

1 **CLINICAL MENTAL HEALTH COUNSELOR LICENSING**
2 **AMENDMENTS**

3 2022 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Michael S. Kennedy**

6 House Sponsor: Merrill F. Nelson

7
8 **LONG TITLE**

9 **Committee Note:**

10 The Health and Human Services Interim Committee recommended this bill.

11 Legislative Vote: 14 voting for 0 voting against 4 absent

12 **General Description:**

13 This bill amends provisions relating to clinical mental health counselors.

14 **Highlighted Provisions:**

15 This bill:

- 16 ▶ reduces the minimum number of clinical hours required for licensure as a clinical
17 mental health counselor;
18 ▶ repeals a reporting requirement; and
19 ▶ extends the sunset date for a provision that creates a pathway to obtain licensure as
20 an associate clinical mental health counselor.

21 **Money Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 None

25 **Utah Code Sections Affected:**

26 AMENDS:

27 **58-60-405**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 4



28 **63I-1-258**, as last amended by Laws of Utah 2021, Chapter 32



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

31 Section 1. Section **58-60-405** is amended to read:

32 **58-60-405. Qualifications for licensure.**

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

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

35 (b) pay a fee determined by the department under Section **63J-1-504**;

36 (c) produce certified transcripts evidencing completion of:

37 (i) a master's or doctorate degree conferred to the applicant in:

38 (A) clinical mental health counseling, clinical rehabilitation counseling, counselor

39 education and supervision from a program accredited by the Council for Accreditation of

40 Counseling and Related Educational Programs; or

41 (B) clinical mental health counseling or an equivalent field from a program affiliated

42 with an institution that has accreditation that is recognized by the Council for Higher Education

43 Accreditation; and

44 (ii) at least 60 semester credit hours or 90 quarter credit hours of coursework related to

45 an educational program described in Subsection (1)(d)(i);

46 (d) have completed a minimum of [~~4,000~~] 3,000 hours of clinical mental health

47 counselor training as defined by division rule under Section **58-1-203**:

48 (i) in not less than two years;

49 (ii) under the supervision of a clinical mental health counselor, psychiatrist,

50 psychologist, clinical social worker, registered psychiatric mental health nurse specialist, or

51 marriage and family therapist supervisor approved by the division in collaboration with the

52 board;

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

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

55 that the division designates as approved;

56 (e) document successful completion of not less than 1,000 hours of supervised training

57 in mental health therapy obtained after completion of the education requirement in Subsection

58 (1)(c), which training may be included as part of the [~~4,000~~] 3,000 hours of training in

59 Subsection (1)(d), and of which documented evidence demonstrates not less than 100 of the
60 hours were obtained under the direct supervision of a mental health therapist, as defined by
61 rule; and

62 (f) pass the examination requirement established by division rule under Section
63 58-1-203.

64 (2) (a) An applicant for licensure as an associate clinical mental health counselor shall
65 comply with the provisions of Subsections (1)(a), (b), and (c).

66 (b) Except as provided under Subsection (2)(c), an individual's licensure as an
67 associate clinical mental health counselor is limited to the period of time necessary to complete
68 clinical training as described in Subsections (1)(d) and (e) and extends not more than one year
69 from the date the minimum requirement for training is completed.

70 (c) The time period under Subsection (2)(b) may be extended to a maximum of two
71 years past the date the minimum supervised clinical training requirement has been completed,
72 if the applicant presents satisfactory evidence to the division and the appropriate board that the
73 individual is:

74 (i) making reasonable progress toward passing of the qualifying examination for that
75 profession; or

76 (ii) otherwise on a course reasonably expected to lead to licensure.

77 (3) ~~(a)~~ Notwithstanding Subsection (1)(c), an applicant satisfies the education
78 requirement described in Subsection (1)(c) if the applicant submits documentation verifying:

79 ~~(i)~~ (a) satisfactory completion of a doctoral or master's degree from an educational
80 program in rehabilitation counseling accredited by the Council for Accreditation of Counseling
81 and Related Educational Programs;

82 ~~(ii)~~ (b) satisfactory completion of at least 60 semester credit hours or 90 quarter credit
83 hours of coursework related to an educational program described in Subsection (1)(c)(i); and

84 ~~(iii)~~ (c) that the applicant received a passing score that is valid and in good standing
85 on:

86 ~~(A)~~ (i) the National Counselor Examination; and

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

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

- 90 ~~[(i) the number of applicants who applied for licensure under this Subsection (3);]~~
- 91 ~~[(ii) the number of applicants who were approved for licensure under this Subsection~~
- 92 ~~(3);]~~
- 93 ~~[(iii) any changes to division rule after May 12, 2020, regarding the qualifications for~~
- 94 ~~licensure under this section; and]~~
- 95 ~~[(iv) recommendations for legislation or other action that the division considers~~
- 96 ~~necessary to carry out the provisions of this Subsection (3).]~~

97 Section 2. Section **63I-1-258** is amended to read:

98 **63I-1-258. Repeal dates, Title 58.**

99 (1) Section ~~58-3a-201~~, which creates the Architects Licensing Board, is repealed July

100 1, 2026.

101 (2) Section ~~58-11a-302.5~~ is repealed July 1, 2022.

102 (3) Title 58, Chapter 13, Health Care Providers Immunity from Liability Act, is

103 repealed July 1, 2026.

104 (4) Title 58, Chapter 15, Health Facility Administrator Act, is repealed July 1, 2025.

105 (5) Title 58, Chapter 20b, Environmental Health Scientist Act, is repealed July 1, 2028.

106 (6) Subsection ~~58-37-6(7)(f)(iii)~~ is repealed July 1, 2022, and the Office of Legislative

107 Research and General Counsel is authorized to renumber the remaining subsections

108 accordingly.

109 (7) Title 58, Chapter 40, Recreational Therapy Practice Act, is repealed July 1, 2023.

110 (8) Title 58, Chapter 41, Speech-Language Pathology and Audiology Licensing Act, is

111 repealed July 1, 2029.

112 (9) Title 58, Chapter 42a, Occupational Therapy Practice Act, is repealed July 1, 2025.

113 (10) Title 58, Chapter 46a, Hearing Instrument Specialist Licensing Act, is repealed

114 July 1, 2023.

115 (11) Title 58, Chapter 47b, Massage Therapy Practice Act, is repealed July 1, 2024.

116 (12) Subsection ~~58-55-201(2)~~, which creates the Alarm System and Security Licensing

117 Advisory Board, is repealed July 1, 2027.

118 (13) Subsection ~~58-60-405(3)~~, regarding certain educational qualifications for licensure

119 and reporting, is repealed July 1, ~~[2022]~~ 2032.

120 (14) Title 58, Chapter 61, Part 7, Behavior Analyst Licensing Act, is repealed July 1,

121 2026.

122 (15) Title 58, Chapter 72, Acupuncture Licensing Act, is repealed July 1, 2027.

123 (16) The following sections are repealed on July 1, 2022:

124 (a) Section 58-5a-502;

125 (b) Section 58-31b-502.5;

126 (c) Section 58-67-502.5;

127 (d) Section 58-68-502.5; and

128 (e) Section 58-69-502.5.