

SB0044S01 compared with SB0044

~~{deleted text}~~ shows text that was in SB0044 but was deleted in SB0044S01.

inserted text shows text that was not in SB0044 but was inserted into SB0044S01.

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~~{CLINICAL MENTAL HEALTH COUNSELOR LICENSING~~

~~}~~ Senator Michael S. Kennedy proposes the following substitute bill:

MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael S. Kennedy

House Sponsor: Merrill F. Nelson

LONG TITLE

~~{Committee Note:~~

~~———The Health and Human Services Interim Committee recommended this bill.~~

~~———Legislative Vote: 14 voting for 0 voting against 4 absent~~

~~}~~**General Description:**

This bill amends provisions relating to clinical mental health counselors and marriage and family therapists.

Highlighted Provisions:

This bill:

- ▶ reduces the ~~{minimum number}~~ maximum amount of ~~{clinical hours required for licensure}~~ time that an individual may practice as ~~{a}~~ an associate clinical mental health counselor or associate marriage and family therapist;

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- ▶ repeals a reporting requirement; and
- ▶ extends the sunset date for a provision that creates a pathway to obtain licensure as an associate clinical mental health counselor.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

[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

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

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

[Section 1. 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 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

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(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 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 the period of time necessary to complete clinical training as described in Subsections (1)(d) and (e) and extends not more than ~~one year~~ two years 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~~ four years past the date the minimum supervised clinical training requirement has been completed.

Section ~~41~~2. 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

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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)(d)(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 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~~ two years 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~~ 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

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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:

~~[(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).]~~

Section ~~23~~3. Section **63I-1-258** is amended to read:

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

(1) Section 58-3a-201, which creates the Architects Licensing Board, is repealed July 1, 2026.

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

(3) Title 58, Chapter 13, Health Care Providers Immunity from Liability Act, is repealed July 1, 2026.

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- (4) Title 58, Chapter 15, Health Facility Administrator Act, is repealed July 1, 2025.
- (5) Title 58, Chapter 20b, Environmental Health Scientist Act, is repealed July 1, 2028.
- (6) Subsection 58-37-6(7)(f)(iii) is repealed July 1, 2022, and the Office of Legislative Research and General Counsel is authorized to renumber the remaining subsections accordingly.
- (7) Title 58, Chapter 40, Recreational Therapy Practice Act, is repealed July 1, 2023.
- (8) Title 58, Chapter 41, Speech-Language Pathology and Audiology Licensing Act, is repealed July 1, 2029.
- (9) Title 58, Chapter 42a, Occupational Therapy Practice Act, is repealed July 1, 2025.
- (10) Title 58, Chapter 46a, Hearing Instrument Specialist Licensing Act, is repealed July 1, 2023.
- (11) Title 58, Chapter 47b, Massage Therapy Practice Act, is repealed July 1, 2024.
- (12) Subsection 58-55-201(2), which creates the Alarm System and Security Licensing Advisory Board, is repealed July 1, 2027.
- (13) Subsection 58-60-405(3), regarding certain educational qualifications for licensure and reporting, is repealed July 1, [~~2022~~] 2032.
- (14) Title 58, Chapter 61, Part 7, Behavior Analyst Licensing Act, is repealed July 1, 2026.
- (15) Title 58, Chapter 72, Acupuncture Licensing Act, is repealed July 1, 2027.
- (16) The following sections are repealed on July 1, 2022:
 - (a) Section 58-5a-502;
 - (b) Section 58-31b-502.5;
 - (c) Section 58-67-502.5;
 - (d) Section 58-68-502.5; and
 - (e) Section 58-69-502.5.