

**Proposed Substitute
Bill No. 133**

LCO No. 3440

**AN ACT CONCERNING LICENSING FOR PROFESSIONAL
COUNSELORS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-195aa of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2016*):

3 As used in sections 20-195aa to 20-195ee, inclusive, as amended by
4 this act:

5 (1) "Licensed clinical professional counselor" or "clinical professional
6 counselor" means a person who has been licensed as a clinical
7 professional counselor pursuant to this chapter;

8 (2) "Commissioner" means the Commissioner of Public Health;

9 (3) "Department" means the Department of Public Health;

10 (4) "Professional counseling" means the application, by persons
11 trained in counseling, of established principles of psycho-social
12 development and behavioral science to the evaluation, assessment,
13 analysis, diagnosis and treatment of emotional, behavioral or
14 interpersonal dysfunction or difficulties that interfere with mental
15 health and human development. "Professional counseling" includes,
16 but is not limited to, individual, group, marriage and family

17 counseling, functional assessments for persons adjusting to a
18 disability, appraisal, crisis intervention and consultation with
19 individuals or groups; [.]

20 (5) "Licensed master professional counselor" or "master professional
21 counselor" means a person who has been licensed as a licensed master
22 professional counselor pursuant to this chapter and practices
23 professional counseling only under professional supervision;

24 (6) "Under professional supervision" means the practice of
25 professional counseling under the supervision of a licensed clinical
26 professional counselor, a physician licensed pursuant to chapter 370,
27 who is certified in psychiatry by the American Board of Psychiatry and
28 Neurology, an advanced practice registered nurse licensed pursuant to
29 chapter 378, who is certified as an adult psychiatric and mental health
30 clinical nurse specialist by the American Nurses Credentialing Center,
31 a psychologist licensed pursuant to chapter 383, a marital and family
32 therapist licensed pursuant to chapter 383a or a licensed clinical social
33 worker licensed pursuant to chapter 383b; and

34 (7) "Professional supervision" means face-to-face consultation
35 between one supervisor, who is a person described in subdivision (6)
36 of this section, and one person receiving supervision that consists of
37 not less than a monthly review with a written evaluation and
38 assessment by the supervisor of such person's practice of professional
39 counseling.

40 Sec. 2. Section 20-195bb of the general statutes is repealed and the
41 following is substituted in lieu thereof (*Effective October 1, 2016*):

42 (a) Except as provided in subsection (c) of this section, no person
43 may practice professional counseling unless licensed pursuant to
44 section 20-195cc, as amended by this act.

45 (b) No person may use the title "licensed professional counselor",
46 "licensed clinical professional counselor", "clinical professional
47 counselor", "licensed master professional counselor", or a "master

48 professional counselor" or make use of any title, words, letters or
49 abbreviations that may reasonably be confused with licensure as a
50 clinical professional counselor or a master professional counselor
51 unless licensed pursuant to section 20-195cc, as amended by this act.

52 (c) No license as a clinical professional counselor or a master
53 professional counselor shall be required of the following: (1) A person
54 who furnishes uncompensated assistance in an emergency; (2) a
55 clergyman, priest, minister, rabbi or practitioner of any religious
56 denomination accredited by the religious body to which the person
57 belongs and settled in the work of the ministry, provided the activities
58 that would otherwise require a license as a clinical professional
59 counselor or a master professional counselor are within the scope of
60 ministerial duties; (3) a sexual assault counselor, as defined in section
61 52-146k; (4) a person participating in uncompensated group or
62 individual counseling; (5) a person with a master's degree in a health-
63 related or human services-related field employed by a hospital, as
64 defined in subsection (b) of section 19a-490, performing services in
65 accordance with section 20-195aa, as amended by this act, under the
66 supervision of a person licensed by the state in one of the professions
67 identified in [subparagraphs (A) to (F), inclusive, of subdivision (2) of
68 subsection (a) of section 20-195dd] subdivision (6) of section 20-195aa,
69 as amended by this act; (6) a person licensed or certified by any agency
70 of this state and performing services within the scope of practice for
71 which he or she is licensed or certified; (7) a student, intern or trainee
72 pursuing a course of study in counseling in a regionally accredited
73 institution of higher education, provided the activities that would
74 otherwise require a license as a clinical professional counselor or a
75 master professional counselor are performed under supervision and
76 constitute a part of a supervised course of study; (8) a person
77 employed by an institution of higher education to provide academic
78 counseling in conjunction with the institution's programs and services;
79 or (9) a vocational rehabilitation counselor, job counselor, credit
80 counselor, consumer counselor or any other counselor or
81 psychoanalyst who does not purport to be a [counselor] clinical
82 professional counselor or a master professional counselor whose

83 primary service is the application of established principles of psycho-
84 social development and behavioral science to the evaluation,
85 assessment, analysis and treatment of emotional, behavioral or
86 interpersonal dysfunction or difficulties that interfere with mental
87 health and human development.

88 Sec. 3. Section 20-195cc of the 2016 supplement to the general
89 statutes is repealed and the following is substituted in lieu thereof
90 (*Effective October 1, 2016*):

91 (a) The Commissioner of Public Health shall grant a license as a
92 clinical professional counselor or a master professional counselor to
93 any applicant who furnishes evidence satisfactory to the commissioner
94 that such applicant has met the requirements of section 20-195dd, as
95 amended by this act. The commissioner shall develop and provide
96 application forms. The application fee shall be three hundred fifteen
97 dollars.

