

PUBLIC HEARING

before the

Senate Labor, Industry and Professions Committee  
on

Senate, No. 400

(An Act to provide for the examination, licensing, and regulation of the practice of social work, creating a State Board of Social Work Examiners, supplementing Title 45 of the Revised Statutes, and providing for an appropriation.)

and

Senate, No. 1210

(An Act to license social workers, creating a State Board of Social Work Examiners, and supplementing Title 45 of the Revised Statutes.)

Held:  
Assembly Chamber  
State House  
Trenton, NJ  
October 16, 1974

MEMBERS OF THE COMMITTEE PRESENT:

Senator Edward J. Hughes (Chairman)  
Senator John J. Fay, Jr.  
Senator John M. Skevin  
Senator James H. Wallwork

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STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1974 SESSION

By Senator BEADLESTON

AN ACT to provide for the examination, licensing, and regulation of the practice of social work, creating a State Board of Social Work Examiners, supplementing Title 45 of the Revised Statutes, and providing for an appropriation.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. This act shall be known and may be cited as the "Practicing  
2 Social Worker Licensing Act."

1 2. The practice of social work in the State of New Jersey is  
2 hereby declared to affect the public safety and welfare, and it is  
3 in the public interest to regulate and control said practice in  
4 order to protect the public from the unprofessional, improper, un-  
5 authorized and unqualified practice of social work and from unpro-  
6 fessional conduct by persons licensed to practice social work. It is  
7 also the purpose of this act to protect the public by setting  
8 standards of qualification, education, training and experience for  
9 those who seek to engage in the practice of social work, and by  
10 promoting high standards of professional performance for those  
11 engaged in the practice of social work. This act shall be liberally  
12 construed to carry out these objectives and purposes.

1 3. As used in this act:

2 a. "Social work specialist," "social worker," or "social service  
3 technician," means an individual to whom a license has been issued  
4 pursuant to the provisions of this act, which license is in force  
5 and not suspended or revoked as of the particular time in question.

6 b. "The practice of social work" means the professional activity  
7 of helping individuals, groups, or communities to enhance or re-  
8 store their capacity for social functioning and of creating societal  
9 conditions favorable to this goal. Social work practice consists  
10 of the professional application of social work values, principles,  
11 and techniques to one or more of the following ends: Helping

12 people obtain tangible services; counseling with individuals,  
 13 families and groups; helping communities or groups provide or  
 14 improve social and health services; and participating in relevant  
 15 legislative processes. The practice of social work requires knowl-  
 16 edge of human development and behavior, social, economic, and  
 17 cultural institutions, and the interaction of these factors.

18 c. "Board" means the State Board of Social Work Examiners,  
 19 acting as such under the provisions of this act.

20 d. "Recognized educational institution" means any educational  
 21 institution which grants the bachelor's, master's and doctor's  
 22 degrees, or any one or more thereof, and which is recognized by  
 23 the Department of Higher Education or by any accrediting body  
 24 acceptable to the State Board of Social Work Examiners.

1 4. No educational institution shall be denied recognition as a  
 2 recognized educational institution solely because its program is  
 3 not accredited by any professional organization of social workers,  
 4 and nothing in this act or in the administration of this act shall  
 5 require registration with the board by educational institutions or  
 6 departments of social work.

1 5. No person, other than a person licensed under this act,  
 2 shall represent himself to be a licensed practicing social work  
 3 specialist, social worker, or social service technician, use a title  
 4 of description including the term "social work," or any of its  
 5 derivatives, such as social worker, group worker or caseworker, in  
 6 a manner which would imply that he is licensed under this act, or  
 7 offer to practice social work, except under the supervision of a  
 8 licensed social work specialist, or except as otherwise permitted in  
 9 section 6 of this act. The use of such terms by a person who is  
 10 not licensed under this act, whether in titles or descriptions or  
 11 otherwise, is not prohibited by this act, except when in connection  
 12 with the offer to practice or the practice of social work. Use of  
 13 such terms in connection with professional activities other than  
 14 rendering of professional social work services to individuals for a  
 15 fee, monetary or otherwise, shall not be construed as implying that  
 16 a person is licensed under this act, or as an offer to practice, or  
 17 as the practice of social work.

1 6. Nothing in this act shall be construed to prevent qualified  
 2 physicians, surgeons, psychologists, psychotherapists, attorneys,  
 3 marriage counselors, family counselors, child counselors, guidance  
 4 counselors, rehabilitation counselors, or members of the clergy,  
 5 from doing work within the standards and ethics of their respective  
 6 professions and calling, provided they do not hold themselves out  
 7 to the public by any title or description of service as being engaged

8 in the practice of social work. Any group already licensed under  
 9 the laws of the State of New Jersey shall be exempt from the  
 10 provisions of this act. Students of social work, social work interns,  
 11 or persons preparing for the practice of social work shall not be  
 12 prevented from engaging in the practice of social work, provided  
 13 that said practice is performed under the supervision of a social  
 14 work specialist licensed under this act.

1 7. There is hereby created, in the Division of Consumer Affairs  
 2 of the Department of Law and Public Safety, a State Board of  
 3 Social Work Examiners, consisting of seven members to be ap-  
 4 pointed by the Governor.

5 a. At least three members shall represent the diverse fields of  
 6 social work and each shall have the following qualifications:

7 (1) Licensing as, or professional standing equivalent to, a social  
 8 work specialist;

9 (2) For at least 5 years prior to his appointment, active engage-  
 10 ment as a social worker in one or more phases or branches of  
 11 social work, or in the education and training of master's degree  
 12 or doctoral students of social work, or in social work research.  
 13 Each shall have spent the major part of the time devoted by him to  
 14 such activity during the 2 years preceding his appointment, in this  
 15 State; and

16 (3) Possession of a minimum of a master's degree in social  
 17 work from a recognized graduate school of social work.

18 b. One member, to be known as the public member, shall be  
 19 appointed to represent the interests of the public.

20 c. One member, to be known as the State executive department  
 21 member, shall be the holder of an office or position in the Executive  
 22 Branch of the State Government, in a department designated by  
 23 the Governor and which is closely related to the practice of social  
 24 work.

25 Each member of the board shall be a resident of this State and  
 26 a citizen of the United States.

1 8. The State executive department member shall serve at the  
 2 pleasure of the Governor. All other members of the board shall  
 3 be appointed for terms of 3 years and until the appointment and  
 4 qualification of their respective successors, except that of those  
 5 first appointed, two shall be appointed for terms of 1 year, two for  
 6 2 years and two for 3 years as designated by the Governor.  
 7 Vacancies shall be filled for the unexpired terms only.

8 Each appointee shall, upon accepting appointment by the board,  
 9 take and subscribe to the oath or affirmation prescribed by law  
 10 and file said oath in the office of the Secretary of State. The



11 professional appointees qualifying under subsection a. of section  
12 7 of this act shall be deemed to be and shall become licensed social  
13 work specialists immediately upon their appointment and qualifica-  
14 tion as members of the board.

1 9. The Governor may remove from office any member of the  
2 board for incompetence, neglect of duty, unprofessional conduct,  
3 or moral turpitude; but no board member may thus be removed  
4 until after a hearing of the charges against him, and at least 30  
5 days prior written notice to such accused member of the charges  
6 against him and of the date affixed for such hearing.

1 10. The board shall, at its first meeting, to be called by the  
2 Governor as soon as may be following the appointment of its  
3 members, and all annual meetings, to be held in June of each year  
4 thereafter, organize by electing from among its members a chair-  
5 man, vice-chairman, and secretary, whose election shall be subject  
6 to the approval of the Attorney General. Such officers shall serve  
7 until the following June 30 and until their successors are appointed  
8 and qualified. The board shall adopt a seal which shall be affixed  
9 to all licenses issued by the board. The board shall administer  
10 and enforce the provisions of this act. The board shall hold at  
11 least one regular meeting each year, but additional meetings may  
12 be held upon call of the chairman or at the written request of any  
13 two members of the board. Four members of the board shall  
14 constitute a quorum and no action at any meeting shall be taken  
15 without at least two votes in accord. The board shall from time to  
16 time adopt such rules and regulations and such amendments thereof  
17 and supplements thereto as it may deem necessary to enable it to  
18 perform its duties under and to carry into effect the provisions of  
19 this act. The board shall examine and pass on the qualifications  
20 of all applicants for permits or licenses under the act, and shall  
21 issue a permit or license to each qualified successful applicant  
22 therefor, attesting to his professional qualifications to engage in  
23 the practice of social work.

24 Each member of the board shall be reimbursed for actual ex-  
25 penses reasonably incurred in the performance of his duties as a  
26 member of or on behalf of the board.

27 Subject to the approval of the Attorney General, the board shall  
28 be empowered to hire such assistance as it may deem necessary to  
29 carry on its activities. All expenditures deemed necessary to carry  
30 out the provisions of this act shall be paid by the State Treasurer  
31 from the license fees and other sources of income of the board,  
32 within the limits of available appropriations according to law, but  
33 in no event shall expenditures exceed the revenues of the board

34 during any fiscal year. The board, through its chairman or sec-  
 35 retary, may issue subpoenas to compel the attendance of witnesses  
 36 to testify before the board and produce relevant books, records  
 37 and papers before the board and may administer oaths in taking  
 38 testimony, in any matter pertaining to its duties under the act,  
 39 including, without limitation, any hearing authorized or required  
 40 to be held by the board under this act. Subpoenas shall issue under  
 41 the seal of the board and shall be served in the same manner as  
 42 subpoenas issued out of the Superior Court. Every person who  
 43 refuses or neglects to obey the command of such subpoena, or who,  
 44 after hearing, refuses to be sworn and testify, shall, in either  
 45 event, be liable to a penalty of \$50.00 to be sued for in the name  
 46 of the board in any court of competent jurisdiction, which penalty  
 47 when collected shall be paid to the secretary of the board.

1 11. A person desiring to obtain a license as a practicing social  
 2 worker shall make application therefor to the board upon such  
 3 form and in such manner as the board shall prescribe and shall  
 4 furnish evidence satisfactory to the board that he:

- 5 a. is at least 18 years of age;
- 6 b. is of good moral character;
- 7 c. is not engaged in any practice or conduct which would be  
 8 a ground for refusing to issue, suspending or revoking a license  
 9 pursuant to this act;
- 10 d. qualifies for licensing by an examination of credentials or for  
 11 admission to an assembled examination to be conducted by the  
 12 board.

1 12. Any person may obtain a license to be issued by the board  
 2 by an examination of credentials if he meets the qualifications set  
 3 forth in subsections a., b., and c. of section 11 of this act, and  
 4 provides evidence satisfactory to the board that he meets educa-  
 5 tional and experiential qualifications.

6 The board shall issue the following licenses in the appropriate  
 7 manner:

- 8 a. "Social work specialist" to an applicant who has a doctorate  
 9 or master's degree from a school of social work approved by the  
 10 board and has met the qualifications set forth in section 11 of  
 11 this act.
- 12 b. "Social worker" to an applicant who has (1) a baccalaureate  
 13 degree in social work or a comparable program from a college or  
 14 university approved by the Council on Social Work Education  
 15 and meets the qualifications set forth in section 11 of this act,  
 16 with 1 year of social work experience under the direction of a  
 17 person who qualifies for licensing as social work specialist under

18 this act; or (2) a baccalaureate degree in a nonsocial work field  
 19 or discipline and meets the qualifications set forth in section 11  
 20 of this act, and has 2 years of continued social work experience  
 21 under the direction of a person who qualifies for licensure as  
 22 social work specialist under this act.

23 c. "Social service technician" to an applicant who has satis-  
 24 factory completion of at least 60 college level credits at an ac-  
 25 credited college or university and 2 years of full-time parapro-  
 26 fessional training or work experience in a social service, health or  
 27 community agency.

1 13. Private independent practice of social work shall be limited  
 2 to social work specialists only.

1 14. Any person may be admitted to an assembled examination  
 2 if he meets the qualifications set forth in subsections a. and b. of  
 3 section 11 of this act, and provides evidence satisfactory to the  
 4 board that he:

5 a. received a doctor's or master's degree in social work from  
 6 an accredited school of social work, if he applies for the license of  
 7 social work specialist, and that he has engaged in professional  
 8 employment in the practice of social work under the supervision  
 9 of a licensed social work specialist for the equivalent of at least 2  
 10 years, full time, of which 1 year was subsequent to his receiving  
 11 the master's degree;

12 b. has a baccalaureate degree in social work, or a comparable  
 13 program, from a college or university approved by the Council on  
 14 Social Work Education with 2 years of supervised experience under  
 15 the direction of a licensed social work specialist, if he applies for  
 16 the license of social worker;

17 c. has satisfactory completion of at least 60 college level credits  
 18 and 2 years of full time paraprofessional training under the direct  
 19 supervision of a licensed social work specialist, or social worker,  
 20 if he applies for the license of social service technician.

1 15. The board shall conduct assembled examinations at least once  
 2 a year at a time and place to be designated by it. Assembled ex-  
 3 aminations shall be written, and, if the board deems advisable, oral.  
 4 In any written examination, each applicant shall be designated by  
 5 a number, so that his name shall not be disclosed to the board until  
 6 examinations have been graded. Examinations shall include ques-  
 7 tions in such theoretical and applied fields as the board deems  
 8 most suitable to test an applicant's knowledge and competence to  
 9 engage in the practice of social work. Examinations should be  
 10 appropriate to the level of the license applied for. An applicant

11 shall be held to have passed an examination upon the affirmative  
12 vote of at least four members of the board.

1 16. Any person who shall have failed an examination conducted  
2 by the board may not be admitted to a subsequent examination for  
3 a period of at least 6 months.

1 17. The following fees shall be assessed and collected by the  
2 board:

3 a. Application fee—\$20.00, which shall not be subject to refund;

4 b. Examination and initial license fee—\$55.00, which shall be  
5 subject to refund if the applicant is determined to be ineligible  
6 for examination, withdraws his application for examination, or  
7 fails to appear for examination;

8 c. License fee, examination of credentials—\$50.00;

9 d. License renewal fee—\$50.00;

10 e. Reregistration fee—\$10.00;

11 f. Reinstatement fee—\$50.00.

1 18. Licenses will be valid for 2 years and are renewable bien-  
2 nially. On or before April 15 in each year, the secretary of the  
3 board shall forward to a licensee whose license will expire on June  
4 30 of that year an application for renewal. Upon the receipt of  
5 the completed application and the renewal fee on or before June  
6 30, the secretary shall issue a new license commencing July 1. Any  
7 application for renewal of a license which has expired shall, in  
8 addition, require the payment of a reregistration fee, or in such  
9 cases as the board may by rule prescribe, a new application fee.

1 19. The board may refuse to renew, may suspend, or may revoke  
2 any license issued under this act upon proof, after hearing, that  
3 the holder thereof has engaged in "unprofessional conduct." "Un-  
4 professional conduct" is defined to include, but is not limited to:

5 a. Conviction of a crime involving moral turpitude;

6 b. Habitual drunkenness or addiction to habit-forming drugs  
7 which impairs the ability to engage in the practice of social work  
8 or endangers the public served;

9 c. Conviction of fraud or deceit in connection with services  
10 rendered as a licensed social work specialist, social worker, social  
11 service technician, or in connection with establishing qualifications  
12 under this act;

13 d. Aiding and abetting a person not licensed under this act and  
14 representing himself as a licensed social work specialist, social  
15 worker, or social service technician, in the State of New Jersey;

16 e. Failure to be licensed or a representation as being licensed  
17 after the expiration of a license issued under this act;

18 f. Being found guilty of unprofessional conduct by the rules es-  
19 tablished by the board.

20 The board shall not refuse to grant and shall not revoke or  
21 suspend the license of any person for any of the foregoing reasons  
22 until after a hearing of the charges against the accused, and at  
23 least 20 days prior written notice to the accused of the charges  
24 against him and of the date affixed for such hearing. Such written  
25 notice shall be mailed by United States certified or registered mail  
26 to the accused's last known address, but the accused's failure to  
27 appear shall not prevent or invalidate such hearing or any action  
28 taken by the board thereat.

29 Every action of the board in refusing to issue a license or in  
30 suspending or revoking a license pursuant to this section shall be  
31 subject to review by appeal to the Superior Court by a proceeding  
32 in lieu of prerogative writ.

1 20. Application may be made to the board for reinstatement at  
2 any time after the expiration of 1 year from the date of revocation  
3 of license. Such application shall be in writing and shall be ac-  
4 companied by the reinstatement fee. The board shall not reinstate  
5 any applicant unless certified that he is competent to engage in  
6 the practice of social work, and, if necessary for such determina-  
7 tion, may require the applicant to pass an examination.

1 21. Any person engaged in the practice of social work but not  
2 licensed under this act, who on or after January 1, 1975, represents  
3 himself to be a licensed practicing social work specialist, social  
4 worker, social service technician, or offers to practice or practices  
5 social work in violation of this act, shall be liable to a penalty of  
6 \$200.00 for the first offense, and of \$500.00 for each subsequent  
7 offense.

8 The Superior Court and every County Court, county district  
9 court and municipal court shall have jurisdiction within its terri-  
10 tory of proceedings for the collection and imposition of a penalty  
11 imposed because of violation of any provision of this act. Penal-  
12 ties shall be issued for and recovered by and in the name of the  
13 board and shall be collected and enforced by summary proceedings  
14 pursuant to the Penalty Enforcement Law (N. J. S. 2A:58-1 et  
15 seq.). Process shall issue at the suit of the board as plaintiff and  
16 shall be in the nature of a summons and warrant. In any action  
17 to recover such a penalty, the certification of any member of the  
18 board under the seal of the board that at the time of the offense  
19 charged the defendant was not a licensed social work specialist,  
20 social worker, or social service technician or that the defendant's

21 license had been suspended or revoked, shall be received in evi-  
22 dence and shall be prima facie proof of the facts so stated.

1 22. At the suit of the Attorney General, the board, or any citizen  
2 of the same county, the Superior Court may prevent or restrain  
3 any person from representing himself as a licensed practicing  
4 social work specialist, social worker, social service technician, or  
5 from practicing social work without being licensed under this act,  
6 or excluded from its application, or from violation of any of the  
7 provisions of this act.

1 23. Any communication between a licensed practicing social  
2 work specialist, social worker, or social service technician and the  
3 person whom he serves shall be confidential and privileged. This  
4 privilege shall not be subject to waiver except:

5 a. Upon the written consent of the person served, or in the case  
6 of death or disability upon the written consent of his personal  
7 representative, or person authorized to sue, or the beneficiary of  
8 an insurance policy on his life, health or physical condition;

9 b. That a licensed social work specialist, social worker, or social  
10 service technician shall not be required to treat as confidential a  
11 communication that reveals the contemplation of a crime or a  
12 harmful act;

13 c. When the person waives the privilege by bringing charges  
14 against the licensed practicing social work specialist, social worker,  
15 or social service technician.

1 24. All fees, fines, penalties and other moneys derived from the  
2 operation of this act shall be paid to the board and remitted to  
3 the State Treasurer.

1 25. If any provision of this act or the application thereof to  
2 any person or circumstance is held invalid, such invalidity shall  
3 not affect any other provision or application of the act which can  
4 be given effect without such invalid provision or application, and  
5 to this end the provisions of this act are declared to be severable.

1 26. There shall be appropriated to the Department of Public  
2 Safety for the use of the board such sums as shall be necessary to  
3 implement and effectuate the provisions of this act.

1 27. This act shall take effect January 1, 1975, except that it  
2 shall become effective immediately so far as to permit the taking  
3 of such measures and the making of such expenditures as shall  
4 be necessary to administer the provisions of this act prior to said  
5 January 1.



SENATE, No. 1210

STATE OF NEW JERSEY

INTRODUCED MAY 13, 1974

By Senators FELDMAN, MENZA, MARTINDELL, LIPMAN,  
SCARDINO, GARRAMONE, SKEVIN and FAY

Referred to Committee on Labor, Industry and Professions

AN ACT to license social workers, creating a State Board of Social  
Work Examiners, and supplementing Title 45 of the Revised  
Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. This act shall be known, and may be cited as the "Social  
2 Worker Licensing Act."

1 2. The Legislature hereby declares that the profession of social  
2 work profoundly affects the lives of the people of New Jersey. The  
3 Legislature further declares that this act is intended to protect the  
4 people of New Jersey by setting standards of qualification, educa-  
5 tion, training and experience for those persons seeking to engage  
6 in the practice of social work, and by promoting high standards of  
7 professional performance for those presently engaged in the  
8 practice of social work in this State.

1 3. As used in this act:

2 a. "Social work practice" means service and action to effect  
3 change in human behavior, a person's or persons' emotional  
4 response, and the social condition of individuals, families, groups,  
5 organizations and communities, as influenced by the varied inter-  
6 action of social, cultural, political and economic systems. The  
7 practice of social work is guided by special knowledge of social  
8 resources, social systems, human capabilities, and the part con-  
9 scious and unconscious motivation plays in determining behavior.  
10 The disciplined application of social work values, principles and  
11 methods, in a variety of manners, includes but is not restricted to:  
12 counseling and the use of applied psychotherapy with individuals,  
13 families and groups, and other measures to help people modify be-  
14 havior or personal and family adjustment; providing general assis-  
15 tance, information and referral services, and other supportive



16 services; explaining and interpreting the psychosocial aspects in  
 17 the situation of individuals, families or groups; helping organiza-  
 18 tions and communities to analyze social problems and human needs  
 19 and the delivery of human services; helping organizations and com-  
 20 munities to organize for general neighborhood improvement or  
 21 community development; improving social conditions through the  
 22 application of social planning and social policy formulations; meet-  
 23 ing basic human needs; assisting in problem-solving activities;  
 24 resolving or managing conflict; and bringing about system changes.

