
**Health Care & Wellness
Committee**

HB 1494

Brief Description: Modifying credentialing standards for counselors.

Sponsors: Representatives Moeller, Hinkle, Seaquist, Green, Morrell, Kenney and Barlow; by request of Department of Health.

Brief Summary of Bill

- Separates the profession of registered counselors into two professions: registered agency-affiliated counselors and registered counseling associates.
- Establishes internship and trainee credentials for individuals pursuing a license as a mental health counselor, social worker, marriage and family therapist, or certification as a chemical dependency professional.

Hearing Date: 2/13/07

Staff: Chris Blake (786-7392).

Background:

The Department of Health (Department) regulates several different categories of behavioral health professionals. These include registered counselors, hypnotherapists, psychologists, chemical dependency professionals, mental health counselors, marriage and family therapists, and social workers. Registration as a counselor or hypnotherapist requires that an individual submit an application and a fee of \$40 and obtain a background check. Certification as a chemical dependency counselor requires that an individual have at least an associate's degree, pass an examination, and meet specified experience requirements. Licensing as a psychologist, mental health counselor, marriage and family therapist, or social worker requires that an individual hold a graduate degree, pass an approved examination, and meet specified experience requirements.

In 2006, at the direction of the Governor, the Department conducted a review of the registered counselor profession to determine the appropriate level of regulation for the profession. The final

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report found that the registered counselor profession was comprised of over 17,000 people using the credential in many different ways. Some counselors used their registration to meet the experience requirements necessary to obtain a license in the mental health field or a certification as a chemical dependency professional. Others held a registration to allow them to practice in state-licensed agencies and facilities, such as community mental health agencies. Others had varying levels of education and training and used the registration in an independent practice.

Summary of Bill:

The health profession of registered counselors is eliminated by separating it into two new categories of providers: agency-affiliated counselors and counseling associates. These professions are authorized to engage in therapeutic counseling for a fee which means using a recognized theory with a therapeutic technique to assist others with mental, emotional, or behavioral problems, including improving mental health, achieving sensitivity and awareness, and developing human potential. The term does not include counseling by vocational counselors, school counselors, peer counselors, domestic violence treatment providers, crime victim advocates, or camp counselors. It also excludes supportive services such as case management, human services, residential support, and the administration of tests. One must be registered as either an agency-affiliated counselor or counseling associate to practice therapeutic counseling.

Agency-affiliated counselors must be employed by an agency or facility that is regulated by the state in order to engage in therapeutic counseling. Agency affiliated counselors must provide documentation to the Department that they are employed by an agency or that they have an offer of employment. If their employment by an agency is discontinued or they obtain employment with another agency, they must notify the Department.

Counseling associates may engage in therapeutic counseling in either a private or group practice upon registering with the Department. In order to qualify for registration, a counseling associate must have at least a four-year postsecondary degree in psychology or another area of mental health counseling that includes courses in ethics, privacy, and confidentiality; counseling theory; human growth and development; abnormal psychology; and suicide risk assessment. Counseling associates must have a written supervision agreement with a licensed mental health counselor, marriage and family therapist, clinical social worker, psychologist, psychiatrist, physician, or psychiatric nurse.

In addition to other information contained in the disclosure statement that counseling associates, agency-affiliated counselors, and hypnotherapists must provide to their clients, the statement must include referral resources and information about any disciplinary actions taken against the practitioner by the Department or other agencies. The client is not responsible for any charges prior to the receipt of the disclosure.

The Secretary of Health (Secretary) must develop continuing education requirements for registered individuals. The Department must develop rules pertaining to the supervision of counseling associates and a model supervision agreement.

One must be registered with the Department to practice hypnotherapy for a fee.

Intern licenses are created for individuals pursuing a license as a social worker, mental health counselor, or marriage and family therapist. Interns must have a graduate degree and be working toward meeting the supervised experience requirements as required for a full license. Interns may

not practice independently for a fee. Interns may only practice under the supervision of an approved supervisor. An intern license may be renewed up to four times.

A chemical dependency professional trainee certificate is created for individuals working toward the education and experience requirements for certification as a chemical dependency professional. To obtain a trainee certificate, an individual must submit a declaration to the Secretary that he or she is enrolled in an approved education program and pursuing the experience requirements for full certification. Trainees must practice under levels of supervision to be determined by rule, except that the first 50 hours of client contact must be under direct supervision. A trainee certificate may be renewed up to four times.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect July 1, 2008.