

Senator D. Chris Butters proposes the following substitute bill:

1 **MENTAL HEALTH PROFESSIONAL PRACTICE**

2 **ACT AMENDMENTS**

3 2003 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: D. Chris Butters**

6 **This act modifies the Mental Health Professional Practice Act by allowing a certified**
7 **social worker intern to provide mental health therapy under the supervision of a clinical**
8 **social worker. § THE ACT PROVIDES FOR THE ISSUANCE OF TEMPORARY LICENSES TO**

8a **MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS. §**

9 This act affects sections of Utah Code Annotated 1953 as follows:

10 **AMENDS:**

10a **§ 58-60-115, AS ENACTED BY CHAPTER 311, LAWS OF UTAH 1998 §**

11 **58-60-204, as enacted by Chapter 32, Laws of Utah 1994**

12 **58-60-205, as last amended by Chapter 28, Laws of Utah 1995**

12a **§ ENACTS:**

12b **58-60-117, UTAH CODE ANNOTATED 1953 §**

13 *Be it enacted by the Legislature of the state of Utah:*

13a **§ Section 1. Section 58-60-115 is amended to read:**

13b **58-60-115. License by endorsement.**

13c **The division shall issue a license by endorsement under this chapter to a person who:**

13d **(1) submits an application on a form provided by the division;**

13e **(2) pays a fee determined by the department under Section 63-38-3.2;**

13f **(3) provides documentation of current licensure in good standing in any state, district, or**
13g **territory of the United States to practice in the profession in which licensure is being sought;**

13h **(4) provides documentation of having been actively engaged in the legal practice of his**
13i **profession, including, BUT NOT LIMITED TO, mental health therapy, for not less than 4,000 hours**
13j **during the three years immediately preceding the date of application for licensure in Utah;**

13k **(5) has passed the profession specific jurisprudence examination if required of a §**



13l § new applicant; and

13m (6) is of good moral character and professional standing, and has no disciplinary action
13n pending or in effect against the applicant's license in any jurisdiction.

13o Section 2. Section 58-60-117 is enacted to read:

13p 58-60-117. Externship licenses.

13q (1) THE DIVISION SHALL ISSUE A TEMPORARY LICENSE UNDER PART 3 OR 4 OF THIS
13r CHAPTER TO A PERSON WHO:

13s (a) SUBMITS AN APPLICATION FOR LICENSURE UNDER PART 3 OR 4;

13t (b) PAYS A FEE DETERMINED BY THE DEPARTMENT UNDER SECTION 63-38-3.2;

13u (c) HOLDS AN EARNED DOCTORAL DEGREE OR MASTER'S DEGREE IN A DISCIPLINE THAT
13v IS A PREREQUISITE FOR PRACTICE AS A MENTAL HEALTH THERAPIST;

13w (d) HAS ONE OR MORE DEFICIENCIES IN COURSE WORK, EXPERIENCE, TRAINING, OR
13x EXAMINATION;

13y (e) PROVIDES MENTAL HEALTH THERAPY AS AN EMPLOYEE OF A PUBLIC OR PRIVATE
13z ORGANIZATION, WHICH PROVIDES MENTAL HEALTH THERAPY, WHILE UNDER THE SUPERVISION
13aa OF A PERSON LICENSED UNDER THIS CHAPTER; AND

13ab (f) IS OF GOOD MORAL CHARACTER AND HAS NO DISCIPLINARY ACTION PENDING OR IN
13ac EFFECT AGAINST THE APPLICANT IN CONNECTION WITH THE PRACTICE OF MENTAL HEALTH
13ad THERAPY, IN ANY JURISDICTION.

13ae (2) A TEMPORARY LICENSE ISSUED UNDER THIS SECTION SHALL EXPIRE UPON THE
13af EARLIER OF:

13ag (a) ISSUANCE OF THE LICENSE APPLIED FOR; OR

13ah (b) ONE YEAR FROM THE DATE THE TEMPORARY LICENSE WAS ISSUED.

13ai (3) THE TEMPORARY LICENSE ISSUED UNDER THIS SECTION IS AN EXTERNSHIP LICENSE. §

14 Section § ~~1~~ 3 § . Section 58-60-204 is amended to read:

15 58-60-204. License classifications.

16 The division shall issue licenses and certifications to individuals qualified under this
17 part in the classifications:

18 (1) clinical social worker;

19 (2) certified social worker; [~~and~~]

20 (3) certified social worker intern; and

21 [~~3~~] (4) social service worker.

