

## Social Worker Licensure in Oklahoma

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Oklahoma's Social Workers Licensing Act became effective October 1, 1980 and has no sunset date. The Act defines social work as the profession of helping others restore their capacity for physical, social, and economic functioning. It is the application of social work values, principles and techniques to help people obtain tangible services, to counsel with individuals, families and groups, to help communities or groups provide or improve social and health services, and to participate in relevant social action.<sup>1</sup> Social workers are trained and expected to be social activists whose ideology leans left.<sup>2</sup>

### Current Law

**The Oklahoma State Board of Licensed Social Workers oversees 5 different licenses for social workers:**

1. Clinical Social Worker
2. Master's Social Worker
3. Social Worker
4. Social Worker with a Specialty of Administration
5. Social Worker Associate

Only clinical social workers have independent practices and practice counseling. They are licensed in all 50 states.<sup>3</sup> This is likely because their scope of practice overlaps that of licensed psychologists. Without their own licensing, clinical social workers would be prosecuted for practicing psychology without a license. Because of this complication, we will exclude the question of licensing for clinical social workers, and look at the lower license levels.

All but the associate license require a minimum number

of experience hours working under a licensed social worker's supervision. The lowest degree one must have to be a social worker in Oklahoma is a bachelor's. A social worker license in Oklahoma requires a specific degree matched to the license and passage of an exam administered by the board.

Every year, Oklahoma requires social workers to clock 16 hours of continuing education at worker or organizational expense. Licenses must be renewed yearly. There are application fees, yearly fees, continuing education fees, national criminal history record checks, and other fees deemed necessary by the board to complete a license. Late applications are treated as new applications or are subject to a late fee.<sup>4</sup>

In California, one can practice social work in a supervised setting without a license.<sup>5</sup> Most states do not require bachelor level social workers to be licensed, with few exceptions like Oklahoma and Massachusetts. Most Child Welfare Agencies require a bachelor's degree at minimum, even in states that do not require a license for bachelor-level social workers, requisite training being what matters rather than a state license.<sup>6</sup>

Nationally, about 16 percent of social workers work for state, local, or federal governments.<sup>7</sup> The fact that Oklahoma's government requires licensing of a profession that the government also employs in significant numbers raises the question of excessive credentialing requirements for government workers. Also troubling is that this training tends to push state employees into a shared ideological perspective on their work.

Oklahoma's licensing law makes becoming a social worker and maintaining a license time consuming and expensive, leaving Oklahoma with a severe shortage of social workers, and forcing existing social workers to take on more clients than they can appropriately handle. Workers for Oklahoma's Child and Protective Services report being unable to effectively fulfill their duties due to excessive workloads.<sup>8</sup> Thus, a law supposedly meant to protect social worker clients has left both clients and social workers more vulnerable.

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## Evaluating Whether to License Social Workers

### ***Do Social Workers present a real and probable risk of significant harm to the public or patrons if practitioners fail to act properly?***

No, at least not for non-clinical social workers whose positions require no more than a bachelor's degree. Social workers are ostensibly licensed because they often serve vulnerable individuals.<sup>9</sup> However, this occurs all the time in life where relatives, friends, clergy, and other strangers intervene on behalf of others. If a social worker acts inappropriately, the client or a person that speaks for the client can sue the social worker or, if necessary, refer a matter to authorities for prosecution.<sup>10</sup> Most social workers work in supervised settings.

While social workers often work with vulnerable people, the greatest risk is client neglect and failing to file accurate and timely reports. The responsibility of sufficiently fulfilling the job falls on the shoulders of the private companies and government agencies that employ most social workers and it is their job to appropriately train and monitor their employees.

### ***Is there a civil law or market failure that makes it difficult for patrons of these services to obtain information, educate themselves, and judge whether an occupation's practitioners are competent?***

No. Oftentimes social workers are employed by some sort of supervising body, be it a corporation or the government. Only about 1 percent of social workers are self-employed.<sup>11</sup> A corporation's social-worker-served employees can easily evaluate services online, so malpractice and neglect will be reported quickly. Government could easily institute evaluation systems that include confidential reporting by clients and clients' other caregivers.

