



House of Representatives

File No. 1024

General Assembly

January Session, 2019

(Reprint of File No. 557)

Substitute House Bill No. 7132
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 31, 2019

***AN ACT CONCERNING LICENSURE OF PROFESSIONAL
COUNSELOR ASSOCIATES AND MARITAL AND FAMILY THERAPIST
ASSOCIATES.***

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 Section 20-195aa of the general statutes is repealed and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, 2019*):

3 As used in this section and sections 20-195bb to 20-195ee, inclusive,
4 as amended by this act, and section 5 of this act:

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

8 (2) "Licensed professional counselor associate" or "professional
9 counselor associate" means a person who has been licensed as a
10 professional counselor associate pursuant to this chapter;

11 [(2)] (3) "Commissioner" means the Commissioner of Public Health;

12 [(3)] (4) "Department" means the Department of Public Health;

13 [(4)] (5) "Professional counseling" means the application, by persons
14 trained in counseling, of established principles of psycho-social
15 development and behavioral science to the evaluation, assessment,
16 analysis, diagnosis and treatment of emotional, behavioral or
17 interpersonal dysfunction or difficulties that interfere with mental
18 health and human development. "Professional counseling" includes,
19 but is not limited to, individual, group, marriage and family
20 counseling, functional assessments for persons adjusting to a
21 disability, appraisal, crisis intervention and consultation with
22 individuals or groups;

23 [(5)] (6) "Under professional supervision" means the practice of
24 professional counseling under the supervision of a licensed
25 professional counselor, a physician licensed pursuant to chapter 370,
26 who is certified in psychiatry by the American Board of Psychiatry and
27 Neurology, an advanced practice registered nurse licensed pursuant to
28 chapter 378, who is certified as a psychiatric and mental health clinical
29 nurse specialist or nurse practitioner by the American Nurses
30 Credentialing Center, a psychologist licensed pursuant to chapter 383,
31 a marital and family therapist licensed pursuant to chapter 383a or a
32 licensed clinical social worker licensed pursuant to chapter 383b;

33 [(6)] (7) "Direct professional supervision" means face-to-face
34 consultation between one supervisor, who is a professional described
35 in subdivision [(5)] (6) of this section, and one person receiving
36 supervision that consists of not less than a monthly review with a
37 written evaluation and assessment by the supervisor of such person's
38 practice of professional counseling; and

39 [(7)] (8) "Related mental health field" means social work, marriage
40 and family therapy or psychology.

41 Sec. 2. Section 20-195bb of the general statutes is repealed and the
42 following is substituted in lieu thereof (*Effective October 1, 2019*):

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

46 (b) No person may use the title "licensed professional counselor",
47 "licensed professional counselor associate" or "professional counselor"
48 or make use of any title, words, letters or abbreviations that may
49 reasonably be confused with licensure as a professional counselor or
50 professional counselor associate unless licensed pursuant to section 20-
51 195cc, as amended by this act.

52 (c) No license as a professional counselor shall be required of the
53 following: (1) A person who furnishes uncompensated assistance in an
54 emergency; (2) a clergyman, priest, minister, rabbi or practitioner of
55 any religious denomination accredited by the religious body to which
56 the person belongs and settled in the work of the ministry, provided
57 the activities that would otherwise require a license as a professional
58 counselor are within the scope of ministerial duties; (3) a sexual assault
59 counselor, as defined in section 52-146k; (4) a person participating in
60 uncompensated group or individual counseling; (5) a person with a
61 master's degree in a health-related or human services-related field
62 employed by a hospital, as defined in subsection (b) of section 19a-490,
63 performing services in accordance with section 20-195aa, as amended
64 by this act, under the supervision of a [person licensed by the state in
65 one of the professions identified in clauses (i) to (vii), inclusive, of
66 subparagraph (C) of subdivision (1) of subsection (a) of section 20-
67 195dd] physician licensed pursuant to chapter 370, who is certified in
68 psychiatry by the American Board of Psychiatry and Neurology, an
69 advanced practice registered nurse licensed pursuant to chapter 378,
70 who is certified as a psychiatric and mental health clinical nurse
71 specialist or nurse practitioner by the American Nurses Credentialing
72 Center, a psychologist licensed pursuant to chapter 383, a marital and
73 family therapist licensed pursuant to chapter 383a or a licensed clinical
74 social worker licensed pursuant to chapter 383b; (6) a person licensed
75 or certified by any agency of this state and performing services within
76 the scope of practice for which licensed or certified; (7) a student,