98 (b) Licenses issued under this section may be renewed annually
99 pursuant to section 19a-88, provided a license as a master professional
100 counselor shall not be renewed more than two times. The fee for such
101 renewal shall be one hundred ninety-five dollars. Each licensed clinical
102 professional counselor and licensed master professional counselor
103 applying for license renewal shall furnish evidence satisfactory to the
104 commissioner of having participated in continuing education
105 programs. The commissioner shall adopt regulations, in accordance
106 with chapter 54, to (1) define basic requirements for continuing
107 education programs [, which] that shall include (A) not less than one
108 contact hour of training or education each registration period on the
109 topic of cultural competency, [and,] (B) on and after January 1, 2016,
110 not less than two contact hours of training or education during the first
111 renewal period in which continuing education is required and not less
112 than once every six years thereafter on the topic of mental health
113 conditions common to veterans and family members of veterans,
114 including [(A)] (i) determining whether a patient is a veteran or family
115 member of a veteran, [(B)] (ii) screening for conditions such as post-

116 traumatic stress disorder, risk of suicide, depression and grief, and
117 [(C)] (iii) suicide prevention training, and (C) on and after January 1,
118 2017, not less than three contact hours of training or education each
119 registration period on the topic of professional ethics, (2) delineate
120 qualifying programs, (3) establish a system of control and reporting,
121 and (4) provide for a waiver of the continuing education requirement
122 for good cause.

123 Sec. 4. Section 20-195dd of the general statutes is repealed and the
124 following is substituted in lieu thereof (*Effective October 1, 2016*):

125 (a) (1) Except as otherwise provided in [subsections (b) and (c) of]
126 this section, an applicant for a license as a clinical professional
127 counselor shall submit evidence satisfactory to the [Commissioner of
128 Public Health] commissioner of having: (1) Completed sixty graduate
129 semester hours in or related to the discipline of counseling at a
130 regionally accredited institution of higher education, [which] that
131 included coursework in each of the following areas: (A) Human
132 growth and development, (B) social and cultural foundations, (C)
133 counseling theories and techniques or helping relationships, (D) group
134 dynamics, (E) processing and counseling, (F) career and lifestyle
135 development, (G) appraisals or tests and measurements for individuals
136 and groups, (H) research and evaluation, and (I) professional
137 orientation to counseling; (2) earned, from a regionally accredited
138 institution of higher education a master's or doctoral degree in social
139 work, marriage and family therapy, counseling, psychology or a
140 related mental health field; (3) acquired three thousand hours of
141 postgraduate-degree-supervised experience in the practice of
142 professional counseling, performed over a period of not less than one
143 year, that included a minimum of one hundred hours of direct
144 supervision by (A) a physician licensed pursuant to chapter 370 who
145 has obtained certification in psychiatry from the American Board of
146 Psychiatry and Neurology, (B) a psychologist licensed pursuant to
147 chapter 383, (C) an advanced practice registered nurse licensed
148 pursuant to chapter 378 and certified as a clinical specialist in adult
149 psychiatric and mental health nursing with the American Nurses

150 Credentialing Center, (D) a marital and family therapist licensed
151 pursuant to chapter 383a, (E) a clinical social worker licensed pursuant
152 to chapter 383b, (F) a professional counselor licensed, or prior to
153 October 1, 1998, eligible for licensure, pursuant to section 20-195cc, as
154 amended by this act, or (G) a physician certified in psychiatry by the
155 American Board of Psychiatry and Neurology, psychologist, advanced
156 practice registered nurse certified as a clinical specialist in adult
157 psychiatric and mental health nursing with the American Nurses
158 Credentialing Center, marital and family therapist, clinical social
159 worker or professional counselor licensed or certified as such or as a
160 person entitled to perform similar services, under a different
161 designation, in another state or jurisdiction whose requirements for
162 practicing in such capacity are substantially similar to or higher than
163 those of this state; and (4) passed an examination prescribed by the
164 commissioner.

165 (2) Except as otherwise provided in this section, an applicant for a
166 license as a clinical professional counselor on and after October 1, 2017,
167 shall submit evidence satisfactory to the commissioner of having: (A)
168 (i) Completed a graduate degree or sixth-year certificate in counseling
169 that included (I) not less than one hundred hours in a counseling
170 practicum consisting of not less than forty hours of direct client
171 contact, and (II) not less than six hundred hours in a clinical mental
172 health counseling internship consisting of not less than two hundred
173 forty hours of direct client contact, and (ii) earned at least sixty
174 graduate semester hours of coursework in counseling offered (I) as
175 part of a program accredited by the Council for the Accreditation of
176 Counseling and Related Educational Programs or the Council on
177 Rehabilitation Education, or (II) by a regionally accredited institution
178 of higher education that provides counseling coursework that is
179 determined by the commissioner to be equivalent to coursework
180 offered as part of a program accredited by said councils; (B) acquired
181 three thousand hours of postgraduate-degree supervised experience in
182 the practice of professional counseling, performed over a period of not
183 less than two years, that included a minimum of one hundred hours in
184 the practice of professional counseling under professional supervision;

185 and (C) passed an examination prescribed by the commissioner.

186 (b) Except as otherwise provided in this section, an applicant for
187 licensure as a master professional counselor on and after October 1,
188 2017, shall submit evidence satisfactory to the commissioner of having:
189 (1) Completed a graduate degree or sixth-year certificate in counseling
190 that included (A) not less than one hundred hours in a counseling
191 practicum consisting of not less than forty hours of direct client
192 contact, and (B) not less than six hundred hours in a clinical mental
193 health counseling internship consisting of not less than two hundred
194 forty hours of direct client contact, and (2) earned at least sixty
195 graduate semester hours of coursework in counseling offered (A) as
196 part of a program accredited by the Council for the Accreditation of
197 Counseling and Related Educational Programs or the Council on
198 Rehabilitation Education, or (B) by a regionally accredited institution
199 of higher education that provides counseling coursework that is
200 determined by the commissioner to be equivalent to coursework
201 offered as part of a program accredited by said councils.

