbara Kaufman, a key informant for this study, said that upon reflection she thinks that in trying to make the case for repealing the exemption, we have not appreciated enough the value of clinical or practice supervision as compared to only administrative supervision.

Venues for such communication opportunities include the annual conferences of the Minnesota Social Service Association, and other such statewide and regional events such as the National Association of Black Social Workers’ conference and meetings of the Minnesota Association of County Social Service Directors and the association of county social service supervisors. At MSSA’s conference or other meetings, any sessions devoted to licensing will be packed in attendance with participants highly interested. Informational postings on the Board’s website and direct contact with licensees will also be helpful in clarifying the purpose and benefits of licensing for public protection and setting professional standards.

*6. Strengthen the Board's practice act so that the use of the title "social worker" is strictly limited to social work licensees.*

That is, those county practitioners in positions that include social work duties must either be licensed as social workers or hold another license or registration status and job title. The current exemption erodes public confidence and fosters confusion among the general public and the media as to who is and who is not a social worker. The exemption also may be contributing negatively to the image of county social services. "Exemptions in licensing laws for practitioners employed by local, state and federal government sponsored agencies may create the perception by consumers of a 'second-class' service-delivery system within the public agencies" (Thyer & Biggerstaff, p. 23).

In addition, the Office of Mental Health Practice (OMHP), as currently set to respond to complaints from clients who believe that they have received incompetent or unethical treatment from an unlicensed mental health practitioner, has no way of determining how many mental health practitioners (possibly social workers) work in county agencies. When the statute authorizing OMHP sunsets in 2009, consideration should be given to tightening public protection, for example by establishing a registration system for regulating all mental health practice.

*7. Confer and consult with consumer and advocacy groups; continue strong partnerships with the Minnesota Conference on Social Work Education, the National Association of Social Workers and other professional associations through the Coalition of Licensed Social Workers; and reach out to the Department of Human Services, county agencies and staff, and their unions in negotiating a modification of the exemption that meets mutual values and objectives.*

Pursuing the possibility of care management certification and development of a competent (licensed!) workforce for innovative county funded social work and health care services such as the South Country Alliance could be a good strategy to pursue before or in conjunction with modifying the exemption. Past dialogue with the Department of Human Services on setting minimum educational requirements for case managers in the area of developmental disabilities and on establishing core competencies for mental health practice across the disciplines sets the stage for continued work toward

mutual objectives (P. Luinenburg, personal communication, September 27, & November 12, 2007). In meeting with social workers' unions, the Board should explore whether the exemption in some situations may be perceived as a liability for union members and licensing an asset. "An alternative union strategy would be to not insist on exemption, but, instead, to demand that public welfare personnel receive the necessary training to qualify for licensure" (Karger, 1988, p. 44.)

*8. Explore alternative regulation for those county social service practitioners who are not eligible to be licensed as social workers.*

This is now the focus of the Board's Legislative Task Force. See also Pardeck et al.'s recommendations for innovative strategies in regulating social work practice. It will be important to involve all constituents in developing a proposal that would modify the exemption for county social workers by requiring that county practitioners with accredited social work degrees must be licensed. "There are ways to legally regulate all social workers without exemptions and fill social service and child welfare positions with them" (DeAngelis, 2001, p.11; see also NASW, 2005).

Respectfully Submitted,

Anthony A. Bibus III, PhD, LISW

**Strategies for Achieving Social Work Congress Imperatives  
Action Plan**

#8 Increase the value proposition of social work by increasing standards and increasing academic rigor of social work educational programs:

Recommended action for 2008-2010:

"8E. Achieve uniform licensing (at all practice levels) across all states/jurisdictions."