25 b. "Department" means the Department of Law and Public  
 26 Safety.

27 c. "Board" means the State Board of Social Work Examiners  
 28 established under this act.

29 d. "Merits the public trust" means having general acceptance  
 30 by professional peers and community acceptance as a professional,  
 31 as determined by the board pursuant to standards contained in  
 32 rules and regulations promulgated thereby.

33 e. "Social work specialist," "social worker," or "social work  
 34 technician," means an individual to whom a license has been issued  
 35 pursuant to the provisions of this act, which license is in force and  
 36 not suspended or revoked as of the particular time in question.

1 4. After January 1, 1975, no person may:

2 a. Engage in the practice of social work unless licensed under  
 3 this act as a social work specialist, social worker, or social work  
 4 technician;

5 b. Practice as a social work technician except under the super-  
 6 vision of a social work specialist licensed under this act;

7 c. Represent himself as a social worker by using the titles  
 8 "social work specialist," "social worker," "registered social  
 9 worker," "social work associate," "social work technician," or  
 10 any other title that includes any such words unless licensed under  
 11 this act;

12 d. Represent himself as a social work specialist, social worker,  
 13 registered social worker or social work associate by adding the  
 14 letters "SSW," "SW," "BSW," or "SWA" unless licensed under  
 15 this act; or

16 e. Engage in the private, independent practice of social work  
 17 unless he is licensed under this act as a social work specialist, has  
 18 had at least 2 years of experience under appropriate supervision  
 19 in the field of specialization in which the applicant will practice, and  
 20 has passed the examination prepared by the board for this purpose.

1 5. Nothing in this act shall be construed to prevent qualified

2 members of any professional groups licensed in this State or  
 3 physicians, surgeons, psychologists, attorneys, nurses, marriage  
 4 counselors, or members of the clergy from doing work within the  
 5 standards and ethics of their respective professions, provided they  
 6 do not hold themselves out to the public by title or description of  
 7 service as being engaged in the practice of social work. Students  
 8 enrolled in recognized programs of study leading to social work  
 9 degrees may practice only under the supervision of a Social Work  
 10 Specialist or Social Worker licensed under this act.

1 6. The board shall issue a license:

2 a. As a social work specialist to an applicant who:

3 (1) Has a doctorate or master's degree from a school of social  
 4 work approved by the board;

5 (2) Has passed an examination prepared by the board for this  
 6 purpose; and

7 (3) Merits the public trust.

8 b. As a Social Worker to an applicant who:

9 (1) Has a baccalaureate degree in a social work or social wel-  
 10 fare program approved by the board from a college or university  
 11 approved by the board; or a baccalaureate degree in another field,  
 12 2 years experience in a social work capacity, and completion of  
 13 courses equivalent to a social work or social welfare program  
 14 approved by the board from a college or university approved by the  
 15 board;

16 (2) Has passed an examination prepared by the board for this  
 17 purpose; and

18 (3) Merits the public trust.

19 c. As a Social Work Technician to an applicant who:

20 (1) Has a baccalaureate degree in a nonsocial work field or dis-  
 21 cipline, or an associate degree in the human services in a program  
 22 approved by the board from a junior or community college, 4-year  
 23 college, university or an equivalent degree-granting institution  
 24 approved by the board;

25 (2) Has passed an examination prepared by the board for this  
 26 purpose; and

27 (3) Merits the public trust.

1 7. a. An applicant shall be exempted from the requirement of  
 2 taking and passing any examination provided for in this act if he  
 3 satisfies the board that he is licensed or registered under the laws  
 4 of a State or territory of the United States that imposes sub-  
 5 stantially the same requirements as this act, and, pursuant to the  
 6 laws of such State or territory, has taken and passed an examina-  
 7 tion similar to that for which exemption is sought.

8 b. From the effective date of this act to January 1, 1977, an  
9 applicant shall be exempted from:

10 (1) The requirement of taking and passing any examination pro-  
11 vided for in this act if he satisfies the board that he is and has been  
12 actually engaged, for at least 2 years, in the practice for which the  
13 examination would otherwise be required; and

14 (2) Any academic qualifications required herein if he satisfies  
15 the board that he is and has actually been engaged, for at least 2  
16 years, in the practice for which the academic qualifications would  
17 otherwise be required, or if he has a post-baccalaureate degree in a  
18 social work program approved by the board.

1 8. Each license issued by the board pursuant to this act shall  
2 become effective upon issuance, and shall expire on the last day of  
3 the month in the year that is exactly 2 years from the year and  
4 month in which the license was issued. Said license may be re-  
5 newed biennially by the payment of a renewal fee as set by the  
6 board in accordance with section 14 of this act and by the execution  
7 and submission of a sworn statement by the applicant, made on  
8 such form as may be provided by the board, that said applicant is  
9 currently engaged in the practice of social work and that the license  
10 for which renewal is sought has not been revoked nor currently  
11 suspended. Each applicant shall present satisfactory evidence  
12 when seeking license renewal that in the period since the license  
13 was issued, continuing education requirements have been completed  
14 as specified by the board. Applications for renewal may be made  
15 within 1 year after the expiration of the license.

1 9. The board may refuse to issue or renew, and may suspend or  
2 revoke, any license issued under this act upon proof after a hearing  
3 that the person has been: a. convicted of a violation of any of the  
4 provisions of this act; has been convicted of a crime in this State  
5 or of a felony in a Federal court and, after investigation, the board  
6 determines that he has not been sufficiently rehabilitated to merit  
7 the public trust; or, b. has been grossly negligent in the practice of  
8 social work.

1 10. Before the license of any person is suspended, revoked, or  
2 not renewed by the board, the person shall be given a hearing by a  
3 three-man panel of the board, with a decision to be by majority  
4 vote; provided, however, that at least 20 days notice of the charges  
5 against him and of the date of the hearing shall be given by the  
6 board to any such person either personally or by registered mail;  
7 that any such person shall have the right to counsel and a steno-  
8 graphic record of the hearing proceedings; and, that the presiding

9 officer of said hearing shall have the right to administer oaths to  
10 witnesses.

11 Every action of the board in refusing to issue or in suspending  
12 or revoking a license pursuant to this section shall be subject to  
13 review by appeal to the Superior Court by a proceeding in lieu of  
14 prerogative writ.

1 11. There is hereby created in the Department of Law and Public  
2 Safety, a State Board of Social Work Examiners, consisting of 12  
3 members to be appointed by the Governor. Said board shall consist  
4 of not less than two social work specialists, two social workers, and  
5 one social work technician, all of whom shall be eligible to be  
6 licensed under this act; the Commissioner of Institutions and  
7 Agencies, or his designee; and six citizens not eligible for licensing  
8 under this act.

9 The term of office of each member of the board shall be for 3  
10 years; provided, however, that of the members first appointed, all  
11 the members required to be eligible to be licensed under this act  
12 shall be appointed for terms of 2 years, four shall be appointed  
13 for terms of 3 years and three shall be appointed for terms of 4  
14 years. Vacancies shall be filled for the unexpired terms only. Com-  
15 pensation for members of the board shall be \$25.00 a day per  
16 person, not to exceed \$2,500.00 per year. The organization, meet-  
17 ings, and management of the board shall be established in regula-  
18 tions promulgated by the department.

1 12. The Governor may remove from office any member of the  
2 board for incompetence, neglect of duty, or unprofessional conduct;  
3 provided, however, that no such board member may thus be re-  
4 moved until after a hearing of the charges against him, and at least  
5 30 days prior written notice to such accused member of the charges  
6 against him and of the date of such hearing.

1 13. Subject to the approval of the Attorney General the board  
2 shall be empowered to hire such assistants as it may deem necessary  
3 to carry on its activities. All expenditures deemed necessary to  
4 implement and effectuate the purposes of this act shall be paid by  
5 the State Treasurer from the license fees and other sources of in-  
6 come of the board, within the limits of available appropriations  
7 according to law, but in no event shall expenditures exceed the  
8 revenues of the board during any fiscal year. The board, through  
9 its chairman or secretary, may issue subpoenas to compel the  
10 attendance of witnesses to testify before the board and produce  
11 relevant books, records and papers before the board and may  
12 administer oaths in taking testimony, in any matter pertaining to

13 its duties under the act, including, without limitation, any hearing  
 14 authorized or required to be held by the board under this act.  
 15 Subpenas shall issue under the seal of the board and shall be served  
 16 in the same manner as subpenas issued out of the Superior Court.

1 14. The board may, in accordance with a fee schedule adopted as  
 2 a rule or regulation, establish and charge fees for any of the  
 3 services it performs in connection with this act, which fees shall be  
 4 annual or periodic as the department shall determine. The fees  
 5 charged by the board pursuant to this section shall not be less than  
 6 \$10.00 nor more than \$100.00 based on criteria contained in the fee  
 7 schedule. No fees collected pursuant to this act shall be subject to  
 8 refund.

1 15. The board shall, in addition to such other power and duties  
 2 as it may possess by law:

3 a. Administer and enforce the provisions of this act;

4 b. Examine and pass on the qualifications of all applicants for  
 5 licenses under this act, and issue a license to each qualified  
 6 successful applicant therefor, attesting to his professional qualifica-  
 7 tion to engage in the practice of social work;

8 c. Adopt a seal which shall be affixed to all licenses issued by the  
 9 board;

10 d. Adopt and promulgate pursuant to law such rules and  
 11 regulations and such amendments thereof and supplements thereto  
 12 as it may deem necessary to enable it to perform its duties under  
 13 and to carry into effect the provisions of this act;

14 e. Promulgate pursuant to law, rules and regulations that set  
 15 professional and practice standards for social work specialists,  
 16 social workers, and social work technicians;

17 f. Annually publish a list of the names and addresses of all per-  
 18 sons who are licensed social work specialists, social workers, or  
 19 social work technicians under this act, and all other persons  
 20 eligible to engage in the private, independent practice of social  
 21 work under this act; and

22 g. Recommend to the Governor and Legislature modifications  
 23 and amendments to this act deemed necessary by the board to  
 24 effectuate the purposes hereof.

1 16. a. Any person engaged in the practice of social work but not  
 2 licensed under this act, who on or after January 1, 1975, represents  
 3 himself to be a licensed social work specialist, social worker, or  
 4 social work technician, or offers to practice or practices social work  
 5 in violation of this act, shall be liable to a penalty of not less than  
 6 \$100.00 nor more than \$500.00, imprisonment for not less than 30

7 days nor more than 1 year, or both such penalty and imprisonment.

8     b. Any person who obtains or attempts to obtain a license or  
9 renewal thereof by bribery or fraudulent representation or who  
10 knowingly makes a false statement in connection with any applica-  
11 tion under this act or on any form prepared by the board in  
12 accordance with this act or the rules and regulations promulgated  
13 hereunder, shall be liable to a penalty of not less than \$100.00 nor  
14 more than \$500.00, imprisonment for not less than 30 days nor more  
15 than 1 year, or both such penalty and imprisonment.

16     c. Any person who refuses or neglects to obey the command of  
17 any subpoena issued pursuant to section 13 of this act, or who, after  
18 hearing, refuses to be sworn and testify, shall, in either event, be  
19 liable to a penalty of \$50.00.

20     d. The Superior Court and every County Court, county district  
21 court and municipal court shall have jurisdiction within its  
22 territory of proceedings for the collection and imposition of a  
23 penalty imposed because of violation of any provision of this act.  
24 Penalties shall be issued for and recovered by and in the name of  
25 the board and shall be collected and enforced by summary proceed-  
26 ings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58-1  
27 et seq.). Process shall issue at the suit of the board as plaintiff and  
28 shall be in the nature of a summons and warrant. In any action to  
29 recover such a penalty, the certification of any member of the board  
30 under the seal of the board that at the time of the offense charged  
31 the defendant was not a licensed social work specialist, social  
32 worker, or social work technician or that the defendant's license  
33 had been suspended or revoked, shall be received in evidence and  
34 shall be prima facie proof of the facts so stated.

1     17. At the suit of the Attorney General, the board, or any citizen  
2 of the same county, the Superior Court may prevent or restrain  
3 any person from representing himself as a licensed social work  
4 specialist, social worker, social work technician; or from practicing  
5 social work without being licensed under this act or excluded from  
6 its application; or from violation of any of the provisions of this  
7 act.

1     18. No licensed social work specialist, social worker or social  
2 work technician, or his employees, may disclose any information  
3 which may have been acquired from any person consulting him in  
4 his professional capacity or obtained while rendering necessary  
5 services to such person in his professional capacity, except:

6     a. Upon the written consent of the person served, or in the case  
7 of a death or disability, upon the written consent of his personal

8 representative, or person authorized to sue, or the beneficiary of an  
9 insurance policy on his life, health or physical condition;

10 b. That a licensed social work specialist, social worker or social  
11 work technician shall not be required to treat as confidential a com-  
12 munication that reveals the contemplation of a crime or a harmful  
13 act;

14 c. When the person is a minor under the laws of this State, and  
15 the information acquired by the licensed social work specialist,  
16 social worker, or social work technician indicates that the minor  
17 was the victim or perpetrator of a crime, said social work specialist,  
18 social worker or social work technician may be required to testify  
19 fully in relation thereto upon any examination, trial, or other  
20 proceeding in which the commission of such a crime is the subject  
21 of inquiry; and

22 d. When the person waives the privilege by bringing charges  
23 against said social work specialist, social worker or social work  
24 technician.

1 19. If any provisions of this act or the application thereof to any  
2 person or circumstance is held invalid, such invalidity shall not  
3 affect any other provision or application of the act which can be  
4 given effect without such invalid provision or application, and to  
5 this end the provisions of this act are declared to be severable.

1 20. There shall be appropriated to the Department of Law and  
2 Public Safety for the use of the board such sums as shall be  
3 necessary to implement and effectuate the provisions of this act.

1 21. This act shall take effect January 1, 1975, except that it shall  
2 become effective immediately so far as to permit the taking of such  
3 measures and the making of such expenditures as shall be necessary  
4 to administer the provisions of this act as of said January 1.

SENATOR EDWARD J. HUGHES, JR. (Chairman): Good morning Ladies and Gentlemen. I know that because of the inclement weather, there has been some problem in getting here. I would like to call this public hearing to order. This hearing is on the licensing of public social workers. I would like to hear first, inasmuch as Senator Feldman is not here at the present time, from James G. Kagen. He is Director of the Division of Youth and Family Services, Department of Institutions and Agencies.

J A M E S     G.     K A G E N:

Thank you. I would like to say that since S-1210, the bill on which I would like to speak this morning, came to the attention of the Department of Institutions and Agencies and the Division of Youth and Family Services, we have done a lot of thinking and talking with people about its provisions and have done, specifically, some work with the New Jersey Chapter of the National Association of Social Workers to work out our concerns with the way the bill was written.

First, I want to make very clear that Commissioner Klein and the Division of Youth and Family Services and myself agree with the intent of the bill. As we see it, the intent is really to protect the public from people who would purport to have qualifications to be qualified as social workers and to do social work practice which, in fact, they are not qualified to do. So, we see the bill as an important step in helping the public understand what kinds of service they are able to get from people who call themselves social workers.

Where our problem comes with regard to the bill is, very simply, in the definition of social work practice. I would like to read to you the section which defines social work practice. It is defined as "service and action to effect change in human behavior, a person's or persons' emotional response, and the social condition of individuals,



families, groups, organizations and communities, as influenced by the varied interaction of social, cultural, political and economic systems." As we see it, this definition is very broad and applies to endless numbers of people who do work in the helping professions other than social workers. So, our first approach was to look at the definition and see if the definition of social work practice could be narrowed so that it would not be so broad and would not include so many other professions.

Our conclusion was that it was really very, very difficult to narrow this definition. Rather than take that approach to solving this problem which we saw as one which would make it impossible, under the terms of the bill, for everyone from an ex-addict drug counselor to the many day care workers that work in the State, foster parents, mental health aides and the whole para-professional direction that the helping professions are taking. Rather than trying to compile a list and make exclusions which would be changing all the time and rather than narrow what is essentially a fine definition of social work practice, although broader than just practice which applies to social workers, our feeling was to try and offer changes which would not restrict the practice of social work and, yet, would accomplish the same goals - the goals being to protect the public from people who said they were social workers but who did not have the background.

The essential changes that we have offered or will offer in the form of amendments to the bill, are that 1) there be a licensing procedure and that it be, in fact, as described in the bill, but 2) instead of excluding people who are not qualified pursuant to the licensing procedure, that they may not present themselves to the public as social workers and may not call themselves social workers and may not purport to do jobs as social workers unless they have a license clearly identifying,

for the public who seek their services, whether or not they have the qualifications that the license represents. Then, as in most situations in the public, people will be able to choose but will not be choosing someone who they think is a social worker but who is not professionally qualified to do social work practice.

This exclusion, then, would make it possible for the title of social worker to be protected. The public would be able to know what kinds of people they are dealing with when they deal with social workers. The standards for social workers, like the standards for doctors and lawyers and other kinds of practicing professionals, would be set by this Board that is proposed; and the thousands and thousands of people who work in our prisons and our psychiatric institutions and our community mental health centers and our hospitals, in day care programs, in head-start programs, who are foster parents, who work in drug programs and alcoholism programs around the State and who will only grow in numbers as times goes by, will not be excluded from providing their portion of help in the helping professions. This idea has been written up in the form of amendments and sent to the Governor's office. I believe we have a good agreement with the New Jersey Chapter of the NASW, who will speak later today and offer the same amendment and, as I understand it, others.

Thank you for the time.

SENATOR HUGHES: What do these amendments entail, Mr. Kagen?

MR. KAGEN: Essentially, as I say, changing the language in the bill which says, "...no person may engage in the practice of social work unless licensed under this act as a social work specialist, social worker, or social work technician." Instead of saying that, say that no person may call himself or present himself to the public as a social worker, social work specialist or social

work technician unless licensed pursuant to the Act. In this way, people who had other kinds of qualifications but could not qualify as social workers could not call themselves social workers but could still practice the work they do as foster parents and as day care people.

SENATOR HUGHES: May I ask a question? Aren't there controls at the county level under these conditions at the present time?

MR. KAGEN: The major controls right now are in the public sector - our Civil Service qualification requirements that apply to county and State employees who are social workers. As I understand it, there is no licensing or certification procedure right now in the State of New Jersey.

SENATOR HUGHES: Isn't there an approval by the county Board of Freeholders in each instance?

MR. KAGEN: Of each individual who works as a social worker?

SENATOR HUGHES: Yes.

MR. KAGEN: I am not aware---

SENATOR HUGHES: Or by his superior?

MR. KAGEN: No; I believe, basically, the way that is accomplished is through Civil Service regulations in the public sector. In the private sector, there is no regulation that I am aware of. So, this bill purports to fill a gap that does, in fact, exist in the private sector; and it would support and add to the certification that anyone has conferred upon him by qualifying under Civil Service.

SENATOR HUGHES: Do you have any questions, Senator Fay?

SENATOR FAY: I am sorry we don't have copies of the--- Is this the only amendment you are talking about or are there other amendments?

MR. KAGEN: As I understand it, there will be other proposed amendments. We, in fact, have copies of

the amendments here this morning and can submit them. They are largely technical in nature, but I hope I have communicated what they propose to accomplish.

SENATOR HUGHES: Thank you, Mr. Kagen.

MR. KAGEN: Thank you.

SENATOR HUGHES: The next speaker on this bill will be Senator Feldman.

S E N A T O R   M A T T H E W   F E L D M A N:

Mr. Chairman and Mr. Senator: Thank you for scheduling public hearings on this most important legislation.

I sponsored S-1210 because I believe that the establishment and maintenance of professional standards is one of the most important tasks of State government. Certainly, no function is more in the public interest.

Also, in recent years, we have seen a dramatic growth in the number of people who have been helped by social work practitioners.

Social workers are involved in such areas as drug rehabilitation, family counseling and community development, just to name a few. They interface with individuals, families, groups, organizations, and communities as well as various cultural groups and economic systems. In fact, I cannot think of any other profession that touches more lives than social work.

S-1210, together with the proposed amendments, is designed to serve the public interest and the interests of the profession.

This bill protects the public by establishing standards of education, training and experience for social work professionals and by requiring examinations and approval by the State. This licensure, Mr. Chairman, will be administered by a new State Board of Social Work Examiners which will have the safeguard of 1/2 public participation--six out of 12.

S-1210 also protects the confidentiality of conversations between social workers, their staff and the client. In addition, the bill provides civil and criminal penalties for those in violation of its provisions.

It has been brought to my attention, however, that social work practice, as defined in S-1210, includes many services now adequately provided to the substantial benefit of the public by para-professionals and non-professionals.