In Oklahoma's system, the board receives complaints against licensees in writing only through the mail or at their personal office, not electronically. Sufficiently substantial complaints require a lengthy hearing process, one that can go on for months, before a social worker might lose his or her license.<sup>12</sup> A complaint serious enough to warrant license revocation must stand up in court since in a licensed regime, license removal is nearly the same as denying someone the ability to make a living. Making client complaints public in a non-licensed environment would serve the public far more efficiently and readily than secret hearings whose rules of evidence are so high.

## Conclusion

There is no need for social workers to be licensed. All licensing levels for social workers below that of Clinical Social Worker should be repealed, or a sunset date within the next two years put in place.

Social workers, including clinical social workers, could be privately certified as outlined by the *21st Century Consumer Protection & Private Certification Act*, available as an appendix to *The Need to Review and Reform Occupational Licensing in Oklahoma*, available at <http://www.1889institute.org/licensing.html>. It would allow professionals who form private certifying associations to enforce private credentials through criminal fraud enforcement instead of costly civil actions if a certifying organization follows several practices, including certain transparency and disclaimer requirements. The Association of Social Work Boards already offers certifications. Thus, in states that do not require all social workers be licensed, workers have the option to obtain a certification and use it in their title.<sup>13</sup>

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## References

- <sup>1</sup>Title 59, Oklahoma Statutes, Sections 1250-1273, "Board of Licensed Social Workers," <https://www.ok.gov/socialworkers/documents/Title%2059%2003%2026%202016.pdf>.
- <sup>2</sup>Brenda Rufener, "The 30 Most Influential Social Workers Alive Today," Social Work Degree Guide, website, October 2014, <https://www.socialworkdegreeguide.com/30-most-influential-social-workers-alive-today/>.
- <sup>3</sup>"Social Work License Requirements," SocialWorkLicensure.org, <https://socialworklicensure.org/articles/social-work-license-requirements.html>.
- <sup>4</sup>Title 675, Oklahoma Administrative Code, "State Board of Licensed Social Workers," <https://www.ok.gov/socialworkers/documents/Agency%20Rules%20Revised%202017%20-%202010%2018%202017.pdf>.
- <sup>5</sup>"How to Become a Social Worker in California," CareersinPsychology.org, <https://careersinpsychology.org/becoming-a-social-worker-in-california-license-certification/>.
- <sup>6</sup>Deona Hooper, "Licensed Social Workers Do Not Mean More Qualified," Social Work Helper, website, February 3, 2014, <https://www.socialworkhelper.com/2014/02/03/licensed-social-workers-mean-qualified/>.
- <sup>7</sup>"Social Workers," Bureau of Labor and Statistics, <https://www.bls.gov/ooh/community-and-social-service/social-workers.htm>.
- <sup>8</sup>Dana Hertneky, "9 Investigates: DHS Workers Blow Whistle On Child Protective Services," News9.com, <http://www.news9.com/story/36968415/9-investigates-dhs-workers-blow-whistle-on-child-protective-services>.
- <sup>9</sup>"Social Work Licensing Guide," Social Work Guide, <https://www.socialworkguide.org/licensure/>.
- <sup>10</sup>"Professional Liability (Individuals)," National Association of Social Workers Assurance Services, website, <https://www.naswassurance.org/malpractice/professional-liability-individuals/>.
- <sup>11</sup>"How Many Social Workers Are Self-Employed?" StudentScholarships.org, [https://studentscholarships.org/careers\\_salary/246/self\\_employed/social\\_workers.php#sthash.dycSHxL2.dpbs](https://studentscholarships.org/careers_salary/246/self_employed/social_workers.php#sthash.dycSHxL2.dpbs).
- <sup>12</sup>"Chapter 3: Individual Proceedings," Oklahoma State Board of Licensed Social Workers, [www.ok.gov](http://www.ok.gov), <https://www.ok.gov/socialworkers/Complaints/index.html>.
- <sup>13</sup>"About the Social Work License," HumanServicesEdu.org, <https://www.humanservicesedu.org/social-work-license.html>.