

Office of Professional Regulation & Department of Children and Families

Report on the Use of the Term “Social Worker”

I. Introduction

Over the last three years OPR has worked with its social worker advisors and in consultation with the state branch of the National Association of Social Workers, licensed social workers, other non-licensed individuals with social worker degrees, DCF employees, and faculty at the University of Vermont and other higher education programs to amend the social work statutes and administrative rules governing social workers. During public hearings and while soliciting comments on statutory and rule changes since 2012, “use of the term social worker” arose frequently as a topic of discussion. Many advocated for clear guidelines on when the term “social worker” could be used. Some advocated that “title language” be included in OPR’s social work statute amendments. In 2015, when the legislature adopted OPR’s submitted statutory amendments in the OPR Bill H.282, it added the following:

Sec. 32a. OFFICE OF PROFESSIONAL REGULATION REPORT; USE OF THE TERM “SOCIAL WORKER”

Representatives of the Office of Professional Regulation, the Department for Children and Families, and other appropriate State agencies shall meet and consult with the Vermont chapter of the National Association of Social Workers to address the use of the term “social worker” within the Department for Children and Families and other State agencies. On or before December 1, 2015, the Director of the Office of Professional Regulation shall report to the House and Senate Committees on Government Operations regarding the outcome of the meeting or meetings and any recommendations for the permitted use of the term “social worker.”

This task falls to OPR as the regulatory entity recognized for its unique expertise and understanding of the issues regarding regulated professionals in Vermont. OPR’s primary duty is public protection. OPR takes the legislative language above as its charge to more fully explore this topic, formally identify problems with use of the term social worker and how they affect public protection, and propose remedies.

OPR consulted with other state agencies and learned the following: According to the Vermont Department of Human Resources, the term or title “social worker” describes employment positions at DCF, the Department of Health Access, the Department of Health, the Vermont Veterans’ Home, and the Department of Mental Health. The Department of Human Resources listing included no social worker positions with the Agency of Education. During the course of this investigation OPR learned that the Agency of Education lists “school social workers” as a licensed teacher “endorsement.” “School social workers” are not employed directly by the Agency but by individual school districts. Although arguably not “within” the Agency, the Agency has created and given a title to a distinct class, “school social workers.” “School social workers” are therefore included in this report.

II. The Problem

Vermont law limits use of the term social worker. 26 V.S.A. § 3202 provides:

Prohibition; offenses

(a) No person shall practice or attempt to practice clinical social work, nor shall any person use in connection with the person's name any letters, words, or insignia indicating or implying that the person is a clinical social worker unless the person is licensed in accordance with this chapter.

The term "social worker" is used by Vermont State Agencies to label employment positions. The positions require varying levels of social work education or preparation. In some cases "social worker" positions require no formal social work education. The term "social worker" frequently describes job duties performed, not the preparation of the person doing them.

a. Department of Children and Families (DCF)

DCF has 194 employee positions with the job title "social worker." DCF has used the term at least since the 1970's. Education required for a "social work" position is either a master's degree in social work, or with no master's degree, eighteen months of human services casework, including at least six months with a child or youth services caseload. Satisfactory completion of a social work traineeship in DCF will be considered qualifying. "The traineeship period is normally 18 months, but may be shortened to 12 months upon recommendation of the supervisor and approval of the Family Services Division Director."

Of the DCF "social workers" only 6 to 10 are licensed clinical social workers. DCF could not verify how many of its "social workers" possess any formal social work education. A 2014 survey to which 101 DCF social workers responded showed that 53% of DCF "social workers" have a bachelor's degree. 40% have a master's degree. DCF does not collect data showing which of its "social workers" have degrees in social work. A majority receive their social work training on the job. DCF "social workers" who do become licensed clinical social workers receive no salary increase or benefit from that status.

DCF "social workers" are trained and supervised by social services supervisors or senior social workers. The supervisors may have, but are not required to have, social work degrees or education.

b. Department of Mental Health

The Department of Mental Health has five social worker positions. Three are held by licensed clinical social workers. One "social worker" position is currently held by a licensed clinical mental health counselor. One is a rostered psychotherapist.

c. The Department of Vermont Health Access (DVHA)

According to the Department of Human Resources, DVHA (formerly OVHA) has two "clinical social worker" positions. Required for their positions is a Master's in Social Work (MSW) and Vermont licensure as a licensed alcohol and drug counselor or licensed clinical mental health counselor. Both individuals are

licensed drug and alcohol counselors. OPR was not able to determine from DVHA whether they have MSW degrees.

d. Department of Health

The Department of Health has eight social worker slots. Five are held by licensed clinical social workers. The other three are held by individuals who have Master's of Social Work (MSW) degrees.

e. Vermont Veterans' Home

The Vermont Veterans' Home has three social worker positions. One is held by a licensed clinical social worker. The second is held by a person in the process of completing the clinical social worker licensing requirements. The third is held by an individual with a bachelor's degree in social work (BSW).

f. Agency of Education

The Agency of Education issues a teacher license endorsement for "school social workers." The Agency reports that it has endorsed 31 individuals as "school social workers." Each is authorized to "provide school social work services to learners and their families in grades K-12." Required is: "A master's degree, in social work or the equivalent," a supervised internship experience (600 clock hours) in social work with a minimum of 60 hours of experience in school social work at both the elementary (PK-6) and middle/secondary (7-12) levels, under the supervision of a licensed school social worker." (Emphasis in original). The agency is not authorized to issue a clinical license to "school social workers." The AOE offers only the "school social worker" endorsement. Social worker licensure by OPR is not a prerequisite to earning a "school social worker" license endorsement.