This bill will not terminate their valuable contributions and services to the profession for there are amendments to Section 7b which provide a most generous grandfather clause - this has been the bone of contention - which exempts most para-professionals and non-professionals from the educational and examination requirements as long as they have engaged in social work practice for at least two of the last five years.

Mr. Chairman, you will hear many different views today because social work has long been a profession without an identity and many people have strong feelings and emotions as to what direction the profession should take. I respectfully hope that after you listen to all the testimony today and consider all the arguments, the committee will then conclude that S-1210 is in the public interest and should be enacted into law.

Thank you.

SENATOR HUGHES: Thank you, Senator Feldman. Senator, I have one question. Do you have a copy of the Chancellor's letter to the committee? (Refer to page 12 A.)

SENATOR FELDMAN: Whose letter, sir?

SENATOR HUGHES: Chancellor Dungan's.

SENATOR FELDMAN: I have some files here---

SENATOR HUGHES: I would like very much if you would review that and make some comments at some later date via a statement to the committee.

SENATOR FELDMAN: That I will do. I have a letter here, Mr. Chairman, from Senator Lipman who wishes to withdraw as one of the sponsors of S-1210 unless the bill is amended to meet the objections of discrimination against career employees as voiced in the complaints which you are hearing today or will hear today. Amendments have been proposed such as: If one has been employed two years of the last five, he does not have to take the examination. I think this is very fair and should take care of all these objections. I will read the Chancellor's letter; I did not receive a copy of it and---

SENATOR HUGHES: I am sure you didn't, and that is the reason I am saying that we would like to have your comments relative to it because it is a late transcript. I would appreciate very much if you would forward your comments to the committee.

Do you have any questions, Senator Fay?

SENATOR FAY: Senator Feldman, just playing the devil's advocate for a moment, in the last few weeks, as a co-sponsor, I have had questions posed to me. One that I couldn't answer: Did we take into consideration, when this bill was being formed, the County College programs - the AA degrees from the County College level? Were these people considered as a group?

SENATOR FELDMAN: I did not meet with any of the professionals of the Community College system. I met with the National Association of Social Workers. Perhaps they sat down with the Community College personnel. I met with the objectors to the bill and had meetings in my district office on that, but I have not personally had meetings with the Community College people.

SENATOR FAY: The groups that have been opposing this are doing so on the level that it is discriminatory, particularly for those who have been in the field and probably could not acquire a Bachelor's degree at this time. Do you feel that these amendments meet those criticisms?

SENATOR FELDMAN: I feel that if one has worked two years of the past five, it should meet the strenuous objections because you are now talking about career people - people who have worked at least five years in the field. Now, they are very valuable - the para-professionals and the semi-professionals, so to speak. We want to involve them; but yet, we have to set standards. They are part of the fraternity, so to speak, and we want them to continue.

SENATOR FAY: Probably one of the greatest bureaucratic mazes that we deal with down here is Civil Service, if you will pardon the expression. Have they been working along with you and with the Commissioner's office in defining these terms and putting them into the categories for test taking, salaries, and the like?

SENATOR FELDMAN: Senator Fay, I have not discussed the bill; and no one from the Civil Service Commission has discussed the bill with me personally. I felt that if there were any objections, they would be here today. Anyone who has solicited time with me and wanted to discuss the bill with me pro or con--- Incidentally, Senator Beadleston, who has a similar bill, has yielded to my bill and is very much with it. I have no hesitation saying this publicly for the record. He has been very much interested in social work licensing for the past few years, and he feels this is a better bill than his.

SENATOR HUGHES: Senator, I have one question relative to the term, grandfather clause. Inasmuch as there might be some people of questionable capability in

that category at the time that the grandfather clause is put into effect, what, if any, kind of review could be made in order to qualify them, even under the grandfather clause?

SENATOR FELDMAN: I feel there, Senator, that the social work examiners are best able to evaluate their experience of the past five years; and, again, not to be redundant, all they have to do is work two years of the past five and they are eligible in my eyes. I certainly think it is best for the Board of Social Work Examiners, which is composed of two social work specialists, two social workers, one social work technician, the Commissioner of I&A and six members of the public.

SENATOR HUGHES: In other words, basically, what you are saying is that you would not object to a review of all people and their qualifications at that time.

SENATOR FELDMAN: That is right, Senator.

SENATOR HUGHES: Thank you, Senator.

SENATOR FELDMAN: You are welcome.

SENATOR HUGHES: Next on the agenda is Mr. Jeffrey L. Fau:

J E F F R E Y L. F A U:

I yield to Mr. Dingley. He will make the statement for the Association.

SENATOR HUGHES: Mr. Leighton Dingley, Chairman, National Association of Social Workers.

L E I G H T O N D I N G L E Y:

Thank you, Mr. Chairman. You have overtitled me. I am just Chairman of the Committee on Licensure and not of the whole Association, but thank you; I'll take it as a gratuitous gift.

I will make my statement, make some comments upon some of the amendments and some other things and, of course, answer questions.



I am Leighton Dingley, resident of Montclair, faculty member of Rutgers School of Social Work and Chairman of the Licensure Committee of the New Jersey Chapter of the National Association of Social Workers. I have come to testify in behalf of licensing of social workers.

Social workers, by and large, are interested in being licensed; and for that reason, I have been working toward licensing in New Jersey for over five years. We are here today with two bills before us, S-400 and S-1210 - I guess we are emphasizing 1210 - either of which will license this profession if passed. I am here to testify in behalf of 1210 which, I feel, has some more to offer than the other. This one is the approved position of the National Association, New Jersey Chapter.

Both bills will license three levels of practice; both bills will provide protection to clients, taxpayers and consumers; both bills will establish guide lines for private practice; both bills will set up a licensing board. But, we feel that 1210 is stronger for several reasons. Among them is the setting up of a grandfather or grandperson clause to permit currently employed people to gain a license by right of experience and a Board that is composed of all three levels of practice and, trying to keep up with meeting concerns - a change from what Senator Feldman said because we hadn't caught up with this one - we are recommending not six citizen members but five for equal citizens and practitioners rather than only one as in 400. We feel that this is more representative of social work practice and policy makers.

We have a series of amendments which we have jointly developed with the Department of Institutions and Agencies, groups and organizations throughout the State and Mr. Kagen has presented some of them in his testimony. There are some more I will propose, and the entire list is attached to my material which has been given to you. We can comment upon them; there are three

pages. The first one that I would like to speak to is in section 7a, page 3, line 4, with the addition of "Puerto Rico" after United States and rewording of lines 5 and 6 to read "to such laws" and deleting "of such states or territories." We are saying this because of our concern with Hispanic practitioners and the very fact that Puerto Rico is one of 11 jurisdictions which already provides licenses. Another one that we are choosing to add is "rehabilitation counselors" in line 4, section 3, page 3, after "marriage counselors." This has been requested of us by that professional group. (Refer to page 19 A.)

The psychiatrists have asked us to delete "psychotherapy" from section 3, page 1, line 12. To this we are courteously saying, no. There are several hundred social workers in the State of New Jersey who are practicing psychotherapy now. They are part of the teams in child study clinics throughout the State. They are part of the child study teams throughout the school system, and the program is sponsored by Senator Beadleston. Social workers, to repeat, are practicing today.

We feel that licensing of social workers is an event whose time has come. I feel that this is true for what it will do for all of us - practitioners, providers of services, clients, consumers and budget makers. A license will define practice and tell people who and what a social worker is. It will help employers choose qualified personnel. It will help clients know the qualifications of the people with whom they deal. It will also aid in financing of services through third party payments to clinics, health centers and other settings where insurance and medicaid make payments today but not supporting the social work services.

In conclusion, gentlemen of the committee, I believe that New Jersey should provide protection to social

workers and those with whom they work through a licensing law; and I feel that that one should be 1210 which is the one before you now.

You have asked a couple of questions on which I would like to make some comments. One was to Senator Feldman and spoke to Mr. Kagen's testimony, and that related to grandfathering and grandpersoning. Of course, the person who has worked two out of five years would apply. He is up for application irrespective of his educational level, but he would apply on the basis of his practice. Education could be a part of that, of course. The Board to which Senator Feldman referred would make the determination of the level upon which he would achieve or obtain a license. If a person feels he should be on a higher level, he appeals; but he would have the right to receive license. That is built into the law.

Secondly, you commented on Civil Service. We feel that this will assist Civil Service since Civil Service is an agent - bureaucratic though it is - to those agencies employing social workers, and they define social work. This bill which would become law - statute - would define social work which would assist agents in the Civil Service rather than some 58 definitions that exist in the State of New Jersey today.

SENATOR HUGHES: I have one question, going back over what you just said, relative to the qualification of those members who are, we'll say, in essence, going to be protected under the grandfather clause. How would they, in turn, and by what standards would they be evaluated?

MR. DINGLEY: The bill states in a limited, short statement the kinds of practice people may do in terms of supervision, counseling, etc. If a person is in supervision and supervising others, then he would be eligible to be licensed either at the social work level or social

work specialist level. The criteria of practice, job done task, would determine this.

SENATOR HUGHES: The question I am asking, more definitively, is: Right at the present time, exclusive of these bills, do you feel that the standards set up by the Board are proper and equal for the evaluation of those now serving in that capacity?

MR. DINGLEY: I assume you mean the standards to be set up.

SENATOR HUGHES: That is correct.

MR. DINGLEY: To answer that, I think it behooves all of us who have a concern of fairness and equity to work with and assist and you might even say, lobby with, the Board in terms of trying to devise standards which would be fair. The bill is very broad. Specificity within the bill is not narrow and the Board would have to create a more narrow one. I think some of the questions that were raised about representation on the Board and the fact that we are saying that each level of licensed practice should be represented on the Board--- Five people who are not eligible for licensing would be on the Board; and among those five, hopefully the Governor would choose people who are clients, business workers, employers and, maybe, even large employers of agencies. They would be a cross-section of social work practice - economically, ethnically, religiously and racially - in the State; and then, we would have to trust them.

SENATOR HUGHES: Are there any questions?

SENATOR FAY: Can you tell us how many other States in the Union have similar laws?

MR. DINGLEY: There are 11 others that have similar laws and some three more in the process - as in New Jersey - of looking at it now.

SENATOR FAY: Have you used any of these other States as a guideline or criteria?

MR. DINGLEY: We have used our own National Association. It has prepared a model statute which, by and large, we use and which the States, in the last two years, have been using themselves. We have made some changes relative to the idiosyncratic portions - uniqueness - of New Jersey law and we have also adopted some language from some others which we felt was better relative to some of our concerns; e.g., when we say "merits the public trust." The model Act talks about moral standards and frequently gets hung-up; and so, we are trying to say, some peer review. Otherwise, the States currently considering it are using this law.

SENATOR FAY: How long have they been in effect in these other States?

MR. DINGLEY: They have been in effect--- I received a registration which is similar in California in 1950. That was the earliest. Let's put it this way: at least 14 years. This is the list and I would be happy to submit it.

SENATOR FAY: We would like to have that for the record. Using California and possibly a few others---

MR. DINGLEY: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont---

SENATOR FAY: Since these laws and Boards did come into effect, what has been the track record? What are the comparisons - good and bad - between a State with the law and a State without one?

MR. DINGLEY: On the good side, there has been an identification of that person who claims to be a social worker. There has been protection; there has been no great change in the numbers. In fact, actually, New York which has a registration law - the recent licensing law was vetoed by the Governor - has more social workers per thousand people under registration than New Jersey. So, at least, numbers have not changed. Some States are beginning to get - and I think we are all concerned with

this for the future - third party payments. California has obtained this; and some others are already, to repeat, on third party payments - funding of services through insurance.

SENATOR HUGHES: Did Chancellor Dungan send you his letter?

MR. DINGLEY: No; he did not; and my boss, Ralph Garber, who is Dean of the School of Social Work, has been in communication with the Department of Higher Education; and he is to be here hopefully. I am sure that if he knows anything, he will comment on it. I didn't receive it, so I know nothing of what he said.

SENATOR HUGHES: This is going to the public record, but Chancellor Dungan comes out very, very strongly in insisting that it is not in the public interest and is not a public need. I know he brought me aback by such a strong statement, and I do hope someone will be ready to answer him.

MR. DINGLEY: As I said, I will be happy to look at it. I know you have said the same thing to Senator Feldman. I do know that Dean Garber, my boss, has discussed it with the people in the office. What his stance is I cannot tell you.

SENATOR FAY: One objection that just came to me very recently was that the County Colleges - the Community Colleges - had been ignored. Their programs and their personnel had been ignored and had not been recognized in this bill. Do you believe that is a valid objection?

MR. DINGLEY: It could well be. We talked to some, but we didn't talk to others. At least we knew there were four programs in this State that did have the AA degree in social welfare, and we did talk to one of those. We, perhaps, should have talked to more. So, I am willing to accept that as a legitimate complaint.

SENATOR HUGHES: Thank you, Mr. Dingley. We appreciate your appearing before the committee.

Mr. Paul Kurland will be the next witness. Mr. Kurland, we appreciate your coming down here. Will you please state your name and position.

P A U L K U R L A N D:

I am Paul Kurland, Executive Director of Family Services in Princeton.

SENATOR HUGHES: Do you have a statement to present?

MR. KURLAND: I am sorry; I did not come with a prepared statement today.

SENATOR HUGHES: We would like to hear your comments.

MR. KURLAND: I would like to speak in support of the bill. I feel that many people are involved in the field of social work at this time, and we consider it very important that standards be set up for the practice of social workers.

SENATOR HUGHES: Do you have any viewpoints on the standards?

MR. KURLAND: Well, I think that the standards as indicated in the bill are the ones that we would subscribe to at the present time.

SENATOR HUGHES: In other words then, you are speaking in support of the bill.

MR. KURLAND: Yes.

SENATOR HUGHES: Are there any questions, Senator Fay?

SENATOR FAY: No.

SENATOR HUGHES: Thank you, Mr. Kurland.

We will delay for just a moment. Senators Wallwork and Skevin are just arriving because of the weather conditions.

I would like to introduce all the members of the committee. They are, right to left, Senator Skevin, Senator Fay, Senator Wallwork; I am Senator Hughes.

Is Mr. William Merrit here?

(No response)

Is Mr. Eugene J. Baylis here?

(No response)

Mr. Frank L. Singer will be the next witness. Mr. Singer, I would appreciate it if you would identify yourself for the court reporter.

F R A N K    L.    S I N G E R:

I am Frank L. Singer; I am a social worker and a resident of Red Bank, New Jersey; and I am Executive Director of Family and Children's Services of Montclair and Glen Ridge. I am here today not only to represent myself as a social worker but also to represent the New Jersey Association of Mental Health Agencies. This particular organization, which is in favor of licensing for social workers, consists of more than 50 mental health clinics and family agencies which all work in the mental health field. In addition to today's short testimony, you will also receive in the near future an official letter from our organization attesting to our position on this bill. As I said, we are definitely in favor.

You will excuse me, please. I wrote this rather hurriedly yesterday and, therefore, I find now that there are eight "therefores" in it. I hope you will bear with me.

Because of some of the positions I have held in the State of New Jersey, with mental health clinics, welfare boards, and private agencies, I have had the opportunity of hiring social workers and evaluating their professional performance, both qualitatively and quantitatively. Therefore, I, like so many other professionals, have



been concerned about standards in the helping professions and have always attempted to have the best personnel possible. Therefore, the following is of great concern to me:

Although professional schools of social work have been giving degrees in social work for over 50 years (the George Warren Brown School of Social Work, Washington University, St. Louis, from which I graduated, is about to celebrate its 50th anniversary), and although these professional schools have been closely supervised by the Council on Social Work Education to make it possible to have uniformly high standards in the academic preparation, as well as in the practicum, the appellation, "social worker" has remained in the public domain and can be used by anyone who cares to. In fact, "social workers", as well as "caseworkers", have often been dubbed, knighted, without having to kneel and without having been touched on the shoulder by sword or scepter. Administrators quite often have taken this regal stance in order to save money, and in full and complete ignorance of the social work profession. Therefore, many individuals with Bachelor's degrees in journalism, history, or other unrelated subjects, have become social workers by virtue of being hired for the job, and not by virtue of academic training, professional preparation, social work concepts or professional skills. Only in those areas of endeavor where government has forced minimum standards by the threat of withholding matching funds has it been possible to achieve high professional quality.

Therefore, the public often has been led to believe that it would deal with the ethics of an individual schooled in a helping profession, while in reality the people employed and erroneously titled "social workers" could be used in a multitude of different tasks, from clerical work to highly punitive investigations. Therefore, the public at times has been misled and has been disappointed in its expectations. It is not necessary to investigate whether this has been done willfully or through error. Rather, it is time that we initiate a program of protection of the public in the State of New Jersey, which can only be brought about by a licensing act which will, in the future, make it impossible for unqualified individuals to be palmed off as professionals, with the claims that they are effectively completing a task which they often are not equipped to do.

Thank you.

SENATOR HUGHES: Mr. Singer, are you saying, by your statement, that you are not in agreement with the grandfather clause?

MR. SINGER: I am very much in agreement with the grandfather clause for several reasons. One of them, of course, is that one cannot, in all fairness, deprive people of the livelihood in which they have been engaging. The other reason, of course, is that many people who had gotten into the profession "through the back door" have shown a good amount of talent and have learned on-the-job training. However, I do believe that this is the slow way of accumulating professional knowledge - not only a slow way but probably a partial way - and that those who are professionally equipped by education can catch up with the others very quickly in experience and are better equipped, under most circumstances, to do the job.

SENATOR HUGHES: In effect then, you are in agreement with the grandfather clause.

MR. SINGER: I am in agreement with the grandfather clause; yes, sir.

SENATOR HUGHES: Your statement doesn't lead me to believe that you are.

MR. SINGER: That is the reason I said, "in the future," because I am in agreement with the grandfather clause.

SENATOR HUGHES: Does the committee have any questions?

SENATOR SKEVIN: Mr. Singer, there are two bills before us this morning, 1210 and 400. One is sponsored by our majority leader, Senator Feldman, and the other by Senator Beadleston, the minority leader. Are you in support of both bills?

MR. SINGER: I am sorry; I cannot answer that easily for the very simple reason that we only had a copy of the 1210 bill. So, I am not certain whether we are in favor of the other bill or not.

SENATOR SKEVIN: You have no comment?

MR. SINGER: I have no comment and no opinion. The bill that we had available and that we read was the 1210 bill, and the Association of Mental Health Agencies is definitely in favor of it; and it has the grandfather clause in it.

SENATOR HUGHES: Are there any further questions from the committee?

SENATOR WALLWORK: What about the factor of certification vs. full license so, at least, the person is certified and the people who are availing themselves of social worker items know that they are dealing either with a person who is licensed or a person who is certified rather than licensed and so that other people who are not certified still can be active in this field?

MR. SINGER: We, at the moment, have a self-certification, the Academy of Social Workers, and it is a self-certification and, as such, has very little power; and I do not believe that it really serves as protection for the public. The majority of people have great difficulties with that. They say, what does ACSW mean? They even have difficulty with "social worker." I have been called a socialist worker many times for the very simple reason that the word is unfamiliar to people. I don't think that certification would do the job.

SENATOR WALLWORK: You mentioned in your comments that you feel there should be a grandfather/person clause in this so that people who have worked in this field and seem to be competent can get the necessary credentials for licensing. I have had communications and letters from people expressing the viewpoint that perhaps with a licensing type legislation, minority groups would be precluded or other people would be precluded from going into the social worker field. What would be your comment on that?

MR. SINGER: I believe that they would be very much mistaken and are mistaken if they say this. There certainly has been a dearth of minority people in the profession; there is no doubt about it; and the schools have definitely reached out to bring members of minorities into the professional schools - particularly the licensing on various levels, as the bill 1210 shows, does not make it necessary to be the son of a rich father in order to become a social worker.

SENATOR HUGHES: Are there any further questions?

(No questions)

Thank you, Mr. Singer. We appreciate your taking the time to appear before the committee.

Angela Carter will be the next witness. Please identify yourself.

A N G E L A    C A R T E R:

Good morning, gentlemen. I am Angela Carter, social work coordinator of Laurel House of the Guidance Clinic of the Catholic Welfare Bureau here in Trenton, New Jersey. I have a statement which I would like to read.

In behalf of the social work staff of the Guidance Clinic, Catholic Welfare Bureau, Trenton, I wish to make the following statement concerning Senate bill 1210. We feel the necessity of legislated standards for the social work profession in the State of New Jersey - standards that will unite all practitioners in the social service system. We are questioning the title, social work specialist, as discussed on page 3, paragraph 6, line 1, "The board shall issue a license: a. As a social work specialist to an applicant who: (1) Has a doctorate or master's degree from a school of social work approved by the board; (2) Has passed an examination prepared by the board for this purpose; and (3) Merits the public trust."

We feel the title, certified social worker, better describes all persons with a Master's degree in

social work and above. This is the title suggested in the model statute approved by the Division of Professional Standards, and the Board of Directors, National Association of Social Workers. Social work specialist may more appropriately refer to one practicing in a field of specialization within the social work profession; e.g., psychotherapy, community organization.

