

# Beyond the Past: Rethinking Felony Exclusions: HB 4974 Bryant



Social workers are currently included on a list of healthcare professionals automatically barred from holding a license in the state of Texas for felony convictions. Removing social workers from this list would increase provider networks and allow the licensing boards to determine eligibility and recognize the impact of change in the efficacy of the work.

Chapter 108 of the Occupations Code calls for automatic denial or revocation of a license if a Social Worker has a felony record involving violence or sexual offense. Social workers approach the profession with a variety of life experiences that help them connect with clients, build rapport and impact outcomes.



## Why Does This Matter ?

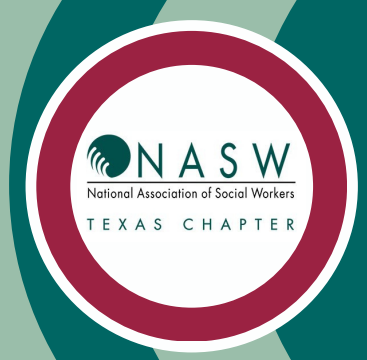
<p><b>Provider Shortage</b></p>	<ul style="list-style-type: none"> <li>• 248 of 254 Texas counties face a 97.6% shortage of mental health professionals.</li> </ul>	<p><b>Access to Care</b></p>	<ul style="list-style-type: none"> <li>• This limits access to care for underserved populations.</li> </ul>
<p><b>Licensing Barriers</b></p>	<ul style="list-style-type: none"> <li>• Restrictive licensure regulations hinder entry into social work.</li> </ul>	<p><b>Social Work Code of Ethics</b></p>	<ul style="list-style-type: none"> <li>• This contradicts the profession's principles of individual change and the dignity and worth of a person.</li> <li>• Social workers believe in an individual's ability to evolve from life experiences to live purposefully in their community.</li> <li>• Individuals labeled as felons are often oppressed by unjust systems.</li> </ul>

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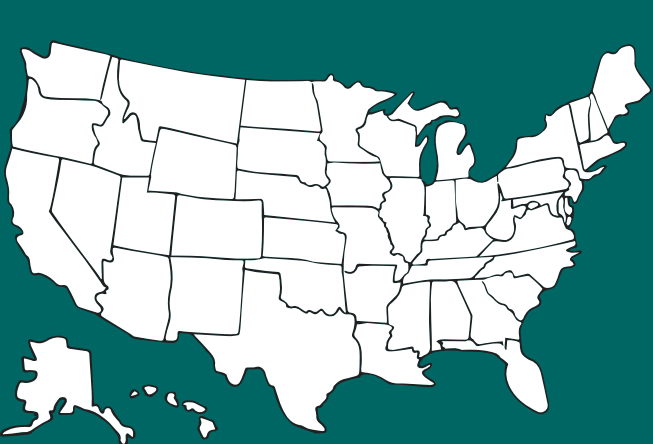
<https://www.kxan.com/news/texas/about-98-of-texas-counties-have-a-mental-health-professional-shortage/>

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## Alternate Approach

Rather than denying licensure outright, the Behavioral Health Executive Council (BHEC) should determine licensure on a case-by-case basis and in alignment with the Licensed Marriage and Family Therapists and Licensed Professional Counselors.



Arizona, Delaware, Louisiana, Ohio, Pennsylvania, Rhode Island, Wisconsin currently allow board review on a case by case basis.



California, Colorado, Illinois, North Carolina, Maryland, New Jersey, New York, Ohio, Rhode Island, Tennessee, Vermont and Washington allows licensure if rehabilitation is demonstrated.

Chapter 108 outlines a list of professions that are automatically ineligible for licensure due to a felony record. This proposed change would only exempt social workers from this regulation, leaving other professions unaffected. By doing so, we can expand the social work workforce and promote growth.

For more information, please contact:

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<https://ccresourcecenter.org/state-restoration-profiles/texas-restoration-of-rights-pardon-expungement-sealing/>

<https://documents.ncsl.org/wwwncsl/Criminal-Justice/Barriers-to-Work-People-with-Criminal-Records.pdf>