III. Public Comment

On October 21, 2015 the OPR held a public hearing on proposed administrative rules for social workers and on the subject to "use of the term social workers." OPR solicited public comments.

The comments, which included some from DCF employees, were uniform in opposition to use of the term "social worker" to describe a position or employee who does not have a social work degree (bachelor's or master's). Among their reasons: Use of the term "social worker" for people without a social work education and degree is "extremely confusing" to families and others. "Obtaining an MSW or LICSW require [sic] strict regulation, time, education, and a development of expertise, which DCF does not." Use of the term is inappropriate for case managers or case workers who lack specific social work education. Use of the term "social worker" implies social work education and degree, which is not the case with all DCF "social workers." Clinical oversight of "social workers" by supervisors who themselves lack a social work degree or license degrades the work of those who possess a social work education.

Commenters stated that use of the term "social worker" for those without social work education and training lowers the professional value of a social work degree or license. "I think this [limiting use of the term "social worker"] would go a long way toward further professionalizing us so that we get the recognition we deserve for the hard work we do and are remunerated in kind." [Use of the term "social worker"] "...is insulting to those of us who are proud of our degrees in this complex and challenging discipline." Use of the term "social worker" creates a "misunderstanding of a professional with specific skills and training designed to help those who face adversities such as poverty, illiteracy, mental illness,

domestic violence, etc.” “The nature of one’s work does not qualify them to the title of that trade.” “[T]he term ‘Social Worker’ should be restricted to those who have obtained this [social work] degree. It is unfortunate that this title has been misrepresented and misunderstood.”

IV. Analysis and Conclusion

Calling oneself a “physician” or an “attorney” implies that a person is educated, trained, and legally authorized to practice a profession. A professional title has intrinsic value. The professional’s patients or clients expect the individual to have expertise and competence in a specific area. Regulation of a profession is imposed by the State to assure the expertise and competence of the licensee.

Use of a professional title by people who lack that profession’s specialized education and competence undermines the value of the title. For people who have earned a social work degree, use of the title “social worker” by others is demeaning. The general public and individuals who are assisted by a “social worker” expect that their “social worker” has specific education and training. Calling a person lacking that education, training, or license a “social worker” is misleading.

The social workers who contacted OPR for this study feel that use of the title “social worker” by others, within or outside of state agencies, is disrespectful to their profession.

The title “social worker” differs from other professional title labels. The social work scope of practice is very broad. Social work programs include internships or practicums where students work as social workers. When they complete their degree program, they have been trained to see themselves as social workers. Individuals educated and trained as social workers who have a bachelor’s or master’s degree in social work can and do hold positions in Vermont as “social workers.” They work doing what they were trained to do. Their practice and use of the term “social worker” is against Vermont law which prohibits use of “letters, words, or insignia indicating or implying that the person” is a clinical social worker.

The Department of Children and Families understands the issues raised by its use of the term “social worker” as job classification. It notes that changing the “social worker” job description and title will take some time and effort. But, DCF recognizes that the call for change from using the title “social worker” to the use of the title “case worker” or something similar is in the wind. DCF authorizes OPR to report that it appreciates the call for a job title change, is willing to cooperate, and will comply with a directive calling for that change.

The Agency of Education supports OPR’s position below “that a clinical license in social work be a requirement for earning the endorsement of School Social Worker moving forward.” The Agency assures OPR that it will work with its Standards Board to accommodate that change.

V. Recommendations

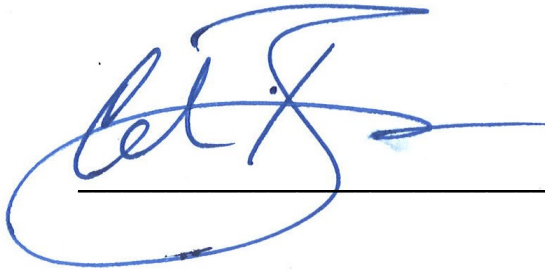
To eliminate confusing or misleading use of the term OPR favors restricting use of the term “social worker” by state agencies. The term “social worker” should be limited to those positions which require social work education acquired in an appropriately accredited social work program.

The Vermont Chapter of the National Association of Social Workers and social workers who commented in writing or at the October public hearing support legislation limiting use of the title “social worker” to those who are licensed social workers in Vermont or who have received a bachelor’s, master’s, or

doctoral degree from an accredited school or program of social work. OPR does not oppose adding a similar provision to Vermont statutes. The Office will provide a draft statute upon request.

Respectfully submitted to the House and Senate Committees on Government Operations.

STATE OF VERMONT
SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION

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January 5, 2016