2005 Social Work Congress Final Report  
(Clark et al., 2006, p. 12)

## References

- Albert, R. (2000). *Law and social work practice* (2<sup>nd</sup> ed.). New York: Springer Publishing, Inc.
- Anderson, W. A. (1992). Removing the exemptions from the social work licensure law. *MSSA Bulletin*, July 1992.
- Association of Social Work Boards. (2002). Panel speaks: But faculty licensure discussion illustrates lack of unified voice. *ASWB Association News*, 12 (3), 1-2, 4.
- Association of Social Work Boards. (2007). *Model social work practice act*. Culpeper, VA: Author. [Available online at [www.aswb.org](http://www.aswb.org)]
- Association of Social Work Boards. (2007). *Social work laws and regulations: A comparison guide*. Culpeper, VA: Author. [Available online at [www.aswb.org](http://www.aswb.org)]
- Barker, R. L., & Branson, D. M. (2000). *Forensic social work: Legal aspects of professional practice* (2<sup>nd</sup> ed.). New York: Haworth Press.
- Bibus, A. A. (1992). In support of social work licensing in Minnesota. *MSSA Bulletin Letters to the Editor*, December 1992, p. 3.
- Bibus, A. A. (1993). In pursuit of the missing link: the influence of supervision on social workers' practice with involuntary clients. *The Clinical Supervisor*, 11(2), 7-22.
- Biggerstaff, M. A. (2000). A critique of the Model State Social Work Practice Act. *Social Work*, 45 (2), 105-115.
- Biggerstaff, M. A. (1995). Licensing, regulation, and certification. In R. L. Edwards, Editor-in-Chief, *The Encyclopedia of Social Work* (19<sup>th</sup> Edition, Vol. 2, pp. 1616-1624). Washington, DC: NASW.
- Board of Social Work. (2004). An investigation into alternate licensure. Report to the Minnesota Legislature, October 2004. Author: Mpls., MN.
- Boutté-Queen, N. M. (2003). *Identifying barriers to obtaining social work licensure*. Doctoral dissertation, University of Houston, Texas.
- Cavazos, A. (2001). Baccalaureate social work licensure: Its effects on salary and use of job titles. *The Journal of Baccalaureate Social Work*, 6 (2), 69-80.
- Center for Workforce Studies. (2006). *Assuring sufficiency of a frontline workforce: A national study of licensed social workers*. Washington, DC: NASW.

- Clark, E. J., Weismiller, T., Whitaker, T., Waller, G. W., Zlotnik, J. L., Corbett, B. (Eds.). (2006). *2005 Social Work Congress Final Report*. Washington, DC: NASW.
- Cloutier, K. G. (1997). Licensing public social workers in selected states. Masters thesis, Augsburg College, Minneapolis, MN.
- Council on Social Work Education. (June 30, 2001). Position statement on the licensing of social work educators. Washington, DC: Author.
- Daley, M. R., & Doughty, M. O. (2006). Ethics complaints in social work practice: A rural-urban comparison. *Journal of Social Work Values and Ethics*, 4 (2). [Available online at [www.socialworker.com/jseve](http://www.socialworker.com/jseve)]
- Daley, M. R., & Doughty, M. O. (2007). Preparing BSWs for ethical practice: Lessons from licensing data. *Journal of Social Work Values and Ethics*, 4 (2). [Available online at [www.socialworker.com/jseve](http://www.socialworker.com/jseve)]
- DeAngelis, D. (2000). Addressing confusion over state licensing. *CSWE Reporter*, Spring/Summer 2000, Letter to the Editor, p. 9.
- DeAngelis, D. (2001). Who is really served by exemptions? *ASWB Association News*, 11 (1), 2 & 11.
- DiNitto, K. M., & McNeece, C. A. (2008). *Social work issues and opportunities in a challenging profession* (3<sup>rd</sup> ed.). Chicago: Lyceum Books, Inc.
- Erickson, R. (December, 1995). Interagency work group licensing subcommittee report. In the February 1996 Report to the Minnesota State Legislature on interagency alignment of statutes and rules for children with disabilities (pp. F3-F5). St. Paul, Minnesota.
- Farley, O. W., Smith, L. L., & Boyle, S. W. (2006). *Introduction to social work* (10<sup>th</sup> ed.). Boston: Pearson Education, Inc.
- Gambrill, E., & Pruger, R. (Eds.). (1992). *Controversial issues in social work*. Boston: Allyn and Bacon.
- Gambrill, E., & Pruger, R. (Eds.). (1997). *Controversial issues in social work ethics, values, and obligations*. Boston: Allyn and Bacon.
- Gandy, J., & Raymond, F. (1979). A study of strategies used in the pursuit of legal regulation of social work. *Journal of Sociology and Social Welfare*, 6, 464-476.
- Goldsmith, S. A. (1931). Registration of social workers. In *Proceedings of the National Conference of Social Work* (pp. 551-562). Chicago: University of Chicago Press.

