

NEW YORK STATE SOCIETY FOR CLINICAL SOCIAL WORK

Interim Information On State Compacts In New York State

What follows is the best information I have gathered to date on the pros and cons of State Compacts. Many of us are enthusiastic about the potential benefits of a streaming process for our license to practice that would allow us to provide mental health services across many states. If agreement can be reached by each state, it could provide the public with greater and easier access to more consistent care with their chosen professional.

However, as Ludwig Mies Van Der Rohe observed “God is in the details.”

Many professions have similar state requirements for education, experience and examination to qualify for a license to practice. The social work profession is an exception. Each state has developed its own criteria for the LMSW, LICSW, LCSW et al, with New York State having the highest requirements supporting its comprehensive scope of practice which is essentially equal to New York State’s clinical psychology license.

Lets begin with what is a State Compact: “licensure compacts are a statutory agreement among states that allow interstate practice of a profession based on a common set of core licensing requirements.” “These agreements must be enacted by state legislatures.”

For further information, visit NYSSCSW.org, Legislative Committee, Compacts. There you will find NYSED Initial Analysis of Interstate Licensure Compacts, February 2023 and CSWA’s national overview.

Issues to be addressed:

There are several Compact requirements that differ from NYS Laws and standards.

Keep in mind there are 50+ licensed professions in NYS which may be affected by the opportunity to join interstate systems, some simpler than others.

Any recommendation to participate in multistate licensing has to address issues such as the following:

1. Compacts require a social security number, NYSED does not. Who would this disenfranchise?
2. Compacts exclude licensees with current or past discipline actions or restrictions on a state license.
3. Compacts require a federal background check. Applicants pay this additional fee as well as for technological upgrades for ensuring transfer of information to NYSED.
4. Some Compacts require Board certification which would probably not be applicable to social work.
5. No currently proposed Compact aligns with the education, supervised experience and examination standards for New York's LCSW license.
6. New York State legislators have a long history of advocating for public protection. Statutes require child abuse protection, gun control assessments (Safe Act), gender affirming care, support for abortion counseling, mandated ethics and boundaries courses etc.

While perhaps unintended, the possibility exists that a two-tier system would be created where interstate licensees practicing in NYS would not meet the same standards as NYS LCSWs. How can the issue of quality of care be addressed?

As you have been reading, there are more and more conflicting state laws particularly in the area of gender affirming treatments and abortion services. How can this be addressed?

As you can see, Interstate Compacts are complicated. These are just some of the issues which need to be addressed before the NYS Legislature can consider legislation allowing Compact formation here. Without a thorough examination of each of these issues, New York State individual professions should not consider joining any other approved State Compact.