202 [(b)] (c) An applicant for licensure as a clinical professional
203 counselor or a master professional counselor by endorsement shall
204 present evidence satisfactory to the commissioner that the applicant is
205 licensed or certified as a professional counselor, or as a person entitled
206 to perform similar services under a different designation, in another
207 state or jurisdiction whose requirements for practicing in such capacity
208 are substantially similar to or higher than those of this state and that
209 there are no disciplinary actions or unresolved complaints pending.

210 [(c)] (d) An applicant who is currently licensed or certified as a
211 clinical professional counselor or a master professional counselor or
212 [its] the equivalent in another state, territory or commonwealth of the
213 United States may substitute three years of licensed or certified work
214 experience in the practice of professional counseling in lieu of the
215 requirements of subdivision (3) of subsection (a) of this section,
216 provided the commissioner finds that such experience is equal to or
217 greater than the requirements of this state.

218 Sec. 5. Section 20-195ee of the general statutes is repealed and the
219 following is substituted in lieu thereof (*Effective October 1, 2016*):

220 The Commissioner of Public Health may take any disciplinary
221 action set forth in section 19a-17 against a licensed clinical professional
222 counselor or a licensed master professional counselor for any of the
223 following reasons: (1) Failure to conform to the accepted standards of
224 the profession; (2) conviction of a felony; (3) fraud or deceit in
225 obtaining or seeking reinstatement of a license to practice professional
226 counseling; (4) fraud or deceit in the practice of professional
227 counseling; (5) negligent, incompetent or wrongful conduct in
228 professional activities; (6) physical, mental or emotional illness or
229 disorder resulting in an inability to conform to the accepted standards
230 of the profession; (7) alcohol or substance abuse; (8) wilful falsification
231 of entries in any hospital, patient or other record pertaining to
232 professional counseling; or (9) violation of any provision of sections 20-
233 195aa to 20-195dd, inclusive, as amended by this act, or any regulation
234 adopted pursuant to section 20-195ff. The commissioner may order a
235 license holder to submit to a reasonable physical or mental
236 examination if his or her physical or mental capacity to practice safely
237 is the subject of an investigation. The commissioner may petition the
238 superior court for the judicial district of Hartford to enforce such order
239 or any action taken pursuant to said section 19a-17. The commissioner
240 shall give notice and an opportunity to be heard on any contemplated
241 action under said section 19a-17.

242 Sec. 6. Subdivision (20) of section 4e-1 of the general statutes is
243 repealed and the following is substituted in lieu thereof (*Effective*
244 *October 1, 2016*):

245 (20) "Professional services" means any type of service to the public
246 that requires that members of a profession rendering such service
247 obtain a license or other legal authorization as a condition precedent to
248 the rendition thereof, including, but not limited to, the professional
249 services of architects, professional engineers, or jointly by architects
250 and professional engineers, landscape architects, certified public

251 accountants and public accountants, land surveyors, attorneys-at-law,
252 psychologists, licensed marital and family therapists, licensed clinical
253 professional counselors, licensed master professional counselors and
254 licensed clinical social workers as well as such other professional
255 services described in section 33-182a, as amended by this act;

256 Sec. 7. Section 5-206a of the general statutes is repealed and the
257 following is substituted in lieu thereof (*Effective October 1, 2016*):

258 The Commissioner of Administrative Services shall establish a job
259 classification series for marital and family therapists licensed under
260 chapter 383a and clinical professional counselors and master
261 professional counselors licensed under chapter 383c.

262 Sec. 8. Subdivision (7) of section 17a-22ee of the 2016 supplement to
263 the general statutes is repealed and the following is substituted in lieu
264 thereof (*Effective October 1, 2016*):

265 (7) "Therapist" means any (A) physician licensed pursuant to
266 chapter 370 who specializes in psychiatry, (B) psychologist [or
267 professional counselor] licensed pursuant to chapter 383, (C) marital
268 and family therapist licensed pursuant to chapter 383a, [or] (D) clinical
269 social worker or master social worker licensed pursuant to chapter
270 383b, or (E) clinical professional counselor or master professional
271 counselor licensed pursuant to chapter 383c; and

272 Sec. 9. Subsection (f) of section 17a-78 of the general statutes is
273 repealed and the following is substituted in lieu thereof (*Effective*
274 *October 1, 2016*):

275 (f) Any clinical social worker licensed under chapter 383b, advanced
276 practice registered nurse licensed under chapter 378 or clinical
277 professional counselor licensed under chapter 383c who has (1)
278 received a minimum of eight hours of specialized training in the
279 conduct of direct evaluations as a member of any emergency mobile
280 psychiatric services team under contract with the Department of
281 Children and Families, and (2) reasonable cause to believe, based on a

282 direct evaluation of a child, that such child (A) has psychiatric
283 disabilities, (B) is dangerous to himself or others or gravely disabled,
284 and (C) is in need of immediate care and treatment may issue an
285 emergency certificate that requires the hospitalization of such child for
286 a psychiatric and medical evaluation. Such child shall be evaluated not
287 later than twenty-four hours after the issuance of the emergency
288 certificate and shall not be held for more than seventy-two hours
289 pursuant to such certificate unless committed pursuant to section 17a-
290 77. The Commissioner of Children and Families shall collect and
291 maintain statistical and demographic information pertaining to
292 emergency certificates issued under this subsection.

