

## HB0283S01 compared with HB0283

~~text~~ shows text that was in HB0283 but was deleted in HB0283S01.

text shows text that was not in HB0283 but was inserted into HB0283S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Joel Ferry proposes the following substitute bill:

### MENTAL HEALTH PROFESSIONAL LICENSING

#### AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Norman K. Thurston**

Senate Sponsor: ~~\_\_\_\_\_~~ Todd D. Weiler

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#### LONG TITLE

##### General Description:

This bill amends the Mental Health Professional ~~Licensing~~ Practice Act.

##### Highlighted Provisions:

This bill:

- ▶ reduces the number of clinical hours required for licensure as ~~a~~ ;
  - a social worker;
  - a marriage and family therapist; or
  - a clinical mental health counselor.

##### Money Appropriated in this Bill:

None

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### Other Special Clauses:

None

### Utah Code Sections Affected:

AMENDS:

58-60-205, as last amended by Laws of Utah 2020, Chapter 339

58-60-305, as last amended by Laws of Utah 2020, Chapter 339

58-60-405, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 4

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

Section 1. Section 58-60-205 is amended to read:

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

- (1) An applicant for licensure as a clinical social worker 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 from an accredited institution of higher education recognized by the division in collaboration with the board verifying satisfactory completion of an education and an earned degree as follows:
    - (i) a master's degree in a social work program accredited by the Council on Social Work Education or by the Canadian Association of Schools of Social Work; or
    - (ii) a doctoral degree that contains a clinical social work concentration and practicum approved by the division, by rule, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that is consistent with Section 58-1-203;
  - (d) have completed a minimum of ~~4,000~~ 3,000 hours of clinical social work training as defined by division rule under Section 58-1-203:
    - (i) in not less than two years;
    - (ii) under the supervision of a supervisor approved by the division in collaboration with the board who is a:
      - (A) clinical mental health counselor;
      - (B) psychiatrist;
      - (C) psychologist;

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(D) registered psychiatric mental health nurse practitioner;

(E) marriage and family therapist; or

(F) clinical social worker; 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 ~~4,000~~ 3,000 hours of training in Subsection (1)(d), and of which documented evidence demonstrates not less than 100 of the hours were obtained under the direct supervision, as defined by rule, of a supervisor described in Subsection (1)(d)(ii);

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

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

(2) An applicant for licensure as a certified social worker 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 from an accredited institution of higher education recognized by the division in collaboration with the board verifying satisfactory completion of an education and an earned degree as follows:

(i) a master's degree in a social work program accredited by the Council on Social Work Education or by the Canadian Association of Schools of Social Work; or

(ii) a doctoral degree that contains a clinical social work concentration and practicum approved by the division, by rule, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that is consistent with Section 58-1-203; and

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

(3) (a) An applicant for certification as a certified social worker intern shall meet the requirements of Subsections (2)(a), (b), and (c).

(b) Certification under Subsection (3)(a) is limited to the time necessary to pass the examination required under Subsection (2)(d) or six months, whichever occurs first.

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

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general supervision, as defined by rule, of a supervisor described in Subsection (1)(d)(ii).

(4) An applicant for licensure as a social service worker 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 from an accredited institution of higher education recognized by the division in collaboration with the board verifying satisfactory completion of an education and an earned degree as follows:

(i) a bachelor's degree in a social work program accredited by the Council on Social Work Education or by the Canadian Association of Schools of Social Work;

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

(iii) a bachelor's degree in any field if the applicant:

(A) has completed at least three semester hours, or the equivalent, in each of the following areas:

(I) social welfare policy;

(II) human growth and development; and

(III) social work practice methods, as defined by rule; and

(B) provides documentation that the applicant has completed at least 2,000 hours of qualifying experience under the supervision of a mental health therapist, which experience is approved by the division in collaboration with the board, and which is performed after completion of the requirements to obtain the bachelor's degree required under this Subsection (4); or

(iv) successful completion of the first academic year of a Council on Social Work Education approved master's of social work curriculum and practicum; and

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

(5) The division shall ensure that the rules for an examination described under Subsections (1)(g), (2)(d), and (4)(d) allow additional time to complete the examination if requested by an applicant who is:

(a) a foreign born legal resident of the United States for whom English is a second language; or

(b) an enrolled member of a federally recognized Native American tribe.