Secondly, under the provision concerning the issuance of the license, there appears to be no stipulation that one who is currently not practicing can renew the license. I refer to page 4, paragraph 8, line 4, "Said license may be renewed biennially by the payment of a renewal fee as set by the board in accordance with section 14 of this act and by the execution and submission of a sworn statement by the applicant, made on such form as may be provided by the board, that said applicant is currently engaged in the practice of social work and that the license for which renewal is sought has not been revoked or currently suspended." This provision directly affects women, for example, who leave professional practice to have children and then wish to return to work several years later.

We would like to thank you for your consideration of these concerns.

SENATOR HUGHES: I think your point is well taken. In other words, you are saying, in essence, that the grandfather clause as presented in the bill should be extended to those who may have to take a leave of absence of some sort?

MS. CARTER: As it stands now, the bill seems to make no provision for that.

SENATOR HUGHES: What I am saying is this: You would like that provision to be included.

MS. CARTER: Yes, we would like it to be. I am not that much aware of the grandfather clause except for what I have heard today. So, I cannot say that fits

directly in that area; but we feel there should be some recognition of the fact that there would be a need to leave the profession - not only women but men too - for some reason or another.

SENATOR HUGHES: Are there any other questions from the committee?

SENATOR FAY: Ms. Carter, are you aware of the Catholic Welfare groups that are working in the States that already have a law like this? Are you aware of any records or reports from your agencies in States that have a similar law to S-1210?

MS. CARTER: I am not sure I understand the question.

SENATOR FAY: Could you comment on other States in the Union. Are you aware of their problems?

MS. CARTER: In other words, other agencies that would be under Catholic auspices? I am sorry to say that I am not. We really have not made that kind of---

SENATOR FAY: Would you tell us how a law like this would help your agencies in the short run or the long run - a law like this going into effect.

MS. CARTER: I think you are asking me how this would affect Catholic agencies.

SENATOR FAY: Yes.

MS. CARTER: I feel that at this moment, I am expressing the concerns as a social worker and not necessarily as a social worker in a Catholic agency.

SENATOR FAY: As a social worker, how would this law help your profession?

MS. CARTER: I feel the need for legislative standards for the profession of social work. I think one of the problems in the developing of our profession has been the disparity of understanding as to the expertise that is necessary in really affecting a change in human behavior. Social work needs to have standards that help the public become more aware of exactly what is required

to do a professional job. Whether we are a Catholic agency or a nonsectarian agency, legislative standards for social workers are definitely necessary.

SENATOR HUGHES: Do you have any questions, Senator Skevin?

SENATOR SKEVIN: We have had a number of communications from individuals and groups indicating that this legislation would provide limitations for minority groups. Do you have any comments on that?

MS. CARTER: As a member of the minority, I would be remiss if I did not say that we have to be concerned as to how such legislation would affect those who are in the minority position. I feel it is important to recognize standards; I feel that it is also important to take into consideration what may be a reality situation or environmental circumstance. I do not feel I can make a statement as to how this bill would affect minorities because I am not prepared to do so. What I would bring forth would be rather an emotional reaction based on my own circumstance. I feel that is the best I can say at this time.

SENATOR HUGHES: Ms. Carter, relative to the question I asked previously as to, for example, someone who has left the service and, in turn, has spent a period of time away from it, what kinds of standards would you expect him to be able to meet if he were to return to the social work field?

MS. CARTER: I don't think I can give you specifics; but I generally can say---

SENATOR HUGHES: In other words, basically, what I am saying is this: Would there be a period of time and, in your experience, has there been a period of time where the social worker standards - qualifications - have changed? In other words, would they change in one year, two years, three years; or what would be the length of time after which it would be necessary for the person to be requalified?

MS. CARTER: I think this would probably come under the jurisdiction of the Board of Examiners. You might take into consideration what continuing education requirements there are for social workers who are currently engaged in practice and whether those who are not should be required to show some involvement professionally based on something like courses taken, etc. I don't think it should just be payment of a fee. I feel that there should be some reassessment of a person's qualifications to serve as a practitioner. I am not sure what that should be at this point. I guess this would be part of the procedure that needs to still be clarified by the Board of Examiners or by further discussion of the bill. The fact is that there should be some recognition that a person once licensed as a social worker has the basic expertise to practice; and coming back into the field after leaving it for a reasonable length of time, there would be some guideline for this person to come back without having to be penalized for being absent. I think that is the essence of our concern. It is as if you have to be penalized because you are not practicing when you want to renew your license. It should not be taken for granted that you can do everything you should do.

SENATOR HUGHES: The word "reasonable" is the one that you would put your most emphasis on - reasonable guidelines?

MS. CARTER: Reasonable guidelines give some direction but do not limit.

SENATOR HUGHES: Are there any further questions?

SENATOR WALLWORK: In discussing and analyzing the bill, I basically think that for the public's protection, legislation is needed in the licensing field for social workers. However, the big point that I am concerned about is the entry point and who, whether they be minority people or otherwise, will have the opportunity to get an entry point into the social worker field. Obviously, they would



have to have, as a minimum, a baccalaureate degree. There will be a lot of people who don't have that and maybe had an opportunity to go to a Junior College. Don't you think that there should be, maybe, a fourth or a fifth category in this area to give these people the opportunity, at least, to enter into this type of job specialist area? Then, as they have the time and meet the educational requirements, they could go up the social work ladder, so to speak.

MS. CARTER: You are referring, I take it, to the title, social work technician, where the person has to have either a baccalaureate degree or an Associate degree in the human services, which would be a program, I assume, on the Junior College or Community College level.

SENATOR WALLWORK: Right; something below that.

MS. CARTER: You are wondering about below even that level?

SENATOR WALLWORK: Yes.

MS. CARTER: I am being asked to answer on something that I really have not thought out to the extent I would like to in order to present a statement. Here again, I must go back to my earlier statement that I probably---

SENATOR WALLWORK: Let me rephrase it. Obviously, you are probably using people now who don't have as much training here as the requirements would be.

MS. CARTER: I must say that in the setting I represent, we do require a certain level of competence. Our workers must have a Master's of social work to perform as a social worker in the Guidance Clinic. I have had experience working in other agencies where we had used very well the services of para-professionals. I recognize the importance of their involvement in the social work profession. I say this with the understanding that I am bringing out my own opinions, and I cannot say I am speaking for the Guidance Clinic of the Catholic Welfare Bureau.

SENATOR WALLWORK: Should there be a fourth category here?

MS. CARTER: I would like to say that I don't feel that I can make the statement that there should be a fourth category until I really hear some of the other reactions to this particular question. I think there should be some consideration as to how those below the Associate degree level can enter the field. I'll just make that kind of a statement. Whether the third category should be extended, perhaps, would be another consideration.

SENATOR HUGHES: Are there any further questions?  
(No questions)

Thank you, Ms. Carter, for appearing before the committee.

Our next witness will be Mary V. Wells.

M A R Y   V I V I A N   W E L L S:

Mr. Chairman, Senators, Ladies and Gentlemen:  
I am Mary Vivian Wells and live in Matawan Township, New Jersey.

I am a social worker by education and training. Currently, I am in private practice as a marriage counselor licensed by the State of New Jersey. In addition, I offer social work consultation to child study teams in public schools. I am also associated with the Extension Division in Social Welfare, Rutgers University and Brookdale Community College of Monmouth County for continuing education in social work.

I am familiar with both Senate bills, 400 and 1210. I am very pleased to hear that Senator Beadleston and Senator Feldman have gotten together. I think there are many similarities in the bills. Basically, we are talking about licensing of social work practice on three different levels: social work specialist, social worker, social service technician, which was the title used in S-400, and social work technician, as used in S-1210. I

don't see much to quarrel about in terms of a little difference in the variation of the title.

The essential points I want to make are the following: I want to make three points.

1) I feel the public is entitled to know the education and training of the different levels of social work personnel who are the providers of social work services. Social work is a broad field that requires personnel of different levels of education and training. This is also true in other fields such as the field of medicine, the field of nursing; and we could go down the line and find many more fields that have variations in their background and training. If we want to speak about medicine, we use general practitioners and we use specialists. If a patient is told by a general practitioner that he has a neurological disease, this person is entitled to and is free to choose a specialist if he wants to. In our social work field, we have very little distinction because of lack of clarity on the different levels of practice. To take advice from an unqualified person practicing social work can do more harm than good. I feel very strongly that the consumer has the right to know the appropriate training of the helping personnel.

2) Within the various divisions of the State, such as the Civil Service Commission, the State Board of Education, Division of Mental Health, etc., each division has set its own standards in certification of personnel for their respective systems. I think it is very important that the State of New Jersey have one system that certifies State employees for social work positions. By the licensing act, the State would have one uniform system of standards for all social workers whether or not they are employed by the State or the voluntary agencies. This would upgrade the standards of social work practice in both the public and private sectors. I also hope this will save the

administrative costs of various systems to process the certification of social workers. The three titles contained in S-1210 and S-400, except for the slight variation of social service technician and social work technician, are in accordance with the standards set by the New Jersey Civil Service Commission. I feel it is important that we support the already existing State system.

3) This point that I want to make is basically on the private practitioner. Because I am licensed as a marriage counselor, I have gotten paid by the insurance companies as a reimbursement. I think that very often we forget that money is very important whether the agency is State financed or is financed by voluntary dollars. At present, many of the health insurance policies reimburse costs of service by licensed therapists such as psychologists and marriage counselors. Social work services have only been covered by insurance policies when services are given under clinical auspices - primarily in mental health settings. Social workers have functioned for many years as the primary therapists in mental health settings with the psychiatrists and psychologists available as consultants when necessary. This is equally true of social workers practicing in social agencies such as family agencies, child welfare agencies and family services within the Welfare Boards. Because social workers are not professionally licensed, such agencies have not been able to obtain reimbursement from the clients' insurance coverage. Social agencies, as we all know, receive funds from public tax dollars and voluntary contributions from citizens. At present, the CHAMPUS plan for federal employees and Medicare insurance have reimbursement for social work services. In the event that National Health Insurance should cover preventive services including social work services, it is important that social work standards

are established through a licensing act. I did bring with me one copy of the bill, HR-11544, which was introduced to the House of Representatives on November 15, 1973, providing for direct access to social worker services in the federal employees health benefits program. I am very hopeful that we will have national health insurance and that social work will be included as a preventive service. Therefore, I think that when insurance coverage for social work services does become a reality, it will mean the publicly supported or voluntary agencies will have more resources to tap and won't have to just wait for the tax dollars. I think it is also important that New Jersey prepare itself in setting certification standards for social workers so that we will be like the other 11 States who already have social work licensing.

In the two bills, which I have read, I felt there was a missing piece. S-1210 has a grandfather clause, but I don't think it is specific enough. I sat here and listened to many people talk. I think what we really need is a specific grandfather clause that would protect those who have attained permanent status under the regulations of the New Jersey State Civil Service Commission, the State Board of Education or any other division of the State. I say this for one reason: I think they have already gone through the route of being certified; they have taken tests; they have sent their credentials; I think that if the State says they are permanent, they should be permanent. I think having a specific grandfather clause is one point that is very important.

The other point that I want to make is this: In Senate bill 1210, on page 2, line 5, the current language is: "Practice as a social work technician except under the supervision of a social work specialist licensed under this act." I know many agencies who have social work technicians - or they are called, maybe, welfare aides - work under

qualified social workers; but these people may not be social work specialists. I would suggest a change to read: "Practice as a social work technician except under the supervision of a social work specialist or social worker licensed under this act."

I appreciate very much this opportunity to present my views as a citizen and as a practitioner in social work; but I am not speaking for anyone else but myself.

SENATOR HUGHES: Do the committee members have any questions?

SENATOR FAY: Ms. Wells, in the other 11 States that you mentioned, do these problems not exist because of the law - problems with insurance, etc.?

MS. WELLS: The insurance policies obviously only cover licensed professions. When a profession is not even publicly recognized and licensed, you cannot, therefore, get reimbursement. There is the CHAMPUS plan that will cover social work services if the social worker has MSW and two years of experience. From my viewpoint, since I am a private practitioner, I do have to tap the dollars that are available that people can pay me. I feel that money is a very important thing, and I think that taxpayers will probably agree with me.

SENATOR FAY: The question that Senator Wallwork raised before and I have also is this: Do you feel, as a professional in the field, that there should be a separate category for those who have a baccalaureate degree in a non-social work field or an AA degree from one of our Community Colleges or from a four-year college that awards the AA degree? The person with an AA degree has worked and has been trained and has studied in the social work field and is being lumped in with a person who has a Bachelor's degree in, say, accounting or something frightening like that.

MS. WELLS: I feel that people who have an AA degree or a baccalaureate degree in a non-social work field

should work under supervision so that they get the necessary directions and guidance. Essentially I agree with you. If a person is trained as a plumber, he can not go out and work as a carpenter. Maybe the years of experience are equivalent to the years spent in one field, but dentists don't try to be doctors. I feel they should work under supervision.

SENATOR FAY: Do you agree or disagree that there should be a distinction between a person with a Bachelor's degree in a field completely unrelated and one with an AA degree in the field?

MS. WELLS: I think that would depend on--- You are saying that the person with the Bachelor's degree majored in a non-social work, non-humanities related field. Supposedly, he majored in mathematics. I would feel his qualifications were not, in my view--- I am a professional and I represent myself in terms of my own background, and I would feel that he doesn't know any more about social work than a person who has a two-year Community College degree. This would be my point.

SENATOR FAY: That is the point that I am trying to make: The AA degree person does have experience and does have training while the other person doesn't have any at all; and they are both being lumped together here.

MS. WELLS: I don't know. I really cannot answer your question. I think that as long as they have the supervision, they learn in the field. Even with the AA degree person who has majored in humanities or the mental health field, I think two years really do not equip you adequately to be professionally competent to work without supervision. I think supervision is the key rather than to quibble over whose qualifications are better.

SENATOR HUGHES: Ms. Wells, relative to the 11 other States, have you made any comparisons between S-1210 and the laws in existence in other States; and if so, what is your knowledge of those programs enacted?

MS. WELLS: Senator, I didn't want to bring this out; but I think you have put me in a spot where I do have to bring it out. Initially, a number of social workers in Monmouth County, some from Middlesex County - one was Harry Russell and one was Frank Singer, who was just here giving testimony - and I were very concerned with the social work profession lacking distinction and proper standards; so, we approached Senator Beadleston introducing the 400 bill. I didn't want to bring this out, but I think now I have to. What we did, of course, was study the laws of the other States. We also read the model statute of the National Association of Social Workers. Of course, we felt that an organization such as NASW does have a very strong backing. We have since been integrated with the Licensure Committee of the New Jersey Chapter of the National Association of Social Workers. So, I am sure that our standing, in terms of comparisons with other States and the model statute that was proposed by the National Association of Social Workers, is in accord with what Mr. Leighton Dingley has already said. I didn't bring the others with me but I know they would be more equipped to answer; and, certainly, they have the list of the States which already have this.

To go back just a little further - and I ask you to give me this privilege - when Governor Byrne was campaigning for Governor, we accidentally met him in Monmouth County. Of course, being a private practitioner, I feel that I have nothing to fear; I don't have to worry about which agency I work for. We approached him, and we did send his aide, at that time, a list of the States which already have the licensing and also asked the New Jersey Chapter to send such a bill. I, myself, did a little lobbying prior to S-1210 and also sent S-400 to Commissioner Klein.

As I said, I am reluctant to bring this out; but since I am on the spot, I feel that I might as well share the truth.



SENATOR HUGHES: I was aware of this, and I think you have been very forthright. I am glad you did bring it out, and that is the reason I posed the question.

MS. WELLS: Thank you, Senator.

SENATOR HUGHES: Are there any other questions?  
Thank you, Ms. Wells.

We will have a break now for approximately 10 minutes. We would like to recess by no later than 1:00 because our agenda is completely filled. We do have another committee hearing on another subject this afternoon. I would ask, in the interest of brevity, that the people who speak later not be repetitious. The committee is interested in direct statements and brevity, and we would appreciate your cooperation in that manner. Thank you.

(Recess)

(After Recess)

SENATOR HUGHES: Ladies and Gentlemen: I would like to reconvene this public hearing, and I would like to ask one question. Is there anyone here who is going to speak out against S-1210 or S-400? (Affirmative response) Are all of you representing the same organization or do you represent different organizations? (Mixed response) Have your names been submitted? (Mixed response) Would you please come forth and identify yourselves to the committee aide so that we can take you in the order of sequence on the list of speakers. I would like those who are submitting statements, in their appearance before the committee, to condense their statements because the committee, before making any decision, will definitely read over the transcript of this hearing as well as any prepared statements submitted to us. In the interest of brevity, then, I would appreciate your doing that. The court stenographer gets a little tired too.

I will now call Mr. William Merritt.

W I L L I A M M E R R I T T:

My name is William Merritt, and I am the current President of the New Jersey Association of Black Social Workers and currently employed by the Janet Memorial Home in Elizabeth, New Jersey, a treatment facility for girls.

SENATOR HUGHES: Have you submitted a statement to the committee?

MR. MERRITT: Yes, I have. I also submitted a statement on July 18 - a letter to all Senators - and I would like to make that part of the record, if I may.

SENATOR HUGHES: Certainly.

MR. MERRITT: I also have a letter from Essex County College from Dr. Robert C. Spellman, Dean of Community Programs, written to me in support of our opposition to the bill which I would like to read. It reads as follows:

This letter is written to support the objections of the Black Social Workers Association regarding social work licensing.

It is felt that the licensing process is just one more mechanism designed to eliminate possible employment for hundreds of individuals wishing to serve as social workers in their community. As Dean of Community Programs, my role is in close touch with the constituency to which the licensing process will be directed. In my observation of the welfare recipient's survival mode, it is imperative that highly sensitized individuals be placed in a position of social work professionals. The licensing process may be detrimental to obtaining that sensitized individual that is so necessary.

May I reinterate [sic] my support for the New Jersey Association of Black Social Workers objections to licensing of social workers.

Since my own statement is brief, I would like to read that in its entirety.

The New Jersey Chapter of the Association of Black Social Workers is vehemently opposed to New Jersey State Senate bill no. 1210 - the "Social Worker Licensing Act." As viewed by our organization, this proposed act does not serve the public interest, nor will it protect the community as it purports to do. In its present state, this bill is illogical and inadequate to deal with the problem it hopes to resolve.

Webster's Dictionary defines license as "formal permission to do something; especially authorization by law to do some specified thing; as, license to marry, practice medicine, hunt, etc."

This statement is considering the amendments we received recently that change the title of social worker.

In effect, you are only granting permission to use the titles based on educational attainment. Therefore, it appears that the only intent of this bill was to grant a select few social work practitioners the right to have

and use an exclusive title. It appears to us that a simple certification system would probably be more economical and provide a more accurate means of identifying one's educational attainment. This method is also an established practice with the State by validating levels of educational attainment for other professionals such as teachers and others.

If, however, the intent of this legislation is to give the right to practice social work, we must then consider what is social work practice. When examining the definition of social work practice in the proposed act we find it to be extremely broad and all-encompassing.

The bill states, "Social work practice means service and action to effect change in human behavior, a person's or persons' emotional response and the social condition of individuals, families, groups, organizations and communities, as influenced by the varied interaction of social, cultural, political and economic systems."

This definition includes teachers, psychologists, community organizers, counselors, ministers, neighborhood aides, and many others. These examples show that Social Work Practice includes the activities of many persons who have attained their knowledge, and skills through public and private agencies, with formal education, by in-service training and many years of experience. Therefore, the intent to give the right to practice would be withheld from many who have been successfully practicing social work for years.

In addition to denying them the right to practice their profession, this bill will negate the tremendous sums of money spent to train many para-professionals to practice social work. It would also restrict their upward mobility, confining them to the lowest job category.

We vehemently object to this discriminatory action in light of the fact that there is no proof that the performance of social workers with a formal education is better or worse than social workers without a formal education.

We recognize the State's effort to regulate the delivery of social services; however, this bill is immature and inadequate to properly deal with the problem. In order to determine who should be delivering the services, you must first look at the method of how the services are being delivered. You should begin to regulate the agencies through which the services are delivered. These agencies must then determine what skills and experiences are necessary to achieve their objectives.

These agencies could also serve in a capacity to certify that persons have attained skills and experience to practice in certain areas. This modification would allow for a certification system that would consider experience, skills, as well as, educational attainment.

There may also be a need for certification for the specific fields of social work practice as well as different skills levels. There are distinct differences in the field of social work. Family therapy and community organization are miles apart in both theory and application.

If one is going to be serious about protecting the public from "persons acting as social workers without the proper skills," no legislation should be considered which uses such broad definitions and un-specific requirements as this bill does in regard to the private sector.

It is our assumption that private practice would usually mean that persons were engaged in applied psychotherapy with individuals, families and groups for a fee. Now one is required to maintain certain requirements on one level and not do so at this level is a questionable oversight.

Individuals receiving psychotherapy by social workers through social agencies are protected through the systems of supervision and consultation required by most associations and organizations regulating those agencies. Therefore, it would be reasonable to expect the same kind of protection of persons engaging in private practice. It would also seem that one would expect that a law would specifically identify what is meant by specific experience since a field of experience in casework, groupwork, etc. can be so broad that it may not necessarily equip a person to do psychotherapy.

In summary, we not only oppose this legislation, but seek to expose it for what it truly is--an attempt to drive the social work profession back into the passive, conservative, clinically oriented and white, middle-class profession of yesterday, completely unrelated to the social needs and services of the vast majority of all Americans, but particularly blacks, other non-white minorities, and the poor.

