



# Periodic Review

## Behavioral Health

### OPLR Preliminary Recommendations



#### 1. Train Smarter, Not Harder

*Reduce entry barriers and CE burdens by targeting requirements more closely to safety*

- a. **Supervisor Requirements.** Improve the quality of master's-level clinicians' postgraduate supervision experience, while also addressing supervision capacity constraints by 1) requiring supervisors to complete training on supervision, 2) requiring supervisors to complete continuing education hours directly related to supervision, and 3) implementing one or more measures to increase supervision capacity across the state (e.g., by removing the upper limit on number of supervisees)
  - [58-60-205\(1\)\(d\)](#) - Social Worker Licensing Act
  - [58-60-307\(1\)\(b\)](#) - Marriage and Family Therapist Licensing Act
  - [58-60-405\(1\)\(d\)](#) - Clinical Mental Health Counselor Licensing Act
- b. **Supervision Hours.** Reduce the burden and increase the effectiveness of incoming clinicians' supervision hours by 1) eliminating general experience hours, 2) increasing required direct client contact hours, 3) increasing required direct clinical supervision hours, and 4) creating a direct observation hour requirement.
  - [58-60-102](#) - Mental Health Professional Practice Act
  - [58-60-205\(1\)\(d\)-\(e\)](#) - Social Worker Licensing Act
  - [58-60-305\(1\)\(d\)-\(e\)](#) - Marriage and Family Therapist Licensing Act
  - [58-60-405\(1\)\(d\)-\(e\)](#) - Clinical Mental Health Counselor Licensing Act
- c. **Continuing Education.** Reduce the burden and increase the quality and relevance of CE hours by allowing 1) case consultation and 2) direct observation to count toward required hours. (Does not require changes to statute; applies to administrative rulemaking only.)



#### 2. Expand Pathways and Portability

*Attract & retain qualified talent in the BH workforce by providing new paths to licensure*

- a. **Exam Alternate Path.** Remove unnecessary barriers to entry while maintaining high standards of safety and competence by providing an alternate pathway around clinical exam requirements that involves additional supervision and letters of recommendation.
  - [58-60-205\(1\)\(g\)](#) - Social Worker Licensing Act
  - [58-60-305\(1\)\(f\)](#) - Marriage and Family Therapist Licensing Act
  - [58-60-405\(1\)\(f\)](#) - Clinical Mental Health Counselor Licensing Act



- b. **Interstate Compacts.** Support interstate portability for practitioners while preserving Utah's ability to innovate by including pathways to both Utah-only (i.e., single-state) licensure and multi-state licensure in all interstate compact language.
- [58-1](#) - Division of Professional Licensing Act
- c. **Master of Addiction Counseling.** Provide a path for existing clinicians to work at their highest level of competency and for prospective clinicians to advance in the substance use disorder counseling specialty by creating a master of addiction counseling license.
- [58-60](#) - Mental Health Professional Practice Act
  - [58-60-5](#) - Substance Use Disorder Counselor Act



### 3. Strengthen Upstream Monitoring

*Prevent consumer harm by implementing more proactive monitoring strategies*

- a. **Recovery Assistance.** Enable behavioral health professionals to confidentially seek help while maintaining their licensure by expanding the Utah Health Professionals Program (UPHP) to 1) include behavioral health professionals and 2) cover mental health conditions.
- [58-4a-102](#) - Utah Professionals Health Program
  - [58-4a-103](#) - Utah Professionals Health Program
- b. **Proactive Measures.** Empower consumers and regulators to detect and intervene in unprofessional, unlawful, and unsafe conduct by 1) requiring safety checks (e.g., criminal, NPDB) at renewal for past offenders and 2) requiring licensees to provide clients with safety-related disclosures (e.g., licensee lookup, what is never appropriate in care, how to file a complaint) during the initial client contact or with a public posting in their place of work.
- [58-60-110](#) - Mental Health Professional Practice Act
  - [58-61-502](#) - Psychologist Licensing Act
  - [58-40-502](#) - Recreational Therapy Practice Act
  - [58-78-502](#) - Vocational Rehabilitation Counselors Licensing Act
  - [58-84](#) - State Certification of Music Therapists Act



### 4. Streamline Regulatory Structure & Governance

*Improve consistency and consumer focus by harmonizing regulation across occupations*

- a. **Scopes & Authorizations.** Promote interprofessional collaboration, regulatory consistency, and workforce flexibility by aligning scopes of practice and authorization types across behavioral health occupations according to 1) the activities and services each practitioner is authorized to perform and 2) the independence they are granted in performing them.
- [58-60-102](#) - Mental Health Professional Practice Act
  - [58-60-202\(2\)-\(4\)](#) - Social Worker Licensing Act
  - [58-60-302\(3\)](#) - Marriage and Family Therapist Licensing Act
  - [58-60-402\(2\)](#) - Clinical Mental Health Counselor Licensing Act
  - [58-60-502\(7\)-\(10\)](#) - Substance Use Disorder Counselor Act



- [58-61-102\(8\)-\(9\)](#) - Psychologist Licensing Act
  - [58-61-702\(4\)](#) - Behavior Analyst Licensing Act
  - [58-40-102\(4\)-\(6\)](#) - Recreational Therapy Practice Act
  - [58-78-102\(3\)](#) Vocational Rehabilitation Counselors Licensing Act
  - [58-84-102\(1\)](#) State Certification of Music Therapists Act
  - [26B-5-610](#) Crisis worker and certified peer support specialist qualification
  - [R523-7-4 \(9\)](#) Certified Case Manager Certification
  - [26B-4-116\(1\)\(a\)\(iv\)-\(v\)](#) Licensure of emergency medical service personnel.
- b. **Multi-Profession Board.** Foster system-level thinking and consumer focus by 1) creating a multi-profession board to fulfill board policy functions and 2) forming sub-committees by level-based scopes of practice to fulfill direct licensing functions.
- [58-1-2](#) - Division of Professional Licensing Act
  - [58-60-1](#) - Mental Health Professional Practice Act
  - [58-60-203](#) - Social Worker Licensing Act
  - [58-60-303](#) - Marriage and Family Therapist Licensing Act
  - [58-60-403](#) - Clinical Mental Health Counselor Licensing Act
  - [58-60-503](#) - Substance Use Disorder Counselor Act
  - [58-61-201](#) - Psychologist Licensing Act
  - [58-40-201](#) - Recreational Therapy Practice Act
  - [58-78-201](#) - Vocational Rehabilitation Counselors Licensing Act
  - [58-84-1](#) - State Certification of Music Therapists Act



## 5. Fill Gaps in Career Ladders & Care

*Close gaps in care by creating new ways to enter & advance in Utah's BH workforce*

- a. **Behavioral Health Extenders.** Provide additional opportunities to enter the behavioral health care workforce at the bachelor's-degree level and below and clarify career ladders by 1) creating a new behavioral health technician voluntary certification and 2) creating a new bachelor's-level generalist behavioral health license.
- [58-60](#) - Mental Health Professional Practice Act
- b. **Psychologist Prescriptive Authority.** Increase consumer access to advanced, specialized behavioral health care services by granting prescriptive authority for psychotropic medications to psychologists who complete additional training and supervision in psychopharmacology, and who prescribe in collaboration with their patients' primary care providers.
- [58-61](#) - Psychologist Licensing Act

*Details of each recommendation—including needed statutory, administrative rule, or agency procedure changes—will be provided in OPLR's final report. The report will include 1) examples of existing approaches from other jurisdictions, 2) the rationale behind each recommendation, 3) key considerations that should be addressed in implementation, and 4) additional ideas that might be adopted instead of or in addition to each recommendation.*