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### Section 2. Section 58-60-305 is amended to read:

#### **58-60-305. Qualifications for licensure.**

(1) All applicants for licensure as marriage and family therapists 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 a masters or doctorate degree in marriage and family therapy from:

(i) a program accredited by the Commission on Accreditation for Marriage and Family Therapy Education; or

(ii) an accredited institution meeting criteria for approval established by rule under Section 58-1-203;

(d) have completed a minimum of ~~4,000~~ 3,000 hours of marriage and family therapy training as defined by division rule under Section 58-1-203:

(i) in not less than two years;

(ii) under the supervision of a mental health therapist supervisor who meets the requirements of Section 58-60-307;

(iii) obtained after completion of the education requirement in Subsection (1)(c); and

(iv) 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 described in Subsection (1)(c)(i) or (1)(c)(ii), which training may be included as part of the ~~4,000~~ 3,000 hours of training described in Subsection (1)(d), and of which documented evidence demonstrates not less than 100 of the supervised hours were obtained during direct, personal supervision, as defined by rule, by a mental health therapist supervisor qualified under Section 58-60-307; and

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

(2) (a) All applicants for licensure as an associate marriage and family therapist shall comply with the provisions of Subsections (1)(a), (b), and (c).

(b) An individual's license as an associate marriage and family therapist is limited to

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the period of time necessary to complete clinical training as described in Subsections (1)(d) and (e) and extends not more than one year from the date the minimum requirement for training is completed, unless the individual presents satisfactory evidence to the division and the appropriate board that the individual is making reasonable progress toward passing of the qualifying examination for that profession or is otherwise on a course reasonably expected to lead to licensure, but the period of time under this Subsection (2)(b) may not exceed two years past the date the minimum supervised clinical training requirement has been completed.

Section ~~41~~3. Section **58-60-405** is amended to read:

### **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 ~~4,000~~ 3,000 hours of clinical mental health counselor training as defined by division rule under Section 58-1-203:

(i) in not less than two years;

(ii) 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;

(iii) obtained after completion of the education requirement in Subsection (1)(c); and

(iv) including a minimum of two hours of training in suicide prevention via a course

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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 [~~4,000~~] 3,000 hours of training in Subsection (1)(d), and of which documented evidence demonstrates not less than 100 of the hours were obtained under the direct supervision of a mental health therapist, as defined by rule; and

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

(2) (a) An applicant for licensure as an associate clinical mental health counselor shall comply with the provisions of Subsections (1)(a), (b), and (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 one 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 two 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) [~~(a)~~] Notwithstanding Subsection (1)(c), an applicant satisfies the education requirement described in Subsection (1)(c) if the applicant submits documentation verifying:

[(i)] (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;

[(ii)] (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

[(iii)] (c) that the applicant received a passing score that is valid and in good standing on:

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~~[(A)]~~ ~~(i)~~ the National Counselor Examination; and

~~[(B)]~~ ~~(ii)~~ the National Clinical Mental Health Counseling Examination.

~~[(b)]~~ During the 2021 interim, the division shall report to the Occupational and Professional Licensure Review Committee created in Section 36-23-102 on:

~~[(i)]~~ the number of applicants who applied for licensure under this Subsection (3);

~~[(ii)]~~ the number of applicants who were approved for licensure under this Subsection (3);

~~[(iii)]~~ any changes to division rule after May 12, 2020, regarding the qualifications for licensure under this section; and

~~[(iv)]~~ recommendations for legislation or other action that the division considers necessary to carry out the provisions of this Subsection (3).