- Gray, S. W. (1990). The interplay of social work licensure and supervision: An exploratory study. *The Clinical Supervisor*, 8(1), 53-65.
- Health Licensing Boards. (2002). Complaint resolution process guidelines. Report by Minnesota's Health Licensing Boards, April 15, 2002. Author: Minneapolis, MN.
- Hoffman, K. (2002). The basics of social work licensing. *The New Social Worker*, 9(2), 28-30.
- Holcomb, R. (2003). Universal licensure: Public agency social worker attitudes. Unpublished paper, University of St. Thomas, St. Paul, Minnesota.
- Iverson, R.R. (1987). Licensure: Help or hindrance to women social workers. *Social Casework*, 68, 75-77.
- Karger, H. J. (1988). Unions and social work licensure. In H. J. Karger, (Ed.), *Social workers and labor unions* (pp. 37-46). Westport, CT: Greenwood Press.
- Kinderknecht, C. (1995). *Social work ethical violations: The experience of one state regulatory Board*. Doctoral dissertation, University of Kansas.
- Luinenburg, P., Zacher-Pate, K., Holcomb, R., Bibus, A. A., & colleagues. (2002). *Choices and responsibilities for social workers: Licensure and the professional associations*. (A curriculum module for CSWE-accredited bachelor and master's level social work programs in Minnesota, student manual). Minneapolis, MN: Minnesota Board of Social Work and Minnesota Coalition of Licensed Social Workers.
- Luinenburg, P. (February 2005). Removing the licensure exemption for public agency social workers: Looking back, Looking forward. St. Paul, Minnesota: Minnesota Coalition of Licensed Social Workers.
- Mackie, P. F.-E. (2007). Understanding the educational and demographic differences between rural and urban social workers. *The Journal of Baccalaureate Social Work*, 12 (2), 114-128.
- Madden, R. G. (2007). Liability and safety issues in human services management. In J. Aldgate et al. (Eds.), *Enhancing social work management* (pp. 149-177). London: Kingsley Publishers.
- Matz, B. C. (1996). *Allies, adversaries or just apathy? Social work licensure and faculty knowledge and perceptions*. Doctoral dissertation, West Virginia University.
- Minnesota Association of County Social Service Administrators. (2003). 2003 legislative position: Requiring licensure of all county social workers by the state Board of Social Work. St. Paul, MN: Author.

