

- 28 (a) engage in or represent that he is engaged in practice as a social service worker; or
- 29 (b) represent himself as or use the title of social service worker.

30 (3) An individual shall be licensed under this chapter or exempted from licensure under
31 this chapter in order to:

- 32 (a) engage in or represent that he is engaged in practice as a licensed substance abuse
33 counselor; or
- 34 (b) represent himself as or use the title of licensed substance abuse counselor.

35 (4) Notwithstanding the provisions of Subsection 58-1-307(1)(c), an individual shall be
36 certified under this chapter, or otherwise exempted from licensure under this chapter in order to
37 engage in an internship or residency program of supervised clinical training necessary to meet the
38 requirements for licensure as:

- 39 (a) a marriage and family therapist under Part 3; or
- 40 (b) a professional counselor under Part 4.

41 (5) (a) An individual shall be licensed under this chapter in order to practice, use, or apply
42 physical or mechanical restraint on or to a minor or a nonconsenting adult.

43 (b) The limitation of Subsection (5)(a) does not apply under the circumstances described
44 in Subsection 58-60-117(2).

45 Section 2. Section **58-60-117** is enacted to read:

46 **58-60-117. Restraint therapy.**

47 (1) A mental health therapist may not practice, use, or apply physical or mechanical
48 restraint on or to a patient unless the mental health therapist determines that restraint is reasonably
49 needed to:

- 50 (a) protect the patient or another person from physical injury;
- 51 (b) protect property from being damaged; or
- 52 (c) prevent flight from a hospital, as defined in Section 62A-4a-801, to which the patient
53 has been admitted.

54 (2) When the mental health therapist is absent, trained staff of the mental health therapist
55 or of the hospital may also use or apply physical or mechanical restraint under the circumstances
56 described in Subsection (1)(c).

Legislative Review Note
as of 1-17-02 3:40 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel