

**Part 4**  
**Clinical Mental Health Counselor Licensing Act**

**58-60-401 Title.**

This part is known as the "Clinical Mental Health Counselor Licensing Act."

Amended by Chapter 179, 2012 General Session

**58-60-402 Definitions.**

In addition to the definitions in Sections 58-1-102 and 58-60-102, as used in this part:

- (1) "Board" means the Clinical Mental Health Counselor Licensing Board created in Section 58-60-403.
- (2) "Practice of clinical mental health counseling" means the practice of mental health therapy by means of observation, description, evaluation, interpretation, intervention, and treatment to effect modification of human behavior by the application of generally recognized clinical mental health counseling principles, methods, and procedures for the purpose of preventing, treating, or eliminating mental or emotional illness or dysfunction, symptoms of any of these, or maladaptive behavior.

Amended by Chapter 179, 2012 General Session

**58-60-403 Board.**

- (1) There is created the Clinical Mental Health Counselor Licensing Board consisting of four clinical mental health counselors and one member from the general public.
- (2) The board shall be appointed, serve terms, and be compensated in accordance with Section 58-1-201.
- (3) The duties and responsibilities of the board are in accordance with Sections 58-1-202 and 58-1-203. In addition, the board shall:
  - (a) designate one of its members on a permanent or rotating basis to assist the division in review of complaints concerning unlawful or unprofessional practice by a licensee in the profession regulated by the board and to advise the division with respect to the conduct of investigations of the complaints; and
  - (b) disqualify any member from acting as presiding officer in any administrative procedure in which that member has previously reviewed the complaint or advised the division.

Amended by Chapter 179, 2012 General Session

**58-60-404 License classifications.**

The division shall issue licenses to individuals qualified under the provisions of this part in the classification of:

- (1) a clinical mental health counselor; or
- (2) an associate clinical mental health counselor.

Amended by Chapter 179, 2012 General Session

**58-60-405 Qualifications for licensure.**

- (1) An applicant for licensure as a clinical mental health counselor shall:

- (a) submit an application on a form provided by the division;
  - (b) pay a fee determined by the department under Section 63J-1-504;
  - (c) produce certified transcripts evidencing completion of:
    - (i) a master's or doctorate degree conferred to the applicant in:
      - (A) clinical mental health counseling, clinical rehabilitation counseling, counselor education and supervision from a program accredited by the Council for Accreditation of Counseling and Related Educational Programs; or
      - (B) clinical mental health counseling or an equivalent field from a program affiliated with an institution that has accreditation that is recognized by the Council for Higher Education Accreditation; and
    - (ii) at least 60 semester credit hours or 90 quarter credit hours of coursework related to an educational program described in Subsection (1)(c)(i);
  - (d) have completed a minimum of 3,000 hours of clinical mental health counselor training as defined by division rule under Section 58-1-203:
    - (i) under the supervision of a clinical mental health counselor, psychiatrist, psychologist, clinical social worker, registered psychiatric mental health nurse specialist, or marriage and family therapist supervisor approved by the division in collaboration with the board;
    - (ii) obtained after completion of the education requirement in Subsection (1)(c); and
    - (iii) including a minimum of two hours of training in suicide prevention via a course that the division designates as approved;
  - (e) document successful completion of not less than 1,000 hours of supervised training in mental health therapy obtained after completion of the education requirement in Subsection (1)(c), which training may be included as part of the 3,000 hours of training in Subsection (1)(d), and of which documented evidence demonstrates not less than 75 of the hours were obtained under the direct supervision of a mental health therapist, as defined by rule;
  - (f) pass the examination requirement established by division rule under Section 58-1-203; and
  - (g) if the applicant is applying to participate in the Counseling Compact under Chapter 60a, Counseling Compact, consent to a criminal background check in accordance with Section 58-60-103.1 and any requirements established by division rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (2)
- (a) An applicant for licensure as an associate clinical mental health counselor shall comply with the provisions of Subsections (1)(a) through (c).
  - (b) Except as provided under Subsection (2)(c), an individual's licensure as an associate clinical mental health counselor is limited to the period of time necessary to complete clinical training as described in Subsections (1)(d) and (e) and extends not more than two year from the date the minimum requirement for training is completed.
  - (c) The time period under Subsection (2)(b) may be extended to a maximum of four years past the date the minimum supervised clinical training requirement has been completed, if the applicant presents satisfactory evidence to the division and the appropriate board that the individual is:
    - (i) making reasonable progress toward passing of the qualifying examination for that profession; or
    - (ii) otherwise on a course reasonably expected to lead to licensure.
- (3) Notwithstanding Subsection (1)(c), an applicant satisfies the education requirement described in Subsection (1)(c) if the applicant submits documentation verifying:

- (a) satisfactory completion of a doctoral or master's degree from an educational program in rehabilitation counseling accredited by the Council for Accreditation of Counseling and Related Educational Programs;
- (b) satisfactory completion of at least 60 semester credit hours or 90 quarter credit hours of coursework related to an educational program described in Subsection (1)(c)(i); and
- (c) that the applicant received a passing score that is valid and in good standing on:
  - (i) the National Counselor Examination; and
  - (ii) the National Clinical Mental Health Counseling Examination.

Amended by Chapter 339, 2023 General Session

**58-60-406 Qualifications for admission to examination.**

All applicants for admission to any examination qualifying an individual for licensure under this part shall:

- (1) submit an application on a form provided by the division;
- (2) pay the fee established by division rule for the examination; and
- (3) certify under penalty of perjury as evidenced by notarized signature on the application for admission to the examination that the applicant has completed the education requirement and been awarded the earned degree required for licensure.

Enacted by Chapter 32, 1994 General Session

**58-60-407 Scope of practice -- Limitations.**

- (1)
  - (a) A licensed clinical mental health counselor may engage in all acts and practices defined as the practice of clinical mental health counseling without supervision, in private and independent practice, or as an employee of another person, limited only by the licensee's education, training, and competence.
  - (b) A licensed clinical mental health counselor may not supervise more than six individuals who are lawfully engaged in training for the practice of mental health therapy, unless granted an exception in writing from the division in collaboration with the board.
- (2)
  - (a) To the extent an individual has completed the educational requirements of Subsection 58-60-305(1)(c), a licensed associate clinical mental health counselor may engage in all acts and practices defined as the practice of clinical mental health counseling if the practice is:
    - (i) within the scope of employment as a licensed clinical mental health counselor with a public agency or private clinic as defined by division rule; and
    - (ii) under supervision of a qualified licensed mental health therapist as defined in Section 58-60-102.
  - (b) A licensed associate clinical mental health counselor may not engage in the independent practice of clinical mental health counseling.

Amended by Chapter 339, 2020 General Session