22 Section § ~~2~~ 4 § . Section 58-60-205 is amended to read:

23 58-60-205. **Qualifications for licensure or certification as a clinical or certified**
24 **social worker, certified social worker intern, and social service worker.**

25 (1) An applicant for licensure as a clinical social worker shall:

26 (a) submit an application on a form provided by the division;
27 (b) pay a fee determined by the department under Section 63-38-3.2;
28 (c) be of good moral character;
29 (d) produce certified transcripts from an accredited institution of higher education
30 recognized by the division in collaboration with the board verifying satisfactory completion of
31 an education and earned degree as follows:

32 (i) an earned master's degree in social work resulting from completion of an education
33 program accredited by the Council on Social Work Education; or

34 (ii) an earned doctoral degree in social work that results from successful completion of
35 a clinical concentration and practicum approved by the division and defined by rule under
36 Section 58-1-203;

37 (e) have completed a minimum of 4,000 hours of clinical social work training as
38 defined by division rule under Section 58-1-203 in not less than two years and under the
39 supervision of a clinical social worker supervisor approved by the division in collaboration
40 with the board;

41 (f) document successful completion of not less than 1,000 hours of supervised training
42 in mental health therapy obtained after completion of the education requirement in Subsection
43 (1)(d), which training may be included as part of the 4,000 hours of training in Subsection
44 (1)(e), and of which documented evidence demonstrates not less than 100 of the hours were
45 obtained under the direct personal face to face supervision of a clinical social worker approved
46 by the division in collaboration with the board;

47 (g) have completed a case work, group work, or family treatment course sequence with
48 a clinical practicum in content as defined by rule under Section 58-1-203; and

49 (h) pass the examination requirement established by rule under Section 58-1-203.

50 (2) An applicant for licensure as a certified social worker shall:

51 (a) submit an application on a form provided by the division;

52 (b) pay a fee determined by the department under Section 63-38-3.2;

53 (c) be of good moral character;

54 (d) produce certified transcripts from an accredited institution of higher education
55 recognized by the division in collaboration with the Social Worker Licensing Board verifying
56 satisfactory completion of an education and an earned degree as follows:



- 57 (i) a social work education program accredited by the Council on Social Work
- 58 Education and an earned master's degree resulting from completion of that program; or
- 59 (ii) an education program that contains approved clinical social work concentration and
- 60 practicum in content as defined by rule under Section 58-1-203 and an earned doctorate
- 61 resulting from completion of that program; and
- 62 (e) pass the examination requirement established by rule under Section 58-1-203.

63 (3) (a) An applicant for certification as a certified social worker intern shall meet the

64 requirements of Subsections (2)(a), (b), (c), and (d).

65 (b) Certification under Subsection (3)(a) is limited to the time necessary to pass the

66 examination required under Subsection (2)(e) or six months, whichever occurs first.

67 (c) A certified social worker intern may provide mental health therapy under the

68 general supervision of a clinical social worker.

69 [~~3~~] (4) An applicant for licensure as a social service worker shall:

- 70 (a) submit an application on a form provided by the division;
- 71 (b) pay a fee determined by the department under Section 63-38-3.2;
- 72 (c) be of good moral character;
- 73 (d) produce certified transcripts from an accredited institution of higher education
- 74 recognized by the division in collaboration with the Social Worker Licensing Board verifying
- 75 satisfactory completion of an earned degree resulting from education as follows:

76 (i) a bachelor's degree in a social work program accredited by the Council on Social

77 Work Education;

78 (ii) a master's degree in a field approved by the division in collaboration with the social

79 worker board; or

80 (iii) a bachelor's degree in sociology, psychology, family sciences, or other field

81 approved by the division in collaboration with the Social Worker Licensing Board and also

82 documentation of 2,000 hours of supervised social work activity approved by the division in

83 collaboration with the board, which is performed after completing bachelor's degree

84 requirements under this Subsection (4);

85 (iv) a bachelor's degree in any field, if the applicant has completed:

86 (A) the equivalent of three credit hours of course work or other approved training in

87 full-life human growth behavior, abnormal psychology, social work values and ethics, social

88 welfare, or social welfare policy;

89 (B) an approved social work practice methods course; and

90 (C) one year of qualifying experience under the supervision of a licensed certified or

91 clinical social worker, which experience is approved by the division in collaboration with the

92 Social Worker Licensing Board, and which is performed after completion of the requirements

93 to obtain the bachelor's degree required under this Subsection (4); or

94 (v) successful completion of the first academic year of a Council on Social Work

95 Education approved master's of social work curriculum and practicum; and

96 (e) pass the examination requirement established by rule under Section 58-1-203.

Fiscal Note
Bill Number SB0089s2

Mental Health Professional Practice Act Amendments

13-Feb-03

12:23 PM

State Impact

This bill will generate about \$12,800 in revenue to the Commerce Service Fund.
Additional costs can be handled within existing budgets.

	<u>FY 04 Approp.</u>	<u>FY 05 Approp.</u>	<u>FY 04 Revenue</u>	<u>FY 05 Revenue</u>
Commerce Service Fund	\$0	\$0	\$12,800	\$12,800
TOTAL	\$0	\$0	\$12,800	\$12,800

Individual and Business Impact

Interns will pay an \$85 fee to process their application.

Office of the Legislative Fiscal Analyst