293 Sec. 10. Subsection (b) of section 17a-101 of the 2016 supplement to
294 the general statutes is repealed and the following is substituted in lieu
295 thereof (*Effective October 1, 2016*):

296 (b) The following persons shall be mandated reporters: (1) Any
297 physician or surgeon licensed under the provisions of chapter 370, (2)
298 any resident physician or intern in any hospital in this state, whether
299 or not so licensed, (3) any registered nurse, (4) any licensed practical
300 nurse, (5) any medical examiner, (6) any dentist, (7) any dental
301 hygienist, (8) any psychologist, (9) any school employee, as defined in
302 section 53a-65, (10) social worker, (11) any person who holds or is
303 issued a coaching permit by the State Board of Education, is a coach of
304 intramural or interscholastic athletics and is eighteen years of age or
305 older, (12) any individual who is employed as a coach or director of
306 youth athletics and is eighteen years of age or older, (13) any
307 individual who is employed as a coach or director of a private youth
308 sports organization, league or team and is eighteen years of age or
309 older, (14) any paid administrator, faculty, staff, athletic director,
310 athletic coach or athletic trainer employed by a public or private
311 institution of higher education who is eighteen years of age or older,
312 excluding student employees, (15) any police officer, (16) any juvenile
313 or adult probation officer, (17) any juvenile or adult parole officer, (18)
314 any member of the clergy, (19) any pharmacist, (20) any physical
315 therapist, (21) any optometrist, (22) any chiropractor, (23) any

316 podiatrist, (24) any mental health professional, (25) any physician
317 assistant, (26) any person who is a licensed or certified emergency
318 medical services provider, (27) any person who is a licensed or
319 certified alcohol and drug counselor, (28) any person who is a licensed
320 marital and family therapist, (29) any person who is a sexual assault
321 counselor or a domestic violence counselor, as defined in section 52-
322 146k, (30) any person who is a licensed clinical professional counselor
323 or a licensed master professional counselor, (31) any person who is a
324 licensed foster parent, (32) any person paid to care for a child in any
325 public or private facility, child care center, group child care home or
326 family child care home licensed by the state, (33) any employee of the
327 Department of Children and Families, (34) any employee of the
328 Department of Public Health, (35) any employee of the Office of Early
329 Childhood who is responsible for the licensing of child care centers,
330 group child care homes, family child care homes or youth camps, (36)
331 any paid youth camp director or assistant director, (37) the Child
332 Advocate and any employee of the Office of the Child Advocate, and
333 (38) any family relations counselor, family relations counselor trainee
334 or family services supervisor employed by the Judicial Department.

335 Sec. 11. Subsection (c) of section 17b-28e of the general statutes is
336 repealed and the following is substituted in lieu thereof (*Effective*
337 *October 1, 2016*):

338 (c) Not later than October 1, 2014, the Commissioner of Social
339 Services shall amend the Medicaid state plan to include services
340 provided by the following licensed behavioral health clinicians in
341 independent practice to Medicaid recipients who are twenty-one years
342 of age or older: (1) Psychologists licensed under chapter 383, (2)
343 clinical social workers licensed under subsection (c) or (e) of section 20-
344 195n, (3) alcohol and drug counselors licensed under section 20-74s, (4)
345 clinical professional counselors or master professional counselors
346 licensed under sections 20-195cc and 20-195dd, as amended by this act,
347 and (5) marital and family therapists licensed under section 20-195c.
348 The commissioner shall include such services as optional services
349 covered under the Medicaid program and provide direct Medicaid

350 reimbursements to such licensed behavioral health clinicians who are
351 enrolled as Medicaid providers and who treat such Medicaid
352 recipients in independent practice settings. The commissioner may
353 implement policies and procedures necessary to implement this
354 subsection in advance of regulations, provided the commissioner
355 prints notice of intent to adopt the regulations in accordance with
356 section 17b-10 not later than twenty days after the date of
357 implementation of such policies and procedures. Such policies and
358 procedures shall be valid until the time final regulations are adopted.

359 Sec. 12. Subsection (c) of section 19a-14 of the 2016 supplement to
360 the general statutes is repealed and the following is substituted in lieu
361 thereof (*Effective October 1, 2016*):

362 (c) No board shall exist for the following professions that are
363 licensed or otherwise regulated by the Department of Public Health:

364 (1) Speech and language pathologist and audiologist;

365 (2) Hearing instrument specialist;

366 (3) Nursing home administrator;

367 (4) Sanitarian;

368 (5) Subsurface sewage system installer or cleaner;

369 (6) Marital and family therapist;

370 (7) Nurse-midwife;

371 (8) Licensed clinical social worker;

372 (9) Respiratory care practitioner;

373 (10) Asbestos contractor and asbestos consultant;

374 (11) Massage therapist;

375 (12) Registered nurse's aide;

- 376 (13) Radiographer;
- 377 (14) Dental hygienist;
- 378 (15) Dietitian-Nutritionist;
- 379 (16) Asbestos abatement worker;
- 380 (17) Asbestos abatement site supervisor;
- 381 (18) Licensed or certified alcohol and drug counselor;
- 382 (19) [Professional] Licensed clinical professional counselor or
383 licensed master professional counselor;
- 384 (20) Acupuncturist;
- 385 (21) Occupational therapist and occupational therapist assistant;
- 386 (22) Lead abatement contractor, lead consultant contractor, lead
387 consultant, lead abatement supervisor, lead abatement worker,
388 inspector and planner-project designer;
- 389 (23) Emergency medical technician, advanced emergency medical
390 technician, emergency medical responder and emergency medical
391 services instructor;
- 392 (24) Paramedic;
- 393 (25) Athletic trainer;
- 394 (26) Perfusionist;
- 395 (27) Master social worker subject to the provisions of section 20-
396 195v;
- 397 (28) Radiologist assistant, subject to the provisions of section 20-74tt;
- 398 (29) Homeopathic physician;
- 399 (30) Certified water treatment plant operator, certified distribution

400 system operator, certified small water system operator, certified
401 backflow prevention device tester and certified cross connection
402 survey inspector, including certified limited operators, certified
403 conditional operators and certified operators in training;

404 (31) Tattoo technician; and

405 (32) Genetic counselor.