The National Association of Social Workers has presented itself as being motivated by the highest of ideals, moral integrity and responsibility. They allege that licensing as they propose would afford the public greater consumer protection, sounder social progress and a higher quality of service. The real issue which has motivated this proposal is that of the threatened job security of its authors! The solution they seek in licensing is to establish an elite and institutionally racist form of control over the entire profession. The very existence of such job insecurity among this would-be elite group attests to the fact that they are unable to carry out the high ideals which they profess. However, licensing would afford them legal sanction to control and gradually eliminate all those forces and individuals in the field of social work whose ideas and programs threaten their security and expose the great inadequacy with which they perform.

SENATOR HUGHES: Mr. Merritt, from your statement, apparently you have other thoughts in mind. Do you have any suggestions or amendments that might be made to this piece of legislation which, in turn, satisfy your objections?

MR. MERRITT: I think that what we need to do is start all over again and look at the whole field of social work and the kinds of services that are available. I think the whole question in terms of an argument from our point of view and another point of view, as far as social work licensing, attests to the fact that there is an enormous number of people who are social workers; and there is no way to standardize it. There is no control as to what is going on in the field of social work.

SENATOR HUGHES: Have you or your organization made any input to the people involved in this legislation as to what your thinking is?

MR. MERRITT: No, we have not.

SENATOR HUGHES: Is there any reason why you have not?

MR. MERRITT: No, there is not. There were attempts made recently by one of the authors to discuss it with us. However, members of our organization have discussed our objections with the aides to Senator Feldman as well as with Senator Feldman himself back in July.

SENATOR HUGHES: Are there any other questions?

SENATOR SKEVIN: Mr. Merritt, on the second page of your statement, you talk about certain people who would be excluded. Does your statement take into consideration the grandfather clause of 1210?

MR. MERRITT: Yes, it does. That would only help those who are practicing right now. There are many people who come into the field of social work who are making a creditable impact and are providing good services and who would be eliminated - people who are not practicing now. I'll give you an example: Many people come into the field

of social work with degrees who get jobs at, for example, the Division of Youth and Family Services or welfare. with backgrounds other than in social work - for instance, history or accounting. They come into these programs; they get interested in social work; they go on and get their MSWs and make considerable contributions. According to this bill, a person with such a degree would have to enter on the lowest level - the technician level - which may have serious implications as to where his job title would start - say, with the Division of Youth and Family Services. He could not start at a higher level. He may then not afford to be able to come into social work. There are many people - especially many poor people - who get into social work and who do not have any formal education. They get into social work because our community sees a need for different kinds of social services that are not provided by the usual, traditional kinds of agencies. This would make it very difficult for them to get into the, say, para-professional field.

SENATOR HUGHES: How would you establish qualifications or standards for people in this category?

MR. MERRITT: There is no recognition of the many training programs outside of formal education. We spend millions of dollars providing training programs, consultation and things of this sort for community programs to train people to do certain kinds of social services. There is no consideration for these people. We are not looking at whether they are as qualified to do certain kinds of things - social work - as someone with a degree.

SENATOR FAY: Is it possible, Mr. Merritt, to write a category within the technician category or a separate category for the people you are talking about who have this kind of talent but don't have the formal education that goes with it?

MR. MERRITT: I guess you could, but where do you stop? There are people who---

SENATOR FAY: I think it's where you begin.

MR. MERRITT: Right. Many of the programs in urban communities, especially, have welfare mothers who have become involved but may not have certain educational qualifications. They get involved because of the need that they have seen as a group or that the community has seen. They get involved in the program and they get training. Where do you begin, as you say, to say what the qualifications are to get into this field?

SENATOR FAY: Are you saying, then, that this is practical knowledge?

MR. MERRITT: Pardon?

SENATOR FAY: Are you saying that this is practical knowledge that they have attained?

MR. MERRITT: No. What I am saying is that they may not have a formal education, for instance, in a school of social work or a degree.

SENATOR FAY: Then it would be practical knowledge that they have attained through experience.

MR. MERRITT: Yes. They may have the intelligence and the practical experience of life that may put them in a position where they could learn certain skills and certain kinds of---

SENATOR FAY: Mr. Merritt, in the States that have been mentioned a few times - for the record, the 11 States - urban States like Massachusetts and California that have this type of licensing - are you familiar enough with them to say that it has harmed blacks or non-whites in the social field?

MR. MERRITT: Yes, it has. In fact, recently I was at a meeting in Baltimore - a Steering Committee meeting - and someone approached me from Connecticut, where a bill has been passed, and asked me to come there to help them fight what has already been established. They find that there are serious problems with delivery of services in those States. I don't have specific kinds of



things with me now. In addition to that, although it has passed in 11 States, I would like to point out that it was vetoed in New York recently by Governor Wilson; and in Cleveland, it was overturned.

SENATOR SKEVIN: You mentioned a Steering Committee. Of what?

MR. MERRITT: National Association of Black Social Workers.

SENATOR SKEVIN: In terms of the effect of this type of law in other States, you can only talk about Connecticut. Is that correct?

MR. MERRITT: Well, there are other bills pending throughout the nation.

SENATOR SKEVIN: I am talking about the 11 States.

MR. MERRITT: I cannot speak to all those States. I do know that in Detroit where they do have legislation, they have amended it quite substantially; and it is quite different from this legislation.

SENATOR SKEVIN: There are two States, then, that you can talk about in terms of the effect.

MR. MERRITT: Right. I can talk about the bill that is pending in Maryland, to an extent, which has serious implications as to what can happen with this bill.

SENATOR SKEVIN: We are asking about the States that have this type of legislation - the 11 that we have at the present time. You can talk about two of them.

MR. MERRITT: I can talk in terms of statements made by black social workers from those States where it was passed over their opposition and their feelings that it has had negative effects on the black community. I cannot give you any specific kinds of things.

SENATOR SKEVIN: At that Steering Committee meeting you just mentioned, was that a national group?

MR. MERRITT: Yes, it was.

SENATOR SKEVIN: Were there any black social workers from the other nine States at that meeting?

MR. MERRITT: Yes, there were.

SENATOR SKEVIN: And they made no comments?

MR. MERRITT: Yes, they did. In fact, a national task force to combat licensing nationally was developed at that meeting.

SENATOR HUGHES: May I ask one question? Are you in a position, Mr. Merritt, to present some testimony to this committee relative to the general statements that you have made now? In other words, you are speaking in generalities. There is nothing specific as far as legislation is concerned. I think it has to be specific.

MR. MERRITT: In my July 18 letter to the Senate, I itemized some specific---

SENATOR HUGHES: Who did you address that to?

MR. MERRITT: To all Senators; I mailed it out to all Senators.

SENATOR SKEVIN: Does that letter contain material about the effect of this type of legislation in other States - the effect on minorities?

MR. MERRITT: No, it does not.

SENATOR SKEVIN: It doesn't? I think what Senator Hughes and the other members of the committee would like to have would be some specifics in terms of the effect of this type of legislation in the other States. You talked about someone talking to you at a national Steering Committee meeting concerning some problems in Connecticut and Detroit. We would like to have some specifics in terms of how many people were involved in the other States and how they were affected by this type of legislation.

MR. MERRITT: I can only speak to the point--- One of the things that was mentioned by the Connecticut group was that it has affected the employment of black social workers in that State who did not have MSWs or formal education. I can speak of a black social worker who serves on the Board in Detroit. He says that what happens with

this Board of Examiners is that it is handled on a racial basis very often. If you have a friend on the Board, you get passed through very quickly.

SENATOR SKEVIN: Would you rather use the word "political" instead of "racial"?

MR. MERRITT: He said "racial"; I'll use "political."

SENATOR SKEVIN: I could not be a member of the Black Social Workers - your organization.

MR. MERRITT: Right.

SENATOR SKEVIN: I would have to have certain qualifications to get into that organization; so, there are certain qualifications and certain things that pre-exist for any organization.

MR. MERRITT: It should not be on an examination kind of---

SENATOR HUGHES: Senator Wallwork, do you have a question?

SENATOR WALLWORK: A quick question: Should there be a licensing bill at all for social workers?

MR. MERRITT: Not at this time. Not until we look at what we have.

SENATOR WALLWORK: You said, "at this time"; but, five years from now, should there be a licensing? Can this bill be amended to be in the public interest?

MR. MERRITT: I would have problems because I don't know when certain kinds of prejudices will end. I think we are always going to be affected in some way because of---

SENATOR WALLWORK: Do you think the main problem with legislation of this kind is in the definition of social work practice?

MR. MERRITT: No. I only spoke to that in terms of--- I think it should be--- Social work is a broad field and the definition has to be broad. I only spoke to that---

SENATOR WALLWORK: What I mean is this: Should it be targeted specifically in a certain given field of social work that would then be required for licensing; but ipso facto then, the rest would be open to certification, maybe, and not licensing?

MR. MERRITT: Right. I think you can identify a person's level of experience and education, but you cannot really license someone to do something that he can do. For instance, what we are saying then--- If we pass a licensing bill, what we are saying is that we are going to license certain people to practice social work and call themselves social workers; but we are not going to license other people who are going to practice the same thing, and they don't call themselves social workers. What we are talking about is a title. We are still going to allow people to practice.

SENATOR HUGHES: I think, maybe, there should be a broader interpretation of the bill. The grandfather clause, I think, encompasses what you are speaking about now for the simple reason that those who have established themselves as social workers through practical experience do not necessarily have to meet the educational requirements that you are objecting to.

MR. MERRITT: But, if I am born 20 years from now and I don't get an MSW and I see a need and I have certain kinds of skills, I cannot practice.

SENATOR HUGHES: Don't you feel that in some way, advancement should be made in all fields?

MR. MERRITT: Yes; but I think we have to look at the other ways that people have been obtaining experience and knowledge to practice under the broad term "practicing social work." I am not objecting to getting an MSW, and I am not saying that getting formal education is a negative thing. I am saying that that is great; but other people have to find, because of other kinds of social conditions in this country and because

of certain kinds of conditions in the community, other ways. Certain people cannot afford, for instance, to go to college and to go to graduate school and get an MSW. Yet, there is a need for social work services in these communities. You also have to look at the fact that the number of people that we are producing with formal education could not fill the manpower needs in terms of providing services. That is why the federal government and the national organizations that provide grants are training people to do certain kinds of things in the social service area. There are certain areas of social work on a formal level that are not really getting the attention that they should. Child welfare is a good example.

SENATOR HUGHES: I think that we are getting into a very repetitive argument - discussion - now. I think that your viewpoints, as far as I am concerned, are well taken; and I would like very much, if you do have some input to give to this committee, your forwarding a statement to the committee so that we, in turn, can study the legislation before it is released from committee.

Are there any further questions?

SENATOR SKEVIN: I would like to know the effect of this type of legislation on minority groups in other States, Mr. Merritt, if you could get that for us.

MR. MERRITT: Yes, I can get that.

SENATOR SKEVIN: Could you give me an idea of how many people are involved with the New Jersey Association of Black Social Workers.

MR. MERRITT: We have 200 members now.

SENATOR HUGHES: Thank you, Mr. Merritt. We appreciate your appearing before the committee.

The next witness will be Gerda Bikales.

G E R D A    B I K A L E S:

I am Gerda Bikales. I live in Livingston, and I am glad to see my Senator here today. I am currently on

leave of absence from United Hospital in Newark and working as a policy analyst for the Center for the Analysis of Public Issues. I want to stress that I am not representing the Center today. These are my own views. In light of what I am about to say, I think I should stress that I am a graduate of the formal MSW program and that I hold certification by the Academy of Certified Social Workers and that I am a member in good standing of NASW and, this year, the Steering Committee of the Essex-Hudson Chapter of NASW.

I have three objections. In view of the lateness of the hour, I will be very brief and try to avoid repetition.

My first objection, if I were to believe in the wisdom of this bill, would be to the grandfather clause. I think it would present a crass, if you'll excuse me, political expedient on the part of NASW to compromise and accommodate certain factions within the profession very much, presumably, to the detriment of the public who would be malserved by this.

My second objection is that I frankly, with all due respect to you gentlemen, believe that there are limits to government. I think one of the limits is that they cannot produce, no matter what they do, better social workers. They cannot guarantee the delivery of quality social work. I believe this is a responsibility that the profession, the graduate schools, the undergraduate schools and the agencies cannot escape and cannot pawn off to you. The government, however, is in an excellent position to establish more bureaucracy - more clerks, more files, more committees, more boards, more fees, etc. I object strenuously to having to pay yet another fee - every two years I believe - and receiving another piece of paper which I will have to frame and display and hang up on the wall. It will not make me a better social worker, I assure you.

Now, I come to my main objection and this is really the crux of the matter. Contrarily to those who framed this bill, I do not agree that social work is a clear and discrete and standardized body of knowledge that can be acquired - and only acquired - through an approved educational course. It is probably more - and much more - a matter of commitment to the societal good and an ability to maintain a hopeful vision of man and his world in the face of much discouragement. It is an ability to assume responsibility for one's actions. It is much more than it is concrete task-oriented skills.

In my experience in the field, the intelligent individual who is able to communicate, who is flexible, who is curious about the world, who has experienced the vicissitudes of life but has not been beaten by them and who has a value orientation toward the common good is the individual who makes a good social worker. I am afraid that is very much beyond licensing.

The definitions of social work in this act are very broad. I am sure that you have read them; so in the interest of time, I won't reread them. They are very vague and, frankly, I think they are nothing less than a prescription for the salvation of the world. I heartily subscribe to this; I don't see how it can be licensed.

I would say, categorically, that you will find no agreement on a definition of what a social worker does from anyone in this room - I don't care what their position is on licensing - that will satisfy everyone else. It's impossible; it couldn't be done. In fact, we cannot even agree on what to call ourselves. Here we talk of social work specialist, social worker and social work technician. I have a new policy statement here on licensing issued by NASW in September which has a

completely different terminology. We cannot even agree on what we ought to call ourselves.

Furthermore, addressing myself to the three categories of social workers, I think that in actuality - I have worked in agencies and have observed this - you would find that regardless of what the title is, very often they do the same kinds of jobs. The demands of the job and the crisis situation under which many of us work are such that we cannot afford the luxury of formal divisions, and these divisions, largely, are meaningless.

I realize that this is a tough job market. I am sure everyone does. This bill--- Yes, it would give the advantage - if you can call it that - of preserving our jobs and putting us in the position to occupy social work jobs exclusively - if you have this kind of education. However, it would have another effect. While we would keep others out, we would fence ourselves in. I think this is a dangerous trend. I think there are other professions with vague qualifications such as, perhaps, recreation workers or probation officers. Why wouldn't they license themselves and keep us out? I think it would create little boxes - little straight jackets - in which people would have to function all their lives, presumably, and have no place to move. It sounds suffocating to me.

Finally, even if I were to assume that this bill and this philosophy would be salutary to social work - and I don't for a moment do that - I think it is very detrimental to society. It would leave the liberal arts graduate with no place to go. I think the human services in the past have absorbed many liberal arts graduates, some of whom went on later to obtain graduate degrees; and some of them have made great contributions to the field. I don't know where these people would go, and I think it is a very dangerous trend to have masses of people knocking on our doors and locking them out - people with education,



people with ability and people with no jobs. I think it is the beginning of a very dangerous trend in the establishment of a lumpenproletariat. I think social work, which is concerned with the societal good, should think of that angle too.

Once again, I think this is a dangerous trend and one that we should stop today in this room.

I thank you very much.

SENATOR HUGHES: Would you mind remaining seated because I am sure the committee members---

MS. BIKALES: I am just concerned about time passing and other people---

SENATOR HUGHES: You have made a very, I would say, good dissertation; but you did make one comment there. You said that no social workers in this room would agree as to what their actual work standards are or what their capacity is. Inasmuch as you have admitted this openly in this hearing, don't you think that there should be someone or some board who could give direction so that it would be a path that all would follow and not have everybody going in different directions?

MS. BIKALES: No; I don't think that there is a single path that all can or should follow; and I don't think that there is a single definition that would satisfy everyone and would encompass the multi facets of this profession.

SENATOR HUGHES: Don't you think other professions have many, many facets which are regulated because of licensing? Wouldn't you grant---

MS. BIKALES: Do you mean something like medicine?

SENATOR HUGHES: Medicine - engineering - right down the line.

MS. BIKALES: Well, I think they have a much more concrete and transferable body of knowledge that is not as experiential as ours is.

SENATOR HUGHES: When you say it would be more detrimental for a person to practice medicine without a license than a social worker without a license---

MS. BIKALES: If I may point to you, sir, I think it is extremely detrimental to the public good to have auto mechanics practice without a license - and TV repairmen. This is much more serious than social workers.

SENATOR HUGHES: Would you elaborate on that?

MS. BIKALES: Yes. I think we are talking about a very concrete and discrete body of knowledge that is---

SENATOR HUGHES: They are not dealing with human beings, though.

MS. BIKALES: No, but they are dealing with the public trust nevertheless; and I have absolutely no way of checking, frankly, what he does under the hood. I think if you really want something for the public good, this is a campaign I would support gladly.

SENATOR HUGHES: Basically, I think anything that the Legislature does is intended for the public good.

MS. BIKALES: Right. You're quibbling about definitions.

SENATOR HUGHES: It may not be what you would say is a perfect piece of legislation that everyone would agree with - apparently you don't agree with.

MS. BIKALES: No.

SENATOR HUGHES: But, by the same token, I think that without control---

MS. BIKALES: The control has to come within the profession and, as you say, there is no control.

SENATOR HUGHES: You have just mentioned yourself that the social workers, within their own group, could not define what their obligations are or where they would go.

MS. BIKALES: But even less could the Legislature, it seems to me.

SENATOR HUGHES: Don't you think there has to be a beginning?

MS. BIKALES: There is a beginning, and the beginning and the end, for that matter, ought to be within the profession. There are all sorts of things such as the ACSW, the Academy of Certified Social Workers.

SENATOR HUGHES: I'll ask you the same question that I asked Mr. Merritt: Are you in a position to present to this committee some statements as to how this should be brought about?

MS. BIKALES: Sir, it's very simple. By not passing this Act, we bring it about.

SENATOR HUGHES: Basically, what I am saying is: Just to be negative is not the proper approach. I think that, basically, if you are up here for a purpose, rather than being negative, you should have, we'll say, suggestions to make in turn that would help the social workers and also the people of the State.

MS. BIKALES: I thought I had, Senator, by---

SENATOR HUGHES: I certainly have not heard any and that is the reason I am asking you.

MS. BIKALES: By leaving the State out of licensing, the profession will continue to regulate itself and to examine itself and reexamine itself critically.

SENATOR WALLWORK: Should there be, rather than licensing, a certification?

MS. BIKALES: There is at the national level, as I said. There is the Academy of Certified Social Workers. Objections have been raised. I don't believe it is working very effectively and thoroughly. It should be reexamined and reworked, but that is probably the proper mechanism.

SENATOR WALLWORK: Should the State have a certification program then?

MS. BIKALES: I really have not studied this aspect at all. I'm sorry; I cannot offer any comments.

SENATOR FAY: Has this dire forecast that you have made occurred in California or in the other 10 States that have already done this?

MS. BIKALES: You mean keeping the liberal arts graduate out?

SENATOR FAY: Yes.

MS. BIKALES: I don't have specific numbers. Frankly, I don't know how you would prove this except by the unemployment lines - watching the college graduates standing there. I don't have specifics.

SENATOR FAY: I gathered from your statement that you could expect the worst.

MS. BIKALES: I think you can.

SENATOR FAY: Has this been the case in California?

MS. BIKALES: I have no figures and, again, I don't know how to measure this except, perhaps, if I had agency records of people they have had to turn down because they didn't have proper---

SENATOR FAY: But your profession, your State group and your national group - don't they have any idea?

MS. BIKALES: I don't believe they have figures of this type. No. It is an interesting study, sir.

SENATOR FAY: I would like to read it.

MS. BIKALES: It is something that, perhaps, we could do some studies on.

SENATOR FAY: I would hope so.

MS. BIKALES: I think this could be done. It's an interesting suggestion. Thank you very much.

SENATOR HUGHES: Are there any other questions?

(No response)

Thank you, Miss Bikales.

We have several duplications of people who wish to appear, and they all are from the same organization. Again, not to be repetitious but in the interest of brevity, I would like one individual to act as the spokesman for that specific group. The groups I am speaking of are Middlesex County College and the National Association of Social Workers. If you can reach an agreement among yourselves as to a spokesman, I would appreciate it very much because time is of the essence as far as the committee is concerned.

The next witness on the agenda is Mr. Walter D. Hughes - no relation. Do you have a prepared statement, Mr. Hughes?

W A L T E R     D.     H U G H E S:

No; I don't. I'll make a few brief remarks.

I am Dr. Walter D. Hughes, Burlington County College Career Program Coordinator, and a citizen not eligible under the Act. I, of course, would defer to Chancellor Dungan's communication that is not available to us; and I note that the Community Colleges in general were not consulted. In fact, the communication we did receive on this legislative hearing dated it as Thursday, October 16.