- Minnesota Board of Social Work's Special Committee on Board Operations. (March, 2002). Final Report of the Minnesota Board of Social Work's Special Committee on Board Operations. Board of Social Work: Minneapolis, MN.
- Minnesota Coalition of Licensed Social Workers. (June 2001). Recommendations regarding improving services to children in the child welfare system. Report to the Board of Social Work, September 28, 2001. Minnesota Coalition of Licensed Social Workers: Minneapolis, MN.
- Minnesota Coalition of Licensed Social Workers. (October 2002). Recommendations regarding the complaint process of the Minnesota Board of Social Work. Report to the Board, November 1, 2002.
- National Conference of Social Work. (1931). *Proceedings of the National Conference of Social Work, Minneapolis, June 14-20, 1931*. Chicago: University of Chicago Press.
- Minnesota Department of Human Services. (April, 1993). A report to the 1993 Minnesota Legislature: Competency-based training system for child protection/child welfare social workers. St. Paul, MN: Author.
- National Association of Social Workers. (June, 2005). Social work licensure: Practice and title protection reviewed. Retrieved, June 2005:  
[www.socialworkers.org/ldf/leg](http://www.socialworkers.org/ldf/leg)
- Novotny, T., & Black-Hughes, C. (2006). MCSWE exemption report. Unpublished paper presented to the fall 2006 annual conference of the Minnesota Conference on Social Work Education.
- O'Neil, J. V. (2004). Supervision license revolt: Marylanders seek way around new requirement. NASW News, 49 (2). [Available online at  
[www.socialworkers.org/pubs/news/2004/02/supervision.asp?back=yes](http://www.socialworkers.org/pubs/news/2004/02/supervision.asp?back=yes) ]
- Overson, C. (2005). Universal licensure exemption: Minnesota social service employees respond. Masters clinical paper, College of St. Catherine/University of St. Thomas School of Social Work, St. Paul, MN.
- Pardeck, J. T., Chung, W. S., & Murphy, J. W. (1997). Degreed and nondegreed licensed clinical social workers: An exploratory study. *Journal of Sociology and Social Welfare*, 24 (2), 143-158.
- Pauluk, W. (1992). A response to licensing. *MSSA Bulletin*, August, 1992, p. 2.
- Payne, M. (2007). *What is professional social work* (2<sup>nd</sup> ed.). Chicago: Lyceum Books.

- Pew Commission for the 21<sup>st</sup> Century. (December, 1995). Reforming health care workforce regulation: Report of the Task Force on Health Care Workforce Regulation. San Francisco: Author.
- Robb, M. (2004). Chaos theory: Hope for licensure reform in the post-9/11 age? *Social Work Today*, 4 (5), 17-21.
- Rooney, R. H. (1992). *Strategies for work with involuntary clients*. New York: Columbia University Press.
- Saltzman, A., & Proch, K. (1990). *Law in social work practice*. Chicago: Nelson-Hall.
- Sanderson, B. (Ed.). (1989). *It's never O.K.: A handbook for professionals on sexual exploitation by counselors and therapists*. St. Paul, MN: Minnesota Department of Corrections.
- Schoener, G., Milgrom, J., Gonsiorek, J., Luepker, E., & Conroe, R. (1989). *Psychotherapists' sexual involvement with clients: Intervention and prevention*. Minneapolis, Minn.: Walk-In Counseling Center.
- Schroeder, L. O. (1995). *The legal environment of social work*. Washington, DC: NASW.
- Seidl, F. W. (2000). Should licensure be required for faculty who teach direct practice courses? No! *Journal of Social Work Education*, 36 (2), 193-200.
- Stedz, L. (1992). Against (the spread of) social work licensure. *MSSA Bulletin*, September, 1992, p. 1, 7.
- Strauss, J. (1992). Continuing debate on licensing: Giving social work a bad name. *MSSA Bulletin*, Letter to the Editor, October 1992, p. 4.
- Thyer, B. A. (2000). Should licensure be required for faculty who teach direct practice courses? Yes! *Journal of Social Work Education*, 36 (2), 187-192.
- Thyer, B. A., & Biggerstaff, M. A. (1989). *Professional social work credentialing and legal regulation*. Springfield, IL: Thomas.
- Walker, J. S, Briggs, H. E., Koroloff, N., & Friesen, B. J. (2007). Implementing and sustaining evidence-based practice in social work. *Journal of Social Work Education*, 43 (3), 361-375.
- Walley, P. (2007). Alabama's comprehensive child welfare system reform. *Policy & Practice*. 65 (1), 18-20.

## **Appendix**

*(If appendices are not attached here, they are available upon request from the Minnesota Board of Social Work or the author)*

ASWB Spreadsheet Showing Exempted Groups by State

Minnesota Coalition of Licensed Social Workers Materials

Ralph Holcomb's Survey Summary

MACCSA 2003 Legislative Position

CSWE Position Statement on Licensing

Minnesota Child Welfare Training System Brochure

Merit System Position Descriptions

Cover Letter, Consent Form, and Confidentiality Agreement