406 The department shall assume all powers and duties normally vested
407 with a board in administering regulatory jurisdiction over such
408 professions. The uniform provisions of this chapter and chapters 368v,
409 369 to 381a, inclusive, 383 to 388, inclusive, 393a, 395, 398, 399, 400a
410 and 400c, including, but not limited to, standards for entry and
411 renewal; grounds for professional discipline; receiving and processing
412 complaints; and disciplinary sanctions, shall apply, except as otherwise
413 provided by law, to the professions listed in this subsection.

414 Sec. 13. Subdivision (11) of subsection (a) of section 19a-906 of the
415 2016 supplement to the general statutes is repealed and the following
416 is substituted in lieu thereof (*Effective October 1, 2016*):

417 (11) "Telehealth provider" means any physician licensed under
418 chapter 370, physical therapist licensed under chapter 376,
419 chiropractor licensed under chapter 372, naturopath licensed under
420 chapter 373, podiatrist licensed under chapter 375, occupational
421 therapist licensed under chapter 376a, optometrist licensed under
422 chapter 380, advanced practice registered nurse licensed under chapter
423 378, physician assistant licensed under chapter 370, psychologist
424 licensed under chapter 383, marital and family therapist licensed
425 under chapter 383a, clinical social worker or master social worker
426 licensed under chapter 383b, alcohol and drug counselor licensed
427 under chapter 376b, clinical professional counselor or master
428 professional counselor licensed under chapter 383c or dietitian-
429 nutritionist certified under chapter 384b, who is providing health care
430 or other health services through the use of telehealth within such
431 person's scope of practice and in accordance with the standard of care

432 applicable to the profession.

433 Sec. 14. Subdivision (7) of section 20-195m of the general statutes is
434 repealed and the following is substituted in lieu thereof (*Effective*
435 *October 1, 2016*):

436 (7) "Under professional supervision" means the practice of clinical
437 social work under the supervision of a physician licensed pursuant to
438 chapter 370, an advanced practice registered nurse licensed pursuant
439 to chapter 378, a psychologist licensed pursuant to chapter 383, a
440 marital and family therapist licensed pursuant to chapter 383a, a
441 clinical social worker licensed pursuant to this chapter or a clinical
442 professional counselor licensed pursuant to chapter 383c; and

443 Sec. 15. Subsection (a) of section 20-195s of the general statutes is
444 repealed and the following is substituted in lieu thereof (*Effective*
445 *October 1, 2016*):

446 (a) An individual licensed as a master social worker pursuant to
447 section 20-195n may: (1) Practice clinical social work under
448 professional supervision; and (2) offer a mental health diagnosis
449 provided such diagnosis is offered in consultation with a physician
450 licensed pursuant to chapter 370, an advanced practice registered
451 nurse licensed pursuant to chapter 378, a psychologist licensed
452 pursuant to chapter 383, a marital and family therapist licensed
453 pursuant to chapter 383a, a clinical professional counselor licensed
454 pursuant to chapter 383c or a clinical social worker licensed pursuant
455 to this chapter. Except as provided in subsection (c) of section 20-195q,
456 a licensed master social worker may not engage in independent
457 practice.

458 Sec. 16. Subdivision (1) of section 33-182a of the general statutes is
459 repealed and the following is substituted in lieu thereof (*Effective*
460 *October 1, 2016*):

461 (1) "Professional service" means any type of service to the public
462 that requires that members of a profession rendering such service

463 obtain a license or other legal authorization as a condition precedent to
464 the rendition thereof, limited to the professional services rendered by
465 dentists, naturopaths, chiropractors, physicians and surgeons,
466 physician assistants, doctors of dentistry, physical therapists,
467 occupational therapists, podiatrists, optometrists, nurses, nurse-
468 midwives, veterinarians, pharmacists, architects, professional
469 engineers, or jointly by architects and professional engineers,
470 landscape architects, real estate brokers, insurance producers, certified
471 public accountants and public accountants, land surveyors,
472 psychologists, attorneys-at-law, licensed marital and family therapists,
473 licensed clinical professional counselors, licensed master professional
474 counselors and licensed clinical social workers.

475 Sec. 17. Subdivision (25) of section 34-101 of the general statutes is
476 repealed and the following is substituted in lieu thereof (*Effective*
477 *October 1, 2016*):

478 (25) "Professional service" means any type of service to the public
479 that requires that members of a profession rendering such service
480 obtain a license or other legal authorization as a condition precedent to
481 the rendition thereof, limited to the professional services rendered by
482 dentists, naturopaths, chiropractors, physicians and surgeons, doctors
483 of dentistry, physical therapists, occupational therapists, podiatrists,
484 optometrists, nurses, nurse-midwives, veterinarians, pharmacists,
485 architects, professional engineers, or jointly by architects and
486 professional engineers, landscape architects, real estate brokers,
487 insurance producers, certified public accountants and public
488 accountants, land surveyors, psychologists, attorneys-at-law, licensed
489 marital and family therapists, licensed clinical professional counselors,
490 licensed master professional counselors, licensed or certified alcohol
491 and drug counselors and licensed clinical social workers.