I would also note that Senator Feldman described the grandperson clause as "generous." Indeed it is in terms of its leniency rather than its helpfulness. It protects, rather than provides assistance to, the people who are actually engaged in this kind of a program. Perhaps it will widen the gap between the workers - or technicians - and the specialists. This involves a new form of subtle peonage for the persons who continue in this role of technician.

During the grandfather clause, if there is a credit for experience in the past, it might be possible to give them an opportunity and an obligation to obtain

a form of certification within the future so that if given five years of past experience, they might be given five years to obtain some sort of certification that would put them on a level with the others. We'll have an educational and a racist gap widening between the technicians and the social worker within New Jersey.

SENATOR FAY: Are you suggesting this as an amendment?

DR. HUGHES: Yes. This should be a general comment. Then, I would go to specific requirements. We should note, although I know nothing of the actual maze of the Civil Service, that there is an extending "read and write" qualification that enables a person to become involved in Civil Service; and he can become an assistant superintendent in State institutions without a high school diploma. This is done, allegedly, in benefit of minority groups. Whether that benefit is as extensive as we might imagine or might have been considered, it is questionable.

I would also, in reference to Mr. Merritt's comment, wonder whether the agency approach is appropriate inasmuch as while it might give upward mobility within the agency, it does limit the person to that agency just as tenure in a school limits that person to that particular institution. Therefore, to give outward mobility as well as upward mobility to para-professionals, some sort of educational certification should be provided. Community Colleges are currently providing such mobility to correctional officers in prisons and to day care center personnel within the day care centers by the concept of extended day whereby the person devotes one hour of his personal time and the institution releases him for a period of the time on the job. His immediate supervisor is involved in the educational process together with an institution that is outside. It is a kind of conjunctive service provided by the community

and within the community, usually by the Community College. So, the State is supporting Community Colleges and could obtain this benefit for its Civil Service personnel, in general, and, particularly, within the scope of this Act.

We wonder, then, about the legislation itself, just addressing to 1210. On page 1, "'social work practice' means service and action to effect change in human behavior..." Might it not be added, "human social behavior" so that then there would be no problem of the confidentiality? If it is already social behavior, then confidentiality is not being violated. It might be possible to strike the next phrase, "a person's or persons' emotional response..." because anybody who breaks up a fight is involved in social work. Then, we could eliminate both commas there so that it would be, "...in human social behavior and the social conditions..."

On page 2, line 6, I would sponsor the already-approved idea of the supervision of the social worker by a specialist. It might be phrased, "general supervision."

Moving over to page 3, noting on the social worker that the social worker having a Bachelor's degree would be expected to complete "courses equivalent to a social work or social welfare program approved by the board" from a Junior Community College or a four-year college, adding to line 14, before the word "college" the modification, "Junior or Community" as well as four-year college. As it is now not possible for a person to take courses in certification for teaching at a Community College - they have to be at a State college - it would be possible in this and therefore preserving the local community control of the so-called formal educational factor in this bill.

I would further suggest that on line 21 of the same page, "human services" be put in quotations so that it not be a designated title. There are some colleges which have courses entitled Human Services and others do not. So, human services would be something that the Board itself could address itself to whereas if it is an explicit title, then the Board must implement this Act as it stands.

I would emphatically suggest, as a personal feature, that the certification be a requisite and concomitant with the grandfather clause so that the grandfather clause be not simply a matter of passage of time, that the persons to qualify for the grandfather clause, for their own interest in the future, be given the opportunity by this legislation and that part of the fee and part of the entire apparatus of this legislation be ordered to the providing of education for the persons who qualify under the grandfather clause as it is now envisaged. This would be part of the resources of the Board itself - that this be considered as part of the resources of the Board itself.

On page 6, line 15, there is a reference to "professional and practice standards." It might include "para-professional" as well as professional standards.

Thank you very much.

SENATOR FAY: Some of the points you made - a few of the minor points you made - are in the amendments that Senator Feldman has worked on. Just for this committee's information, is there any kind of direction from Higher Education? Are all the Community Colleges - at least, the State Community Colleges - working together on these programs in relation to social work?

DR. HUGHES: No; not that I know of. The notification and certain demurs on the part of the Department of Education concerning this bill - that is all we have received. Whether or not it would be demonstrated



compellingly that there is a public need and whether or not the social work definition is too broad and whether or not the Board itself has approval of the educational program - or the social work program - rather than the Board of Education---

SENATOR HUGHES: I wish you or a few other people speaking for the Community Colleges or the Junior Colleges would sit down with Senator Feldman in the near future with the recommendations that you have made already and some of the others we have heard. There is a big gap here that has been completely ignored and completed unrepresented in this particular bill.

DR. HUGHES: Should we initiate the move or should he?

SENATOR HUGHES: You should submit all of your recommendations to Senator Feldman and to Senator Hughes.

DR. HUGHES: It is by invitation that I came today.

SENATOR HUGHES: Are there any other questions?

SENATOR FAY: In the long-range thinking on this, can or should the Community Colleges go from an AA degree into a BA degree in the same field?

DR. HUGHES: I think it is contrary to their title that they would do that. But, the person can; the Community College does not move in that direction. The person can move from a Community College---

SENATOR FAY: Are the State Colleges and, particularly, the graduate schools geared up for this kind of progression?

DR. HUGHES: It is geared for the progression; but you are now saying, within the formal educational structure. What I am saying is it not only can cooperate in a formal educational structure but on a local level where persons with local concerns - such as Essex County being different than Burlington County in its concerns---

SENATOR FAY: Here is where I start to panic a bit thinking that this becomes a law and we keep stressing for all social workers to get at least an AA degree and preferably a Bachelor's degree and a Master's degree in the social worker field, and suddenly they find that the Bachelor's programs and, particularly, the Master's programs are not that open - that they are limiting. You motivate, if not even legislate, people to go and get Bachelor's degrees and Master's degrees. They do and they suddenly find the doors being slammed in their faces. I have found that next to the medical school, getting into the graduate program is the most difficult school in our State.

DR. HUGHES: My suggestion is that the Community College programs be recognized by this Board as valid programs and that the person with the Bachelor's degree, as he continues in his role within the institution or agency he is in, will have an opportunity for certification in a particular social work field in which he will share classes with people who are coming, with experience, into the same certification program. We have found that with the people who are preparing for police work in their careers. We find it in day care center people. You bring together the people with the experience in the field and the people who are in education - but not a specific education in social work. By putting those people together, as you do in a Community College, it is valid.

Unless there is within the grandfather clause some sort of certification and unless there is the opportunity for the person with an accounting degree - as you mentioned - to take courses that are recognized for certification and to get them not by going necessarily to a State university but by going to a Community College, then you have no interplay of these two forces. I think that the benefit to the minority will be in upgrading

them partially at the expense of the State inasmuch as they will be given opportunities for education on State time and through State funds.

We are providing the Community College for precisely that purpose in the scope of policemen, day care center people and correctional officers.

SENATOR FAY: Correct me if I'm wrong; but I find that the Community Colleges each go their own way; and I don't find too much direction or leadership - if that is the word - in what you are saying.

DR. HUGHES: I think in this we should look for unanimity rather than uniformity. I think the uniformity of practice between Burlington County and Essex County would be detrimental to the social worker rather than advantageous and, certainly, to the minority groups. If we have unanimity, then certification is there and we would have an ongoing review of this with the Department of Education and interested citizens.

This is a limiting legislation, and any limiting legislation has to depend upon the personnel of the Board that exercises that limitation.

SENATOR HUGHES: Are you in a position to address yourself to the Chancellor's letter that we have received?

DR. HUGHES: That you have received - not we.

SENATOR HUGHES: I wonder if we could give a copy to the Community College representatives here so that they can address themselves to this letter in a reply to the committee.

DR. HUGHES: We defer to it, in general, naturally.

SENATOR HUGHES: Are there any other questions?

(No response)

Thank you, Dr. Hughes.

I believe there is someone here representing the Division of Youth and Family Services. Would you identify yourself please?

M A R T I N    A L B A U M:

My name is Martin Albaum. I am not representing the Division of Youth and Family Services today; I am here as a private individual. I work in the Newark District Office as a case work supervisor. I have worked for the agency for six and a half years. I got my Master's degree from Rutgers School of Social Work in 1971. Since I got my Master's, I have mostly worked in the Newark District Office as an assistant supervisor and a case work supervisor. This is Jenne Carver with me. She is an assistant supervisor in the Newark District Office.

SENATOR HUGHES: May I ask why you are not representing the Division inasmuch as you have been on our agenda as representing the Division?

MR. ALBAUM: I didn't put myself down that way. It's a mistake. I said that I was coming as an individual, but I said that I was from the Newark District Office. I work in the Newark District Office. I would like to make a presentation as a private citizen who has specific knowledge about the operations of the---

SENATOR FAY: Before you get into that, could I ask you one question? Has the Division made a statement on this?

MR. ALBAUM: Wasn't Mr. Kagen here this morning?

SENATOR FAY: He was speaking for the whole Department? You're giving the rebuttal?

MR. ALBAUM: He was giving the official position of the agency. This is not a rebuttal.

SENATOR FAY: Party line?

MR. ALBAUM: No; not the party line. I see things; I work in a District Office.

SENATOR HUGHES: Did you hear Mr. Kagen's---

MR. ALBAUM: I didn't hear him.

SENATOR HUGHES: Because we don't like this to be repetitious.

MR. ALBAUM: It won't be repetitious.

SENATOR HUGHES: We would like it to be as brief as possible because we are running very late.

MR. ALBAUM: My point of view is from a different perspective. I don't know whether I agree with him or not.

SENATOR HUGHES: It is most unfortunate that you were not here.

MR. ALBAUM: I just received notes from his statement, and I can tell you that my perspective is different.

SENATOR HUGHES: We're listening.

MR. ALBAUM: I am here because I have a lot of questions about this bill and I also have a lot of comments on the bill. As I said, I am here as a private citizen who has specific knowledge about operations in a District Office of the Division of Youth and Family Services.

The stated purpose of this bill is that it is to protect the people of New Jersey by setting certain standards, etc. This certainly implies that there will be an improvement in service if this bill is passed. It is my belief that the reverse will occur as a result of this Act. There will be less services delivered simply because there will be less people available to deliver the services as many of the people who are covered by the bill will not be able to work as social workers any more.

I am sure that when Mr. Kagen was here, he told you that the vast majority of the people in our agency do not meet the requirements of the bill and, in a two-year period, would not be able to meet the requirements and standards of the bill.

This bill would unnecessarily hamper us in hiring and keeping people who do the best job, we feel, in service delivery in an agency like ours. I think the bill substitutes credentialism and many surface and

arbitrary considerations for the more thoughtful and difficult process of determining who makes the best social worker in a particular area. When we interview and evaluate and hire social workers, we look for a person who has a certain amount of maturity and emotional stability, who has a strong sense of his own identity and lots of personal integrity. There is nothing in this bill that would guarantee that these things would be paramount. Instead, the bill substitutes platitudes and euphemisms; e.g., "merits the public trust", which is described in the bill as "having general acceptance by professional peers and community acceptance..." Who are the professional peers? Are they all people who the individual works with in an agency or are they only the "professional" people with MSW degrees or, even further, are they only those professionals with MSWs who belong to the professional organization? What does "community acceptance as a professional" mean? What would happen to social workers involved in community organizations working with causes that are unpopular? Would this kind of licensing bill be used to deny them licensing and put them out of the type of work they are doing?

I strenuously object to the provision that a person with an AA degree or less than two years experience can only be supervised by an MSW. First of all, we have many people working for us as case aides who do very effective work in protective service cases. These are cases of children who are abused and neglected and battered. The case aides I am talking about are older women many of whom have raised their own families and now have come back into the work world. They have certain skills which they didn't get from a formal education; but they have certain perceptions and sensitivities and understandings and, because of their background, the ability to relate and act in a mothering role to some of

the clients who are involved in child abuse and neglect. They play a very important role in conjunction with the workers in helping to ameliorate situations and in helping the clients - the protective service clients - overcome some of their problems. They are one of our most essential and effective treatment resources. Many of these case aides would not be able to work if this Act was passed because many of them haven't finished high school. The lowest degree of entry under this Act is an AA degree. Like I said, many of these people have not finished high school, so they would be out under this Act.

The fact that the bill requires MSW supervision of these people, I think, is an arbitrary consideration and not based on experience. In our office, the person who supervises the aides does not have an MSW degree; but she does have tremendous patience, understanding and the ability to relate cross-culturally. I know of other situations within our agency where people fresh out of school, with their MSW in the frame, have been assigned the task of working with the aides. They did not succeed because they lacked the understanding of the valuable type of work these people could do, and they lacked the patience. The key factor in successful supervision of the aides, I found, is the ability to relate in a sympathetic and understanding way, the ability to teach with patience and the ability to see that people grow in incremental stages. Having a formal advanced degree and credentials is not the essential factor of success of supervision in this area or any area.

Under the bill, supervisors without MSW degrees could only supervise people who have more than two years experience in social work or have an undergraduate degree in social work. The same factors which I just related to you apply to supervision in general. It is these kinds of abilities and understandings that make for successful supervision.

We have 130 supervisors in the District Offices; we have 700 workers. Most of the 130 supervisors - the overwhelming majority - do not have Master's degrees. Yet, they are doing, on the whole, an excellent job in supervision. Of the 700 workers, many of them do not meet the two-year experience requirement; but with the kind of supervision they are getting, they are doing a good job.

I think that to equate a Bachelor's degree in social work with the experience - up to two years experience - is very fallacious. What you are talking about is somebody who has had, maybe, 15 to 30 days of experience in an agency in their field placement compared to people--- These people who have had the 15 to 30 days have only worked with two or three cases, and you are putting them on the same level as people who have worked in an agency for approximately 400 working days with anywhere between 45 and 60 cases and up to two years. How can you equate the two? It totally disregards the kind of in-service training that we do. Some of our most successful social workers are people who have come into social work with no formal background, but they have the personality and the interpersonal skills to make them successful in social work. I think that is the key factor that this bill disregards. It definitely overemphasizes education as compared to experience and certain personality traits.

SENATOR HUGHES: Doesn't the grandfather clause take care of that?

MR. ALBAUM: I don't think so. As Bill Merritt said, we are not just talking about the next two years. We're talking about from that point in time on.

SENATOR HUGHES: Getting back to what I said previously, doesn't there have to be some beginning of control?

MR. ALBAUM: I don't think so. I think the---



SENATOR HUGHES: In other words, basically, what you are saying is that it should be, so to speak, a blank check.

MR. ALBAUM: No; I don't think so. I think that the factors that make for good social workers have already been studied.

SENATOR HUGHES: How do you recruit your workers?

MR. ALBAUM: We recruit our workers through advertisements in newspapers.

SENATOR FAY: Your Division calls for a Bachelor's degree.

MR. ALBAUM: Right.

SENATOR FAY: And they pass the test?

MR. ALBAUM: Not necessarily.

SENATOR FAY: Do you take people who flunk the test?

MR. ALBAUM: Not necessarily. People can come to the agency--- Some of the people who flunked the test are far better than people who passed the test. The test for Social Worker II is not very well related to the job. It is something you should be looking at.

SENATOR FAY: Shouldn't they rewrite the test?

MR. ALBAUM: Definitely - no question about that. My point was that the kind of interpersonal and intellectual and emotional skills that make for good social workers has been pretty well documented.

SENATOR HUGHES: Are you saying---

MR. ALBAUM: Wait. I'm trying to answer your question, Senator.

SENATOR HUGHES: Are you saying that if a person has an education, he doesn't have these?

MR. ALBAUM: No. The two are not mutually exclusive. Some people---

SENATOR HUGHES: Basically, what you are trying to differentiate between is education and, I would say---

MR. ALBAUM: Experience.

SENATOR HUGHES: ---human qualities.

MR. ALBAUM: And experience. There is no differentiation.

SENATOR HUGHES: This protects those people who have the experience now.

MR. ALBAUM: I don't see it that way. The way I read the bill---

SENATOR HUGHES: The only contradiction that you have given me so far is because you yourself would like to hire the people whom you see fit rather than have a higher Board do the hiring and have approval of the people who go into your department. Basically, what you are saying is that you would like to maintain that control - period - as an individual.

MR. ALBAUM: As an individual who does interviewing. Our agency would also like to maintain that control.

SENATOR HUGHES: Basically, I think that would be very bureaucratic.

MR. ALBAUM: No; I don't think so. Like I tried to tell you, studies have been done on what kinds of skills and abilities make for good social workers. As I explained to you earlier, we have a pretty good---

SENATOR HUGHES: Excuse me for one moment. Pardon me for interrupting you. You are going under the assumption that if this became law, this Board would not be qualified to undertake those duties.

MR. ALBAUM: They may or they may not.

SENATOR HUGHES: You are going on an assumption basis.

MR. ALBAUM: How would they study---

SENATOR HUGHES: How would they study?

MR. ALBAUM: Yes. How would they---

SENATOR HUGHES: How did you study?

MR. ALBAUM: Wait. Let me finish my---

SENATOR HUGHES: Did you come out as an expert?

MR. ALBAUM: No. I came out as an individual who had some knowledge.

SENATOR HUGHES: There has to be a beginning as I said before.

MR. ALBAUM: Not necessarily.

SENATOR HUGHES: Basically, you started. Right?

MR. ALBAUM: Started what?

SENATOR HUGHES: You started without the background or expertise that you have now.

MR. ALBAUM: True.

SENATOR HUGHES: Shouldn't anyone coming out of college or anyone with the proper educational qualifications be given the same opportunity as you?

MR. ALBAUM: Right. I would agree with that.

SENATOR HUGHES: Basically, I don't think there is an argument that you---

MR. ALBAUM: I am also saying that people who did not have the educational background that I had also, through other means, have entered the field of social work and been very successful.

SENATOR HUGHES: Are you saying that another category should be added to the bill?

MR. ALBAUM: I am against the bill totally.

SENATOR HUGHES: I recognize that.

SENATOR FAY: Are you for the status quo?

MR. ALBAUM: I wouldn't say I'm for the status quo.

SENATOR FAY: What are you for?

MR. ALBAUM: I am for doing the kind of thing that Bill Merritt suggested - studying what the situation is of social work in the State of New Jersey, understanding and reviewing the studies that have been done as far as what makes good social workers, etc., and then, after that is understood, going from that point on.

SENATOR FAY: You are the professional in the field and I bow to your time and experience in the field if you say that this bill just has no merit at all - period. Then, what are the alternatives - the status quo? You said, no, not the status quo.

MR. ALBAUM: I would recommend a study of the state of social work in the State of New Jersey reviewing where it is at now. The study could review the present state of practice in the State of New Jersey, what are some of the goals that we are looking to and how could it be improved. I don't think---

SENATOR HUGHES: That is what we are trying to do.

MR. ALBAUM: Maybe you are trying to do that, but I disagree with your method. I don't see it as being improved by setting up arbitrary categories.

SENATOR FAY: Aren't you arbitrary when a person passes a test or he doesn't pass it and you interview the person and you decide he has the ability? Isn't that arbitrary?

MR. ALBAUM: It's subjective. I am saying that we have had success in doing it this way. I don't see---

SENATOR FAY: That's the question too. That's open to debate.

SENATOR HUGHES: Basically, you are evaluating your own position.

MR. ALBAUM: Right; that's what I'm saying.

SENATOR HUGHES: You know the old saying about any lawyer who defends himself has a fool for an attorney. I would say that---

MR. ALBAUM: I'm not here to defend myself.

SENATOR HUGHES: Basically, you are putting forth this concept, believe me.

MR. ALBAUM: The concept of what?

SENATOR HUGHES: The fact that you yourself have the expertise and the Board that would be set up by this bill would not have the expertise.

MR. ALBAUM: No; I'm not saying that. What I'm saying is the Board, I don't think, would be setting - according to the law as I read it - arbitrary categories. That is not going to be within the purview of the Board to determine that Senator Hughes has the skills so we can make him a social work specialist. Senator Hughes doesn't have an MSW. That is not the decision of the Board - whether to make him a social work specialist. That's not the decision of the Board. The Board would have to work within this law.

SENATOR HUGHES: The Board sets up the standards.

MR. ALBAUM: No! No! The standards are set up in the law. It says an MSW---

SENATOR HUGHES: The Board, in turn, will make the decisions.

MR. ALBAUM: But the Board has to make the decisions within the law that you pass.

SENATOR HUGHES: Right.

MR. ALBAUM: That is what I'm objecting to. I am objecting to this arbitrary categorization based mainly on education rather than including experience and other factors.

SENATOR HUGHES: I asked you if you wanted to add another category.

MR. ALBAUM: No.

SENATOR HUGHES: You don't. Again, I think there was another individual who spoke along the same lines. Being negative is fine.

MR. ALBAUM: I suggested to you an alternative.

SENATOR HUGHES: We are asking you what input you have to give to us to make this a better bill. It is a bill now.

MR. ALBAUM: Right. I would suggest---

SENATOR HUGHES: We are here to determine what can be done to make it a better bill and amend it before it goes into the chamber.

MR. ALBAUM: I suggested--- This is off the top of my head. I would suggest that instead of passing the bill at this time, you create a commission to study the practice of social work in the State of New Jersey; review it, evaluate it and then make recommendations.

SENATOR HUGHES: How much money would you say that would cost?

MR. ALBAUM: Not much.

SENATOR HUGHES: Not much is how much?

MR. ALBAUM: I don't know. How much money would you say the operation of this bill would cost?

SENATOR HUGHES: The operation of this bill?

MR. ALBAUM: Yes, if the bill is passed and implemented.

SENATOR HUGHES: I would say probably - from my viewpoint of what the social workers are doing today - the bill would cost no more than the present existing cost.

MR. ALBAUM: What is the present existing cost?

SENATOR HUGHES: I don't know that, but I don't think it would cost any more.

MR. ALBAUM: Are you talking about the salaries of all the social workers in the State of New Jersey?

SENATOR HUGHES: That is correct.

MR. ALBAUM: Oh. I agree with you on that. I would say that a study commission would cost a lot less than the figure you just alluded to.

SENATOR HUGHES: We would still need the social workers.

MR. ALBAUM: Sure. I'm saying---

SENATOR HUGHES: You are not, in any way, eliminating something. You are setting something up.

MR. ALBAUM: But you are creating an additional cost to the people of the State of New Jersey for something that I don't see as valid.

SENATOR HUGHES: I think we could continue this into---

MR. ALBAUM: Ad infinitum. I haven't finished my statement.

SENATOR HUGHES: You haven't?

MR. ALBAUM: No. You interrupted me. You said you were sorry and I'm glad you're sorry.

SENATOR HUGHES: OK.

MR. ALBAUM: The final point that I have is that this bill seems like it is proposed in a vacuum. We have a present system of supervision in the State Institutions and Agencies like Youth and Family Services. We have a Civil Service system. How would this bill interface with the Civil Service system? Would people who are permanent social workers under the Civil Service system lose their jobs or be downgraded in the future? What about supervisors who would no longer be eligible to supervise people who they are now supervising? Like I said, we have 130 assistant supervisors who supervise about 700 workers, many of whom do not meet, or in the future would not meet, the standards of the bill. What happens to those people?

In summary, it seems to me that there are a great many vague areas in this bill - many unclear things. For example, there is no definition of "grossly negligent in the practice of social work." Are the standards that are to be set going to be applied on an ex post facto basis - in other words, having fresh standards applied to present practices to declare people not eligible for licensing?

Another thing which I think you should consider, and should consider seriously, is that this bill, in its definition of social work, is so broad that many people who now engage in this type of helping profession would not meet the educational requirements under the bill. Some people have even said that Legislators would have to

be licensed under this bill under its very broad category on page 2 - takes action to effect improvement in communities and things like that. Do you want to be licensed under this bill, Senator Hughes?

SENATOR HUGHES: It's under mental health.

MR. ALBAUM: What do you mean "under mental health"?

SENATOR HUGHES: That is what the bill is defined to take care of.

MR. ALBAUM: Where does it say that?

SENATOR HUGHES: Basically, it does do that in a broad sense.

MR. ALBAUM: Where does it say that? I don't see that in the bill. I read the bill a few times.

SENATOR HUGHES: Well---

MR. ALBAUM: I would just like to say that you should consider that it is really the person that counts and not the piece of paper - either a certificate or a license - and I don't think that this bill provides for that kind of thing. It substitutes arbitrary categories for more thoughtful methods of selecting people for social work. The funny thing about it - I'm talking as an individual from the perspective of the District Office in Newark of Youth and Family Services - is I've interviewed a lot of people for jobs and I don't see many of these highly skilled MSW social workers coming to our agency to work in protective service. Protective service is one of the most difficult and emotionally trying jobs any social worker could do. I don't see them; I haven't seen them in the past. Maybe now that the job market is getting tight, some of them might be coming; but in the past - and I've interviewed people for four years - I haven't interviewed any. Where are they?

In summary, for the second time, I would like to say that the passage of this bill would hinder service



delivery in our agency at every level. It would not protect the people of New Jersey. It would wreak havoc on the Civil Service system and, for all these reasons, I think the bill should not get out of committee.

SENATOR HUGHES: Thank you, Mr. Albaum.

MR. ALBAUM: You're welcome.

SENATOR HUGHES: I would like to have someone come forward who is going to represent Middlesex County College.

Ladies and Gentlemen: I would like to make this statement now. Due to the fact that we are running very late and we do have another committee hearing on the Uniform Building Code Law, we are going to limit each speaker now to two minutes.

Please identify yourself, sir.

J A M E S G R O N Q U I S T:

My name is Jim Gronquist, Assistant Professor of Social Rehabilitation Services at Middlesex County College.

SENATOR HUGHES: Do you have a prepared statement, sir?

MR. GRONQUIST: No, sir. I have some comments I would like to make, and I would like to also introduce Miss Gladys McDongall who is a student in our curriculum if you need to ask any questions of a student relative to this bill.

We would like to point out that there is a definite anti-County College bias in the bill. Examples of this are page 3, section 3, line 20, which equates a baccalaureate degree in a nonsocial work field or discipline and an associate degree in the human services program from a Community College. The person with a baccalaureate degree would not have specific training in areas that students from some of the Community College programs, which are specific to human services, would have. We feel that that is a bias against our students.

Our students, for example, in our curriculum, are trained for at least 18 different types of work.

SENATOR FAY: Different types of social work?

MR. GRONQUIST: A variety of what we would prefer to call human services, only one of which is social work.

SENATOR FAY: As defined under this bill, all 18 would apply to social work?

MR. GRONQUIST: Yes, which is one of our problems with the bill.

Also, the anti-County College bias occurs on page 5, section 11, line 5, on the Board of Social Work Examiners. There are two social work specialists, two social workers and only one social work technician which we feel would be a bias against that group of people.

Also, we have not been consulted in the development of this bill; and yet, we are included in the bill and come under the categories of the bill. We feel this is, at least, a slight case of taxation without representation or licensing without representation and consultation.

Secondly, we object to both bills, S-400 and S-1210, on the basis that the social work profession should define itself, control and license itself and should stay out of the areas of defining and controlling and licensing other people.

The human services are more than just social work. There are a lot of other areas, some of which are defined under this bill, and we feel that the human services people should have the right to define themselves and license themselves. The social work profession should not - and we do not feel has the right to - attempt to regulate the entire human services area.

SENATOR FAY: I find that these objections are valid ones and I would strongly recommend that they be sent to Senator Hughes, as the Chairman, and to Senator Feldman, as the major sponsor, and considered amendments to the bill.

MR. GRONQUIST: We will be happy to do that.

SENATOR HUGHES: Thank you.

MR. GRONQUIST: Thank you.

SENATOR HUGHES: John Visceglia will be the next witness.

(No response)

The next witness, then, will be Sidney Seligman.

S I D N E Y   S E L I G M A N:

My name is Sidney Seligman. I represent the American Federation of State, County and Municipal Employees which represents social service employees in four county welfare boards, in the Department of Institutions and Agencies, as well as in several of the State's private non-profit agencies.

In principle, we agree with licensure; but we have three points we would like to raise.

The first one is the bill's exclusion of those without degrees for future employment in social work. Along those lines, we go along with the amendment that would restrict the title of social worker as opposed to restricting social work practice.

The second point is that we feel the bill is over-restrictive in terms of social work supervision. We go along with the amendment that would add to section 4 b the words "or social worker" to "social work specialist."

The final point we would like to make is that we question the requirements for the social worker level of practice. Social workers are required to have a BSW or a BA plus two years of experience plus the completion of additional course work. Unfortunately, we don't have

statistics; but we have reason to believe, based on our membership, that these restrictions might create a pool of manpower too small to meet the State's needs.

We are currently faced with the situation of many public programs, especially those in urban areas, where high turnover rates create enormous recruitment problems. Employers naturally try to hire those with the finest social work credentials; but due to the market, they are forced to hire people without BSWs and without experience. To place further restrictions on hiring might make the situation totally untenable. A proliferation of BSW programs might solve this problem. At this time we have only four in the State. It would be hardly enough to fill the need.

We suggest an inquiry be made into the practical impact of this bill to find out just what it would do to the social work manpower situation and whether, in fact, there would be enough social workers to meet the need.

We feel that there is a need to set proper requirements. These requirements could be set at some limit less than those that are currently set to meet proper needs.

SENATOR FAY: You say you are from the AFL-CIO?

MR. SELIGMAN: Yes.

SENATOR FAY: If you would, I think you would be doing every one of us a favor if you checked with your AFL counterparts in the 11 States that have been mentioned that have this law and get some reports from them as to exactly how it has affected their members and affected the profession in those particular States, especially a State like California that has had this, I think the gentleman said, since 1950 and which is a State somewhat similar to ours.

MR. SELIGMAN: The problem is in public employment there is no nationwide collective bargaining law. When you talk about representing people elsewhere---

SENATOR FAY: I meant just to ask their officers to get the views of the public employees and social workers.

MR. SELIGMAN: There is a problem in getting that kind of information. That is what I am trying to get to.

SENATOR FAY: Just get their opinion on their law, not even ours.

SENATOR HUGHES: Thank you.

We have one more group to be represented, the National Association of Social Workers.

(An unidentified representative of NASW yielded his time to Julio Torres and Brenda Torres.)

J U L I O   T O R R E S:

I am Julio Torres from the Graduate School of Social Work at Rutgers and a resident of Highland Park.

I want to speak strongly in support of the bill. I have heard a lot of confusing statements made here which I really empathize with such as Mr. Merritt's; but I agree with you, Mr. Chairman, that we have to make a beginning.

Specifically, I want to question, in the definition of social work, the exclusion of the social worker trained in the administration of social service delivery organizations. I would like to insert in section 3, line 22, between "formulations" and "meeting" the following paragraph: "administering social service delivery organizations." As you know, human groups work through organizations as do social workers.

Trained administrators could be had from among people trained for profit-making organizations without the needed sensitivity to people in need of help; or we could use people trained as case workers or group workers who know nothing about administration. Our organizations have suffered because of this - public organizations, private organizations, state organizations and federal organizations.

The answer to this problem is that the profession has come up with the establishment of administration sequences in graduate schools of social work in which, besides administrative theories, students are exposed to the ethics, values and norms of the profession of social work. A special preparation should be recognized.

I also question "merits the public trust." On what grounds will the Board judge? Also, what does "rehabilitation" mean? I challenge section 9, page 4; and I want to delete from lines 4 - 7 the part that reads, "has been convicted..." and ends with "the public trust."

The loss of civil rights by ex-convicts is cruel and unusual punishment. It is punishment for life. This nation already has the stiffest sentences of any country in the world. Most countries in South America and Europe have a top - a maximum - of 20 years for murder which is a most heinous crime. You could do 20 years here for stealing a TV set.

This profession is dedicated to helping people to achieve acceptable social functions without harm to themselves or others. It should not get into the position of helping the process of punishment for life, especially when it is apparent that criminality is a gift of the upper classes bestowed on the lower classes.

What does a judge sentence a convicted person to? He'll say, "five years." He doesn't say, "he has to be brutalized in prison." He doesn't say, "he has to be treated like a beast." When he says, "five years," he means five years; he doesn't mean life.

Government itself has helped the perpetuation of life-long punishment. We have had the absurd situation where government is begging employers to give ex-convicts a chance; yet, the government itself would not hire them.

SENATOR HUGHES: Are there any questions?

(No response)

Thank you, Mr. Torres.

Would the next witness please come forward?

B R E N D A   T O R R E S:

I will make this very brief, but I think it is important that we hear a feminist point of view and more about the minority point of view.

Specifically, the Board of Examiners is going to have a lot of discretionary power; and we feel the bill should include some assurance that the Board of Examiners will have on it minority group people and consumers of social services. For example, the bill empowers the Board to determine subjectively whether or not a person convicted of a crime has been sufficiently rehabilitated. Unless this Board is representative of the minority point of view and of people who are consumers of social services, we doubt whether or not they could tell whether a person has been sufficiently rehabilitated. We want to know what that means, what the criteria will be and who will be the people who will decide.

Re-educational requirements and examinations: We want to point out that traditionally educational requirements and tests have been used to screen out minorities, and we want to see in that bill some specific language that will say that people who will develop the test and who will administer the test will be representative of the minority point of view so that you will not be administering an inherently racial and ethnically biased examination.

Re professional operation: I just want to refer to the complete section of page 8, lines 10 -24, b - d. Some serious breaches of confidentiality can occur, and that is against professional social work ethics; and we need to specify what this is about.

Mr. Dingley has said that if you will substitute the words "having committed a crime" for "contemplation," that may take care of it; but we consider that any breach of confidentiality is a very serious kind of thing; and that needs to have more thought given to it.

Lastly, the bill is very sexist in tone; and I don't want to nitpick; but gentlemen, you do realize that the social work profession contains a hell of a lot more women than it does men. Therefore, you need to say in your bill, women, his or her - use that pronoun - or some language that is interstitial.

In sum, the bill must build in guarantees that safeguard the interests of minorities, women, youth and the poor and that affirm the ethics and values of professional social work functioning.

Thank you.

SENATOR FAY: Again, I will say what I said to the others. These strong recommendations as amendments should be made in writing to Senator Hughes and to Senator Feldman, and they will be considered.

SENATOR HUGHES: Thank you very much.

We have two others to appear. Ms. Pat Pearson will be the next speaker. Please try to keep your presentation to two minutes.

P A T R I C I A   P E A R S O N:

I did have a statement prepared; but I do think it is important at this point for me to address myself to the question that you continually raised in reference to what amendments can be made to this present proposed legislation in terms of broadening the criteria or strengthening the criteria so we ensure that skilled practitioners are not excluded merely on the basis of not meeting academic credentials or being able to meet academic standards.

SENATOR FAY: Another category?



MS. PEARSON: Not necessarily another category. I feel that in the criteria which are mentioned for determining who will be licensed, there is mention of a written examination and probably some kind of oral examination before the Board. I feel there should also be some stipulation for field practice and success in the field to be considered as a measurement - and a heavily weighted measurement - for qualifying a person to be a practicing social worker.

My primary objection to the bill is that it addresses or encompasses all the various fields and areas of social work, and the criteria provided here are not broad enough to measure all of those effectively.

I will read my very brief statement and, again, I would like to strongly recommend that if you are considering at this point and if you are very bent on presenting this to the Assembly, you include and amend the bill to have some provisions for measuring peoples' skills - not their ability to take exams and pass exams well---

SENATOR HUGHES: You are talking about practical experience?

MS. PEARSON: ---and to negotiate the academic system because, you see, this is where most of your credentials seem to be weighted at this point - in that direction.

SENATOR HUGHES: Again - I think I mentioned this before - we are recognizing in the bill people who have had the practical experience, but there has to be a beginning whereby we set up some standards.

MS. PEARSON: I think that this provision can be included.

SENATOR HUGHES: I would appreciate your forwarding your recommendations along those lines to the

to the committee, and you can rest assured that they will be given proper consideration before the bill is released from committee.

MS. PEARSON: Although this bill contains a grandfather clause and would embrace those practitioners who now don't meet the educational criteria, eventually those people would be screened out; and the impact - say, 10 years from now with that kind of wording and criteria in the bill - would be that you would have many people who are skilled and have the social aptitude to be social workers without the academic credentials or academic criteria but who would no longer be permitted in the field.

SENATOR HUGHES: Where would they get that experience if this does a phase-out over a period of year?

MS. PEARSON: Through life experiences. Some of our best social workers have become thus because of their life experiences.

SENATOR HUGHES: Wouldn't you say---

MS. PEARSON: Is this part of my two minutes because you are conversing with me.

SENATOR HUGHES: You have 30 seconds left of your two minutes.

MS. PEARSON: You've used some of my two minutes.

SENATOR HUGHES: I haven't used any of it.

MS. PEARSON: You have.

SENATOR HUGHES: If you would like to continue, go ahead.

MS. PEARSON: I have reviewed the bill in its present form and feel that, while it is necessary to establish standards and quality of service, the criteria proposed in 1210 will not meet these goals. In fact, in its present form, the bill may prove detrimental and a

disservice to the very people it professes to protect. Specifically, it excludes many skilled practitioners who are involved with and serving the indigent as a result of their own life experiences.

The community response to those practitioners should be one of the gauges of competency rather than a Board of Examiners whose major composition might rely on the political regime of the day.

This bill allows for many discriminatory practices to be instituted and exercised in the name of social work professionalism. It seems to represent the interests of a small group of clinical practitioners who are primarily concerned with further developing the independent therapeutic component of social work.

I would like to identify myself as being a graduate of the School of Social Work of Columbia University, and I feel that I certainly could meet all the criteria presently proposed by the bill; but I do not feel it is fair as a social worker to impose these criteria on all those working in the field now.

SENATOR HUGHES: Are there any questions?

(No response)

Thank you.

Will the next witness please come forward and identify himself.

P A U L    E.    E M B E R G E R:

My name is Paul Emberger, and I am the coordinator of the community mental health program at Brookdale Community College. I am here representing the College and that program today.

During the past five years, there has been the development of an entire new career within the field of human services. These careers have originated in Community Colleges, and they are variously known as

mental health technology, community mental health or human services. These particular career programs cut across the lines of existing professions. They provide training in psychology, social work, some medical training in some cases; and it is probably inappropriate to place regulations regarding their education under a single discipline.

The broad definition of social work in this bill would bring these people under control of that Board. Currently, I can identify at least seven roles and functions attributed to social workers that are being performed by graduates of Associate degree programs.

This is not a small movement. In 1973, there were 7,000 graduates nationally. By 1976, the projected figures call for 20,000 graduates. These people represent a big supply of manpower - manpower necessary to meet human needs at a cost that can be afforded by both the State, community and private agencies. They will not command the same salaries as professionals. Their strength is that they are generalists. They do have training from a variety of areas. It is this strength that allows them to respond to particular community needs.

In so responding, many of the programs at different Colleges change and evolve as the needs of their local communities change.

So, I feel that this bill would inappropriately control a new profession that has the opportunity for serving the people of this State economically and in a very qualified way.

In addition, I have one further objection. Should the bill pass in its present form, the qualifications stated in the bill call for a Bachelor's degree in a non-social work area or an Associate's degree for the social work technician. This has been alluded to previously. This is very inappropriate. The Associate degree person

has many skills including supervised internship in the kinds of things that people need to do to be helpers. The Bachelor's degree in a non-social work area does not include any of these skills, and they should not be equated.

SENATOR HUGHES: Thank you, Mr. Emberger. Are there any questions?

SENATOR FAY: I think we are going to take care of that with an amendment. In reference to the other fields you were talking about, is there another category that we have completely overlooked? Within this other category, would the people you have trained and the people you know of fit into it - the fourth category?

MR. EMBERGER: Basically, it seems like we have chosen the term, social work, to cover all human services. This is the problem. I would say that probably certification of people involved in human services, which would include social workers and might include psychologists, etc., would be a more appropriate approach now that we are broadening our attack on human needs.

SENATOR FAY: If you would put that down as you have stated and send it along to us, we will be able to use it in our deliberations.

MR. EMBERGER: Thank you.

SENATOR HUGHES: Thank you for appearing.  
The hearing is now adjourned.

(Hearing concluded)

A P P E N D I X

# New Jersey Civil Service Association

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October 15, 1974

Statement of Julian Gondolf, before the New Jersey Senate  
Labor Committee on S 1210, October 15, 1974.

Chairman Hughes, gentlemen of the committee:

I wish to thank you for the opportunity to appear here before you  
to express the opposition of the New Jersey Civil Service Association  
to Senate Bill 1210.

While my association applauds your concern with the critical  
problems facing the most needy segment of our population, we are  
convinced that this legislation would be counter-productive, that  
it would downgrade if not destroy the social services it was  
intended to protect.

We cannot allow this to take place.

The President of our association--the state's oldest and largest  
public employee group--Miss Louise Brizzi is herself a social  
worker with several decades of experience in this important and  
often misunderstood field.

Miss Brizzi is a law school graduate who early in her career dedicated herself to the problems of those most in need--New Jersey's unwanted children. She presently administers the Edna Conklin Childrens Home in Hackensack. A woman honored by all in the field of social service and children's care, she would have been barred from many of her activities if a bill like this had been on the books years ago.

And she, of course, is not alone. Thousands of our most able social workers--especially those who are members of minority groups--would similarly be either forbidden to work in their chosen field or downgraded to mere technicians as a result of this bill.

In Bergen County, Sussex, Hudson, Cape May, indeed in every county in New Jersey, it is becoming increasingly difficult to find people willing to take on the backbreaking, emotion draining job of caring for those with severe problems--the aged who too often have nothing to eat and nowhere to live, the unwanted child shuttled from one foster home to another, the drug addict and the alcoholic who often seem bent on destroying themselves, the poor, the underfed, the undereducated who too often feel society has forgotten them.

This is the problem facing the State and its counties and municipalities today. It is a problem of want, of not having the people to do the job which must be done. It is a problem which will NOT be solved by passage of this bill. That problem will only become worse.

Certainly we in the New Jersey Civil Service Association can understand the desires of those social workers with Master's degrees to be recognized. And they are, in fact, recognized, every two weeks when they receive their checks. But, the NJCSA and every thinking citizen must object when these same Masters of Social Work would harm the people they are supposed to help simply for thier own agrandizement and the building of their own egos.

Social work and the problems of the poor, the aged, the needy, has no room for ego or for those on an ego trip. This is a field for the dedicated and the compassionate and unfortunately there is no test now devised nor no licensing procedure now in use which can measure these most human qualities.

Instead of making the field more difficult to enter, instead of taking jobs from hundreds of persons who want to serve, this committee might better address itself to the problems of expanding the number of social workers to meet the needs of our people, needs which every day and in every way become more difficult.

The escalating cost of living, of feeding a family, of sending a child to school with decent clóthes, of helping the senior citizen to live out his remaining years in dignity--these are the prob lems which cannot be solved with a Master's degree, but only by people of goodwill and compassion.

Gentlemen, the New Jersey Civil Service Association respectfully registers its opposition to S 1210.

Thank you,



STATEMENT BY NEW JERSEY ASSOCIATION  
OF SCHOOL SOCIAL WORKERS

I am speaking for the 650 school social workers in New Jersey employed in 602 districts serving 1,850,000 children and their parents.

At an earlier date the Executive Board of the New Jersey Association of School Social Workers had sponsored a public hearing for our members, at which time Legislators had appeared. As a result there already appears in our Board Minutes a statement attesting to our one hundred per cent support of Senate Bill #1210. A resolution was made and carried out to inform various Senators of our support.

The first page of the Senate Bill effectively defines social work practice and gives an excellent statement of the purpose of this Act -- to protect the people of New Jersey by setting standards of qualification, education, training and experience.

We strongly support the need for this licensing and feel that the benefits to the public will be immeasurable. The public will now be able to recognize that social work is a profession which is rooted in serious education, training, and experience, and can now be aware that their best interests are served by having only qualified professionals give this service.

We as an organization support Senate Bill #1210 and urge its early enactment.

Lois Blieden  
President, N.J.A.S.S.W.  
850 Prince Street  
Teaneck, New Jersey 07666

LB:bf

October 15, 1974

TESTIMONY ON SENATE BILL 1210 IN BEHALF OF THE COMMUNICATIONS WORKERS OF AMERICA, AFL CIO, SUBMITTED BY EDWARD A. SCHULTZ, INTERNATIONAL REPRESENTATIVE, OCTOBER 16, 1974

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Our organization, the Communications Workers of America, AFL CIO, is presenting this testimony in behalf of its members employed with ten different county welfare boards of the State of New Jersey. This membership represents approximately 3000 members, over half of which are employed in the field of social work in varying degrees.

In reviewing this proposed legislation in which you seek to license social workers, we believe that your desire is to improve the quality of service given to the citizens of the State of New Jersey. However, we feel that this service is presently being met and is adequately protected by both the various public and private social work agencies. The citizens of New Jersey fail to receive adequate service only because the social service agencies, both private and public, must pay unrealistic low salaries to their employees engaged in social work and must demand unrealistically high caseloads which do not allow for the necessary time so important to intensified successful social work achievements. We do not believe that this Act to create the licensing of social workers will in any way remedy the situations you wish to improve or correct.

Paragraph 2, page 1, speaks of the intent to set standards, qualifications, education, training, experience, etc. for those engaged in social work. The employees engaged in welfare boards in the field of social work have such standards imposed upon them when they apply for their job as caseworker, social worker, welfare aide, income maintenance specialist, or income maintenance technician. These standards are specifically set forth in the Civil Service job requirements enumerated for each job. These requirements are arrived at as a result of both the experiences of the respective agencies

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in the field and the practical "give and take" of the collective bargaining table. I am certain that private agencies must have like standards and requirements such as those enunciated by the Civil Service Commission.

Paragraph 3 (a), pages 1 and 2, goes into definition of what social work practice is. This definition is so all encompassing that extraordinarily few persons would possess all the particular skills, and exclusively large numbers of persons would possess one or some of the skills. This definition, therefore, becomes much too broad.

Paragraph 4, page 2, you set forth a licensing date of January 1, 1975. This date reflects the great unrealism that the rest of the Act likewise reflects. Should this date be enforced and mandated with the penalties equated by this Act, certainly the vast majority of the employees employed in the ten welfare boards that we represent would not be able to receive the specified license by that date, would therefore face penalties of jail sentences or fines or the other alternative being that they would be dismissed and the county welfare boards would be unable to find qualified employees to replace them.

Paragraph 4 (3) on page 2 deals with an individual who classifies himself as a social worker and is privately employed, not being part of a private or public agency, engaged in social work. We would agree that such an individual quite properly may need to be a licensee and that this Act might very well be intended only to apply to such a narrow scope of social work classification--example: persons calling themselves social workers, and self-employed.

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On Paragraph 6 (a) (1), page 6, you set forth job qualifications of doctorate or masters degree for school of social work. I submit that such high standards for jobs in public welfare boards (where a vast amount of social services of New Jersey citizens takes place) is highly unrealistic requirement for jobs which at most pay the newly equated State salary range of \$9,174 - \$12,387. Most persons with the educational requirements of masters and doctors degrees applying for jobs within this salary range may very well possess the necessary educational requirements but somehow must lack the abilities to do effective work. You may very well be weakening rather than strengthening the avowed intent which you are trying to achieve with this Bill. Until we raise the salary to more appropriate and realistic ranges, the competency of the personnel will necessarily be less than that desired by this committee, the public agencies, or our union members.

One of the biggest problems we have in quality of work in public welfare boards is the fact that the low salaries create an exorbitant turnover rate of employees in which 35 to 40% of the employees have less than one year's working experience and are constantly in a renewed training process.

Under Paragraph 6 (a) (3), 6 (b) (3), and 6 (c) (3), you set down the vague phrase "merits the public trust" as one of the job requirements in each of the three categories. It seems to us that this can become a catch-all phrase within the licensing requirements which you are trying to establish and in no way states the specifics as to how you arrive at the qualifications that the employee merits trust.

Paragraph 7 (a), page 3, you state that employees from other states with similar qualifications may be granted exemption from New Jersey licensing requirements established by this Law. On the surface, this would seem like a reasonable provision but I would wonder if, in fact, there are other states, and how many, which have similar requirements.

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In Paragraph 11, page 5, you are creating a new committee in which you set compensation terms for the policing of the social worker licensing. I would believe this new agency will add costs that could better be served by placing those costs at the disposal of agencies already created and servicing the administration of public and private social worker agencies. The cost that you do set up would probably not allow sufficient personnel or monies to effectively police violations of this Act if such an Act for the licensing of social workers were to be enacted. It would seem to me that it would create much the same situation of public distrust as was created when no effective price regulatory agencies were created under the recent price control fiasco of our federal government.

Under Paragraph 16 (a), page 6 and 7, you set forth "penalties of \$100 to \$500 fines and imprisonment of not less than 30 days or more than one year for persons not properly licensed on or before January 1, 1975". We have referred our argument to this unrealistic fine and jail sentence and date of enactment previously in this testimony, but think it just further points out the lack of thought in preparing this Bill which is now going through this committee hearing on the date of October 16, 1974.

In conclusion, we believe that the public and private agencies involved in servicing the needs of New Jersey society are trying to do the very best job possible under the very serious handicap of lack of sufficient personnel and necessary salaries as enumerated above. We believe that the type of regulations that you are requesting of individuals for licensing should more realistically be applied to the licensing of private organizations involved in the field of social work. It is possible that there may be a few

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agencies which pretend to be social service agencies and which, in fact, are bogus organizations in this field. However, we would think it unfair that the many fine reputable private social service agencies would have to suffer because of the few bogus organizations that could be in existence. We would also agree that a more careful scrutiny and system of evaluation may have to be established for individuals who proclaim themselves to be involved in the private program of social work.

For all these reasons, the Communications Workers of America, AFL CIO, believes that this Act should be defeated as it would create problems rather than alleviate the conditions it wishes to so alleviate, and urge that S-1210 not be submitted for passage by the New Jersey Legislature.

Submitted by: Edward A. Schultz  
C.W.A. International Rep.

# Communications



# Workers of America

LOCAL 1081

(AFFILIATED WITH AFL-CIO)

Chartered February 1, 1970

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TO: Elaire T. Gleason, International Rep.

FROM: Eugene J. Baylis, Pres. Local 1081

SUBJECT: Senate Bill No. 1210

DATE: September 26, 1974

We are seeking your support in defeating Senate Bill No. 1210, cited as the "Social Worker Licensing Act" and sponsored by Senators Feldman, Nenza, Martindell, Lipman, Scardino, Garramone, Stevin and Fay.

It declares that this act is intended to "protect the people of New Jersey by setting standards of qualification, education, training and experience for those persons seeking to engage in the practice of social work."...

At the present time there are standards of qualification, education, training and experience for those persons engaging in the practice of social work.

This act appears to be an attempt to license social workers by changing the qualifications and titles currently accepted. There doesn't seem to be any logical explanation for these changes as nowhere in this bill is reference made to any change in the nature, quality or quantity of social work.

There doesn't seem to be any mention or concern for the social workers that will be affected by this bill. Is it possible that persons qualified upon acceptance of their position as social workers and and now with years of experience be required to meet new qualifications? Can a new educational requirement, with no regard for experience, determine a social worker a "Specialist" as proposed in this bill?

As persons engaged in the practice of social work, we wish to state that portions of this bill seem to contradict the definition and application of social work. It is written in this bill that, "The disciplined application of social work values, principles and methods, in a variety of manners, includes but is not restricted to: counseling and the use of applied psychotherapy ..." but, it then goes on to state psychologists, marriage counselors, members of the clergy and other such related groups may "not hold themselves out to the public by title or description of service as being engaged in the practice of social work." We consider these people to be very much involved in the practice of social work. Yet, according to this bill, any of these people claiming to be engaged in social work face a fine or possible jail sentence.

We define this bill as an attempt to hinder the practice of social work by senseless changes and a play on words totally defining and limiting the field of social work, a field so vast, that it can know no limitations.

The social needs of the people of New Jersey are overwhelming and as this bill is designed to limit and deprive these social needs, S1210 MUST BE DEFEATED TO PROTECT THE PEOPLE OF NEW JERSEY.





STATE OF NEW JERSEY  
DEPARTMENT OF HIGHER EDUCATION  
TRENTON, NEW JERSEY

OFFICE OF THE CHANCELLOR

The Honorable Edward J. Hughes  
Chairman, Senate Labor, Industry  
and Professions Committee  
New Jersey Senate  
State House  
Trenton, New Jersey 08625

Dear Mr. Chairman:

The purpose of this letter is to convey the views of the Department of Higher Education on Senate Bill No. 400 and Senate Bill No. 1210, which are acts to license social workers.

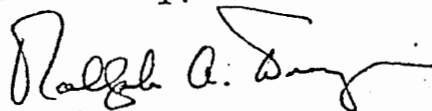
The Department of Higher Education opposes the bills on the basis of the evidence presented to date. There is no clear demonstration that such legislation is necessary to protect the public by establishing a licensing board. You will recall that the study which was made of licensing boards under the leadership of Senator Bateman, (Regulating Professions and Occupations, Report of the New Jersey Professional and Occupational Study Commission; January 7, 1971) recommended that new licensing authorities should not be established in the absence of such a showing of need to protect the public.

If there is no overwhelming need for licensing, then it becomes simply a restrictive device to limit entry, a situation which is probably not in the public interest.

If such legislation is truly necessary, then we would wish to object to certain specific aspects of the bills. The bills appear to extend the role of social workers, a particularly questionable action given the grandfather clause which is incorporated. Furthermore, the bills would move from the Board of Higher Education to the State Board of Social Work Examiners' authority over the content of social work programs offered by New Jersey colleges. The proposal that such a Board should also review social work programs offered in 49 other States would raise serious problems.

In conclusion, the Department of Higher Education would advocate that no action be taken by the Legislature until more compelling evidence of the public need for such control can be shown.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ralph A. Dungan". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ralph A. Dungan  
Chancellor

THE NEW JERSEY PSYCHIATRIC ASSOCIATION  
A DISTRICT BRANCH OF THE AMERICAN PSYCHIATRIC ASSOCIATION

PRESIDENT  
ALVIN FRIEDLAND, M.D.  
44 SOUTH MUNN AVENUE  
EAST ORANGE 07018  
201 675-8959

October 15, 1974

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TRENTON 08610  
609 586-5268

Senator Edward J. Hughes, Jr.  
Chairman  
Senate Labor, Industry & Professions Committee  
State House  
Trenton, New Jersey 08625

Dear Senator Hughes:

The New Jersey Psychiatric Association, whose 500 members are licensed physicians specially qualified in the practice of psychiatry, wishes to express its concern about certain provisions of Senate Bills 400 and 1210.

S-1210 includes the "use of applied psychotherapy" in its definition of social work practice. This is ambiguous terminology--indeed, we know of no definition for "applied psychotherapy"--and we believe its inclusion in the bill could lead to abuses. It would permit unqualified persons to represent themselves as having the training necessary to treat individuals suffering from emotional illnesses and other mental disorders. Physicians have the legal, professional and ethical responsibility of treating the ill person; it follows that the treatment of the mentally ill must be left in the hands of specially qualified physicians.

In addition, both bills would require licensure of persons who wish to help solve the social problems of their communities. As you know, there are many such community-spirited people in our State who could not qualify as social workers under the guidelines set forth in these bills, and yet their volunteer work is vital to the wellbeing of their communities. To restrict their activities would be a disservice to the State.

Sincerely,

*Alvin Friedland, M.D./m*

ALVIN FRIEDLAND, M. D.  
President  
New Jersey Psychiatric Association



## UNION COUNTY WELFARE BOARD

7 BRIDGE STREET

GLADYS P. SWANSON, CHAIRMAN

ELIZABETH, N. J. 07201

VICTOR W. LIOTTA, DIRECTOR

TELEPHONE  
351-1112

October 3, 1974

Senate Committee on Labor, Industry & Professions  
State House  
Trenton, New Jersey 08625

Re: Senate Bill #1210

Gentlemen:

I have reviewed the captioned Bill introduced May 13, 1974 and find it is discriminatory and will cause hardship for those persons currently engaged in social work who do not possess a Master's Degree.

As it relates to welfare boards, when the separation of Income Maintenance and Services was mandated by the Division of Public Welfare, those employees on staff who had the title of "Caseworker" and possessed a Bachelor's Degree, were transferred to Services in the categorical programs the boards administered. There was no requirement at that time that these persons possess either a Master's Degree or a Bachelor's Degree in the field of Social Work. Also, there was no requirement that they had to pass an examination for Social Work.

In reviewing your requirements it is noted a Social Worker must possess a Bachelor's Degree in Social Work or have at least two years' experience in Social Work. Those not having either classification are classified as "Social Work Technicians". This is unfair to those persons currently engaged in Social Services and a good many of my staff would be hurt by this type of requirement.

The Bill totally disregards the many years of service and valuable experience these employees having given in professional services to recipients of assistance. I think the Bill has disregarded experience and substituted educational qualifications.

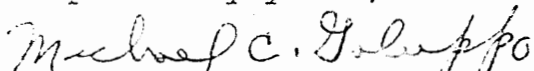
With the Reclassification Survey recently completed by the Department of Civil Service, those persons in the title of "Caseworker" and who were functioning in the Services Unit were given the title of "Social Worker" whether or not their Bachelor's Degree was in Social Work or other fields. In other words, they were "grandfathered" in. This Bill would impose a penalty on those persons.

10/3/74

While the Bill does provide an exemption for two years the taking and passing of an examination as well as obtaining academic qualifications, the Board must be satisfied that the applicant has been doing social work. In my opinion this still does not protect the standing of those persons currently engaged in this field.

I would respectfully request that further consideration and review of this Bill be undertaken to the end that no one currently employed in Services would be harmed.

Respectfully yours,

  
Michael C. Galuppo, Acting Director  
Union County Welfare Board

mcg:am

CC: Senator Matthew Feldman  
Senator Alexander Menza  
Senator Anthony Scardino  
Senator Raymond Garramone  
Senator Wynona M. Lipman  
Senator Anne C. Martindell  
Senator John J. Fay, Jr.  
Senator John M. Skevin

29 Winding Way Road  
Stratford, N.J. 08084

October 10, 1974

Senator Edward J. Hughes  
c/o Thomas P. Bryan  
Legislative Services Agency  
Division of Legislative Information & Research  
State House  
Trenton, New Jersey 08625

Dear Senator Hughes:

Thank you for inviting me to the public hearing on Senate Bills 1210 and 400 on the licensing of social workers to be held on October 16.

I will not be able to attend this hearing. However, I would like to go on record as supporting the licensing of social workers in the State of New Jersey. I feel it is becoming more important each day that the public be protected from quacks in the whole broad field of counseling and social work, just as they are protected from quackery in the field of medicine.

I am sending a copy of this letter to Mr. Thomas P. Bryan, Aide to your Committee, and also to Mr. Jeffrey Fau, Executive Director of the New Jersey Chapter of the National Association of Social Workers.

Sincerely yours,

Richard G. White, Jr., ACSW

RGW:tcs

cc: Mr. Thomas P. Bryan ✓  
Mr. Jeffrey Fau

PRINCETON THEOLOGICAL SEMINARY  
PRINCETON, NEW JERSEY 08540

OFFICE OF THE PRESIDENT

October 10, 1974

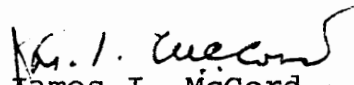
Mr. Thomas P. Bryan, Committee Aide  
Senate Labor, Industry and  
Professions Committee  
Legislative Services Agency  
State House  
Trenton, New Jersey 08625

Dear Mr. Bryan:

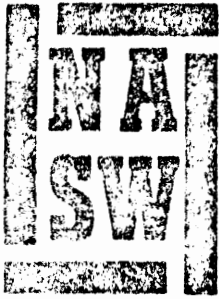
Thank you for your letter of October 4.

I am deeply grateful to Senator Edward J. Hughes for inviting me to a public hearing on Senate Bills 1210 and 400, to be held on October 16, 1974, from 10:00 a.m. to 1:00 p.m. I am vitally interested in the success of these bills and wish very much I could be present for the hearing. However, I have obligated myself to be in Indianapolis on that day to speak at the inauguration of the new President of Christian Theological Seminary. I deeply regret the conflict.

Faithfully yours,

  
James I. McCord

JIM:tag



NATIONAL  
ASSOCIATION  
OF  
SOCIAL  
WORKERS  
INC.

NEW JERSEY

SENATE COMMITTEE AMENDMENTS  
TO  
SENATE BILL No. 1210

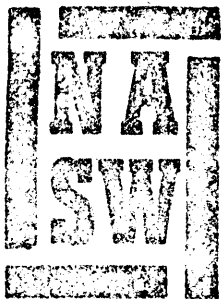
110 West State Street, Trenton, New Jersey 08608

(609) 394-1666

Amend:

Page	Sec.	Line	
1	2	5,6	After "to" delete "engage in the practice of social work", insert "practice as a social worker".
1	2	7,8	After "presently", delete "engaged in the practice of social work in this State" insert "practicing as social workers".
2	4	2,3	After "work" delete "unless licensed under this act".
2	4	4	After "technician" insert "unless licensed under this act."
2	4	6	After "specialist" insert "or social worker".
2	4	16	After "work" insert "for a fee".
3	5	4	After "counselor" insert "rehabilitation counselor"
3	5	9,10	After "practice" delete "only under the supervision of a Social Work Specialist or Social Worker licensed under this act", insert "as part of such program of study".
3	7	4	After "States" insert "And Puerto Rico".
4	7	9,18	After "applicant" delete all, insert "who has been engaged for at least two of the last five years in the practice of social work shall be exempt from the examination and academic qualifications otherwise required for the license for which application is made".
4	8	8,9	After "applicant" delete "is currently" and insert "has been".
4	8	9	After "work" insert "within the last five years".
4	8	14	After "Board", insert "Such requirements shall not be less than twenty-four clockhours of classroom, institute, or workshop instruction.





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Page	Sec.	Line	
5	11	6	After "act" insert "as specified in section 6".
5	11	7	After "and", delete "six" insert "five".
5	11	10,14	After "years;" delete "provided..years" and insert "provided, however, that of the members first appointed a citizen eligible to be licensed as a Social Work Specialist and 2 citizens not eligible to be licensed under this act, shall be appointed for terms of 2 years, a citizen eligible to be licensed as a Social Worker and a citizen eligible to be licensed as a Social Work technician and one not eligible to be licensed under this act shall be appointed for terms of 3 years, and a citizen eligible to be licensed as a Social Work Specialist and one eligible to be licensed as a Social Worker and two citizens not eligible to be licensed under this act shall be appointed for terms of 4 years."
6	15	7	After "to" delete "engage in the practice of social work", and insert "practice as a social worker".
6	15	13	After "act;" insert "Such regulations shall detail a career ladder and continuing education requirements;"
6	15	15	After "for", insert "persons practicing as".
6	15	19	After "all" delete "other".
6	16	1	After "person" delete "engage in the practice of social work but".
6	16	4	After "technician" delete "or offers to practice or" and insert "and".
7	17	4	After "social worker", insert "or".
7	17	4,5	After "technician" delete ";or from practicing social work".



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Page	Sec.	Line	
8	18	12	After "the" delete "contemplation", insert "commission".
8	18	12,13	After "crime" delete "or harmful act".
8	18	17	After "victim", delete "or perpetrator".



[illegible]

Cat. No. 23-221