492 Sec. 18. Subsections (e) to (g), inclusive, of section 38a-488a of the
493 2016 supplement to the general statutes are repealed and the following
494 is substituted in lieu thereof (*Effective October 1, 2016*):

495 (e) In the case of benefits payable for the services of a licensed

496 physician or psychologist, such benefits shall be payable for the same
497 services when such services are rendered by:

498 (1) A clinical social worker who is licensed under the provisions of
499 chapter 383b and who has passed the clinical examination of the
500 American Association of State Social Work Boards and has completed
501 at least two thousand hours of post-master's social work experience in
502 a nonprofit agency qualifying as a tax-exempt organization under
503 Section 501(c) of the Internal Revenue Code of 1986 or any subsequent
504 corresponding internal revenue code of the United States, as from time
505 to time amended, in a municipal, state or federal agency or in an
506 institution licensed by the Department of Public Health under section
507 19a-490;

508 (2) A social worker who was certified as an independent social
509 worker under the provisions of chapter 383b prior to October 1, 1990;

510 (3) A licensed marital and family therapist who has completed at
511 least two thousand hours of post-master's marriage and family therapy
512 work experience in a nonprofit agency qualifying as a tax-exempt
513 organization under Section 501(c) of the Internal Revenue Code of 1986
514 or any subsequent corresponding internal revenue code of the United
515 States, as from time to time amended, in a municipal, state or federal
516 agency or in an institution licensed by the Department of Public Health
517 under section 19a-490;

518 (4) A marital and family therapist who was certified under the
519 provisions of chapter 383a prior to October 1, 1992;

520 (5) A licensed alcohol and drug counselor, as defined in section 20-
521 74s, or a certified alcohol and drug counselor, as defined in section 20-
522 74s;

523 (6) A [licensed] clinical professional counselor or a master
524 professional counselor licensed under the provisions of chapter 383c;
525 or

526 (7) An advanced practice registered nurse licensed under chapter

527 378.

528 (f) (1) In the case of benefits payable for the services of a licensed
529 physician, such benefits shall be payable for (A) services rendered in a
530 child guidance clinic or residential treatment facility by a person with a
531 master's degree in social work or by a person with a master's degree in
532 marriage and family therapy under the supervision of a psychiatrist,
533 physician, licensed marital and family therapist, or licensed clinical
534 social worker who is eligible for reimbursement under subdivisions (1)
535 to (4), inclusive, of subsection (e) of this section; (B) services rendered
536 in a residential treatment facility by a licensed or certified alcohol and
537 drug counselor who is eligible for reimbursement under subdivision
538 (5) of subsection (e) of this section; or (C) services rendered in a
539 residential treatment facility by a licensed clinical professional
540 counselor or a licensed master professional counselor who is eligible
541 for reimbursement under subdivision (6) of subsection (e) of this
542 section.

543 (2) In the case of benefits payable for the services of a licensed
544 psychologist under subsection (e) of this section, such benefits shall be
545 payable for (A) services rendered in a child guidance clinic or
546 residential treatment facility by a person with a master's degree in
547 social work or by a person with a master's degree in marriage and
548 family therapy under the supervision of such licensed psychologist,
549 licensed marital and family therapist, or licensed clinical social worker
550 who is eligible for reimbursement under subdivisions (1) to (4),
551 inclusive, of subsection (e) of this section; (B) services rendered in a
552 residential treatment facility by a licensed or certified alcohol and drug
553 counselor who is eligible for reimbursement under subdivision (5) of
554 subsection (e) of this section; or (C) services rendered in a residential
555 treatment facility by a licensed clinical professional counselor or a
556 licensed master professional counselor who is eligible for
557 reimbursement under subdivision (6) of subsection (e) of this section.

558 (g) In the case of benefits payable for the service of a licensed
559 physician practicing as a psychiatrist or a licensed psychologist, under

560 subsection (e) of this section, such benefits shall be payable for
561 outpatient services rendered (1) in a nonprofit community mental
562 health center, as defined by the Department of Mental Health and
563 Addiction Services, in a nonprofit licensed adult psychiatric clinic
564 operated by an accredited hospital or in a residential treatment facility;
565 (2) under the supervision of a licensed physician practicing as a
566 psychiatrist, a licensed psychologist, a licensed marital and family
567 therapist, a licensed clinical social worker, a licensed or certified
568 alcohol and drug counselor, or a licensed clinical professional
569 counselor or a licensed master professional counselor who is eligible
570 for reimbursement under subdivisions (1) to (6), inclusive, of
571 subsection (e) of this section; and (3) within the scope of the license
572 issued to the center or clinic by the Department of Public Health or to
573 the residential treatment facility by the Department of Children and
574 Families.

575 Sec. 19. Subsections (e) to (g) of section 38a-514 of the 2016
576 supplement to the general statutes are repealed and the following is
577 substituted in lieu thereof (*Effective October 1, 2016*):

578 (e) In the case of benefits payable for the services of a licensed
579 physician or psychologist, such benefits shall be payable for the same
580 services when such services are rendered by:

581 (1) A clinical social worker who is licensed under the provisions of
582 chapter 383b and who has passed the clinical examination of the
583 American Association of State Social Work Boards and has completed
584 at least two thousand hours of post-master's social work experience in
585 a nonprofit agency qualifying as a tax-exempt organization under
586 Section 501(c) of the Internal Revenue Code of 1986 or any subsequent
587 corresponding internal revenue code of the United States, as from time
588 to time amended, in a municipal, state or federal agency or in an
589 institution licensed by the Department of Public Health under section
590 19a-490;

591 (2) A social worker who was certified as an independent social
592 worker under the provisions of chapter 383b prior to October 1, 1990;

593 (3) A licensed marital and family therapist who has completed at
594 least two thousand hours of post-master's marriage and family therapy
595 work experience in a nonprofit agency qualifying as a tax-exempt
596 organization under Section 501(c) of the Internal Revenue Code of 1986
597 or any subsequent corresponding internal revenue code of the United
598 States, as from time to time amended, in a municipal, state or federal
599 agency or in an institution licensed by the Department of Public Health
600 under section 19a-490;

601 (4) A marital and family therapist who was certified under the
602 provisions of chapter 383a prior to October 1, 1992;

603 (5) A licensed alcohol and drug counselor, as defined in section 20-
604 74s, or a certified alcohol and drug counselor, as defined in section 20-
605 74s;

606 (6) A licensed clinical professional counselor or a licensed master
607 professional counselor; or

608 (7) An advanced practice registered nurse licensed under chapter
609 378.

610 (f) (1) In the case of benefits payable for the services of a licensed
611 physician, such benefits shall be payable for (A) services rendered in a
612 child guidance clinic or residential treatment facility by a person with a
613 master's degree in social work or by a person with a master's degree in
614 marriage and family therapy under the supervision of a psychiatrist,
615 physician, licensed marital and family therapist or licensed clinical
616 social worker who is eligible for reimbursement under subdivisions (1)
617 to (4), inclusive, of subsection (e) of this section; (B) services rendered
618 in a residential treatment facility by a licensed or certified alcohol and
619 drug counselor who is eligible for reimbursement under subdivision
620 (5) of subsection (e) of this section; or (C) services rendered in a
621 residential treatment facility by a licensed clinical professional
622 counselor or a licensed master professional counselor who is eligible
623 for reimbursement under subdivision (6) of subsection (e) of this
624 section.

625 (2) In the case of benefits payable for the services of a licensed
626 psychologist under subsection (e) of this section, such benefits shall be
627 payable for (A) services rendered in a child guidance clinic or
628 residential treatment facility by a person with a master's degree in
629 social work or by a person with a master's degree in marriage and
630 family therapy under the supervision of such licensed psychologist,
631 licensed marital and family therapist or licensed clinical social worker
632 who is eligible for reimbursement under subdivisions (1) to (4),
633 inclusive, of subsection (e) of this section; (B) services rendered in a
634 residential treatment facility by a licensed or certified alcohol and drug
635 counselor who is eligible for reimbursement under subdivision (5) of
636 subsection (e) of this section; or (C) services rendered in a residential
637 treatment facility by a licensed clinical professional counselor or a
638 licensed master professional counselor who is eligible for
639 reimbursement under subdivision (6) of subsection (e) of this section.

640 (g) In the case of benefits payable for the service of a licensed
641 physician practicing as a psychiatrist or a licensed psychologist, under
642 subsection (e) of this section, such benefits shall be payable for
643 outpatient services rendered (1) in a nonprofit community mental
644 health center, as defined by the Department of Mental Health and
645 Addiction Services, in a nonprofit licensed adult psychiatric clinic
646 operated by an accredited hospital or in a residential treatment facility;
647 (2) under the supervision of a licensed physician practicing as a
648 psychiatrist, a licensed psychologist, a licensed marital and family
649 therapist, a licensed clinical social worker, a licensed or certified
650 alcohol and drug counselor, or a licensed clinical professional
651 counselor or a licensed master professional counselor who is eligible
652 for reimbursement under subdivisions (1) to (6), inclusive, of
653 subsection (e) of this section; and (3) within the scope of the license
654 issued to the center or clinic by the Department of Public Health or to
655 the residential treatment facility by the Department of Children and
656 Families.

657 Sec. 20. Subsection (a) of section 46a-11b of the general statutes is
658 repealed and the following is substituted in lieu thereof (*Effective*

659 October 1, 2016):

660 (a) Any physician or surgeon licensed under the provisions of
661 chapter 370, any resident physician or intern in any hospital in this
662 state, whether or not so licensed, any registered nurse, any person paid
663 for caring for persons in any facility and any licensed practical nurse,
664 medical examiner, dental hygienist, dentist, occupational therapist,
665 optometrist, chiropractor, psychologist, podiatrist, social worker,
666 school teacher, school principal, school guidance counselor, school
667 paraprofessional, mental health professional, physician assistant,
668 licensed or certified substance abuse counselor, licensed marital and
669 family therapist, speech and language pathologist, clergyman, police
670 officer, pharmacist, physical therapist, licensed clinical professional
671 counselor or licensed master professional counselor or sexual assault
672 counselor or domestic violence counselor, as defined in section 52-
673 146k, who has reasonable cause to suspect or believe that any person
674 with intellectual disability or any individual who receives services
675 from the Department of Developmental Services' Division of Autism
676 Spectrum Disorder Services has been abused or neglected shall, as
677 soon as practicable but not later than seventy-two hours after such
678 person has reasonable cause to suspect or believe that a person with
679 intellectual disability or any individual who receives services from the
680 Department of Developmental Services' Division of Autism Spectrum
681 Disorder Services has been abused or neglected, report such
682 information or cause a report to be made in any reasonable manner to
683 the director or persons the director designates to receive such reports.
684 Such initial report shall be followed up by a written report not later
685 than five calendar days after the initial report was made. Any person
686 required to report under this subsection who fails to make such report
687 shall be fined not more than five hundred dollars.

688 Sec. 21. Section 52-146s of the general statutes is repealed and the
689 following is substituted in lieu thereof (*Effective October 1, 2016*):

690 (a) As used in this section:

691 (1) "Person" means an individual who consults a licensed clinical

692 professional counselor or a licensed master professional counselor for
693 purposes of diagnosis or treatment;

694 (2) ["Professional counselor"] "Licensed clinical professional
695 counselor" means an individual licensed as a clinical professional
696 counselor pursuant to chapter 383c;

697 (3) "Communications" means all oral and written communications
698 and records thereof relating to the diagnosis and treatment of a person
699 between such person and a licensed clinical professional counselor or a
700 licensed master professional counselor or between a member of such
701 person's family and a licensed clinical professional counselor or a
702 licensed master professional counselor;

703 (4) "Consent" means consent given in writing by the person or such
704 person's authorized representative;

705 (5) "Authorized representative" means (A) an individual
706 empowered by a person to assert the confidentiality of
707 communications which are privileged under this section, or (B) if a
708 person is deceased, the personal representative or next of kin of such
709 person, or (C) if a person is incompetent to assert or waive such
710 person's privileges hereunder, (i) a guardian or conservator who has
711 been or is appointed to act for the person, or (ii) for the purpose of
712 maintaining confidentiality until a guardian or conservator is
713 appointed, the person's nearest relative;

714 (6) "Licensed master professional counselor" means an individual
715 licensed as a master professional counselor pursuant to chapter 383c.

716 (b) Except as provided in subsection (c) of this section, a licensed
717 clinical professional counselor or a licensed master professional
718 counselor shall not disclose any such communications unless the
719 person or the authorized representative of such person consents to
720 waive the privilege and allow such disclosure. The person or the
721 authorized representative of such person may withdraw any consent
722 given under the provisions of this section at any time in writing

723 addressed to the individual with whom or the office in which the
724 original consent was filed. The withdrawal of consent shall not affect
725 communications disclosed prior to notice of the withdrawal.

726 (c) Consent of the person shall not be required for the disclosure of
727 such person's communications:

728 (1) If a judge finds that a person, after having been informed that the
729 communications would not be privileged, has made the
730 communications to a licensed clinical professional counselor or a
731 licensed master professional counselor in the course of a mental health
732 assessment ordered by the court, provided the communications shall
733 be admissible only on issues involving the person's mental health
734 condition;

735 (2) If, in a civil proceeding, a person introduces such person's
736 mental health condition as an element of the claim or defense of such
737 person or, after a person's death, the condition of such person is
738 introduced by a party claiming or defending through or as a
739 beneficiary of the person, and the judge finds that it is more important
740 to the interests of justice that the communications be disclosed than
741 that the relationship between the person and the licensed clinical
742 professional counselor or the licensed master professional counselor be
743 protected;

744 (3) Where mandated by any other provision of the general statutes;

745 (4) Where the licensed clinical professional counselor or the licensed
746 master professional counselor believes in good faith that the failure to
747 disclose such communication presents a clear and present danger to
748 the health or safety of any individual;

749 (5) If the licensed clinical professional counselor or the licensed
750 master professional counselor believes in good faith that there is risk of
751 imminent personal injury to the person or to other individuals or risk
752 of imminent injury to the property of other individuals;

753 (6) If child abuse, abuse of an elderly individual or abuse of an

754 individual who is disabled or incompetent is known or in good faith
755 suspected; or

756 (7) Where a licensed clinical professional counselor or a licensed
757 master professional counselor makes a claim for collection of fees for
758 services rendered, the name and address of the person and the amount
759 of the fees may be disclosed to individuals or agencies involved in
760 such collection, provided notification that such disclosure will be made
761 is sent, in writing, to the person not less than thirty days prior to such
762 disclosure. In cases where a dispute arises over the fees or claims or
763 where additional information is needed to substantiate the claim, the
764 disclosure of further information shall be limited to the following: (A)
765 That the person was in fact receiving professional counseling, (B) the
766 dates of such services, and (C) a general description of the types of
767 services.

768 Sec. 22. Subsection (d) of section 54-209 of the general statutes is
769 repealed and the following is substituted in lieu thereof (*Effective*
770 *October 1, 2016*):

771 (d) In instances where a violation of section 53-21, 53a-70, 53a-70a,
772 53a-70b, 53a-70c, 53a-71, 53a-72a, 53a-72b or 53a-73a has been alleged,
773 the Office of Victim Services or, on review, a victim compensation
774 commissioner may order compensation be paid if (1) the personal
775 injury has been disclosed to: (A) A physician or surgeon licensed
776 under chapter 370; (B) a resident physician or intern in any hospital in
777 this state, whether or not licensed; (C) a physician assistant licensed
778 under chapter 370; (D) an advanced practice registered nurse,
779 registered nurse or practical nurse licensed under chapter 378; (E) a
780 psychologist licensed under chapter 383; (F) a police officer; (G) a
781 mental health professional; (H) an emergency medical services
782 provider licensed or certified under chapter 368d; (I) an alcohol and
783 drug counselor licensed or certified under chapter 376b; (J) a marital
784 and family therapist licensed under chapter 383a; (K) a domestic
785 violence counselor or a sexual assault counselor, as defined in section
786 52-146k; (L) a clinical professional counselor or a master professional

787 counselor licensed under chapter 383c; (M) a clinical social worker
788 licensed under chapter 383b; or (N) an employee of the Department of
789 Children and Families; and (2) the office or commissioner, as the case
790 may be, reasonably concludes that a violation of any of said sections
791 has occurred.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	20-195aa
Sec. 2	<i>October 1, 2016</i>	20-195bb
Sec. 3	<i>October 1, 2016</i>	20-195cc
Sec. 4	<i>October 1, 2016</i>	20-195dd
Sec. 5	<i>October 1, 2016</i>	20-195ee
Sec. 6	<i>October 1, 2016</i>	4e-1(20)
Sec. 7	<i>October 1, 2016</i>	5-206a
Sec. 8	<i>October 1, 2016</i>	17a-22ee(7)
Sec. 9	<i>October 1, 2016</i>	17a-78(f)
Sec. 10	<i>October 1, 2016</i>	17a-101(b)
Sec. 11	<i>October 1, 2016</i>	17b-28e(c)
Sec. 12	<i>October 1, 2016</i>	19a-14(c)
Sec. 13	<i>October 1, 2016</i>	19a-906(a)(11)
Sec. 14	<i>October 1, 2016</i>	20-195m(7)
Sec. 15	<i>October 1, 2016</i>	20-195s(a)
Sec. 16	<i>October 1, 2016</i>	33-182a(1)
Sec. 17	<i>October 1, 2016</i>	34-101(25)
Sec. 18	<i>October 1, 2016</i>	38a-488a(e) to (g)
Sec. 19	<i>October 1, 2016</i>	38a-514(e) to (g)
Sec. 20	<i>October 1, 2016</i>	46a-11b(a)
Sec. 21	<i>October 1, 2016</i>	52-146s
Sec. 22	<i>October 1, 2016</i>	54-209(d)