77 intern or trainee pursuing a course of study in counseling in a
78 regionally accredited institution of higher education, provided the
79 activities that would otherwise require a license as a professional
80 counselor are performed under supervision and constitute a part of a
81 supervised course of study; (8) a person employed by an institution of
82 higher education to provide academic counseling in conjunction with
83 the institution's programs and services; or (9) a vocational
84 rehabilitation counselor, job counselor, credit counselor, consumer
85 counselor or any other counselor or psychoanalyst who does not
86 purport to be a counselor whose primary service is the application of
87 established principles of psycho-social development and behavioral
88 science to the evaluation, assessment, analysis and treatment of
89 emotional, behavioral or interpersonal dysfunction or difficulties that
90 interfere with mental health and human development. []; or (10) a
91 person who earned a degree in accordance with the requirements of
92 subdivision (2) of subsection (a) of section 20-195dd, provided (A) the
93 activities performed and services provided by such person constitute
94 part of the supervised experience required for licensure under
95 subdivision (3) of subsection (a) of said section, and (B) not later than
96 two years after completion of such supervised experience, the
97 exemption to the licensure requirement shall cease if the person did
98 not successfully complete the licensing examination, as required under
99 subdivision (4) of subsection (a) of said section.]

100 Sec. 3. Section 20-195cc of the general statutes is repealed and the
101 following is substituted in lieu thereof (*Effective October 1, 2019*):

102 (a) The Commissioner of Public Health shall grant a license (1) as a
103 professional counselor to any applicant who furnishes evidence
104 satisfactory to the commissioner that such applicant has met the
105 requirements of section 20-195dd, as amended by this act, and (2) as a
106 professional counselor associate to any applicant who furnishes
107 evidence satisfactory to the commissioner that such applicant has met
108 the requirements of section 20-195dd, as amended by this act. The
109 commissioner shall develop and provide application forms. The
110 application fee for a professional counselor shall be three hundred

111 fifteen dollars. The application fee for a professional counselor
112 associate shall be two hundred twenty dollars.

113 (b) Licenses issued to professional counselors and professional
114 counselor associates under this section may be renewed annually
115 pursuant to section 19a-88, as amended by this act. The fee for such
116 renewal shall be one hundred ninety-five dollars. Each licensed
117 professional counselor and professional counselor associate applying
118 for license renewal shall furnish evidence satisfactory to the
119 commissioner of having participated in continuing education
120 programs. The commissioner shall adopt regulations, in accordance
121 with chapter 54, to (1) define basic requirements for continuing
122 education programs that shall include (A) not less than one contact
123 hour of training or education each registration period on the topic of
124 cultural competency, (B) on and after January 1, 2016, not less than two
125 contact hours of training or education during the first renewal period
126 in which continuing education is required and not less than once every
127 six years thereafter on the topic of mental health conditions common to
128 veterans and family members of veterans, including (i) determining
129 whether a patient is a veteran or family member of a veteran, (ii)
130 screening for conditions such as post-traumatic stress disorder, risk of
131 suicide, depression and grief, and (iii) suicide prevention training, and
132 (C) on and after January 1, 2018, not less than three contact hours of
133 training or education each registration period on the topic of
134 professional ethics, (2) delineate qualifying programs, (3) establish a
135 system of control and reporting, and (4) provide for a waiver of the
136 continuing education requirement for good cause.

137 Sec. 4. Section 20-195dd of the general statutes is repealed and the
138 following is substituted in lieu thereof (*Effective October 1, 2019*):

139 [(a) (1) Except as otherwise provided in subsections (b) and (c) of
140 this section, an applicant for a license as a professional counselor shall,
141 prior to January 1, 2019, submit evidence satisfactory to the
142 commissioner of having: (A) Completed sixty graduate semester hours
143 in or related to the discipline of counseling at a regionally accredited

144 institution of higher education, that included coursework in each of the
145 following areas: (i) Human growth and development, (ii) social and
146 cultural foundations, (iii) counseling theories and techniques or
147 helping relationships, (iv) group dynamics, (v) processing and
148 counseling, (vi) career and lifestyle development, (vii) appraisals or
149 tests and measurements for individuals and groups, (viii) research and
150 evaluation, and (ix) professional orientation to counseling; (B) earned,
151 from a regionally accredited institution of higher education a master's
152 or doctoral degree in social work, marriage and family therapy,
153 counseling, psychology or a related mental health field; (C) acquired
154 three thousand hours of postgraduate-degree-supervised experience in
155 the practice of professional counseling, performed over a period of not
156 less than one year, that included a minimum of one hundred hours of
157 direct supervision by (i) a physician licensed pursuant to chapter 370
158 who has obtained certification in psychiatry from the American Board
159 of Psychiatry and Neurology, (ii) a psychologist licensed pursuant to
160 chapter 383, (iii) an advanced practice registered nurse licensed
161 pursuant to chapter 378 and certified as a clinical specialist in adult
162 psychiatric and mental health nursing with the American Nurses
163 Credentialing Center, (iv) a marital and family therapist licensed
164 pursuant to chapter 383a, (v) a clinical social worker licensed pursuant
165 to chapter 383b, (vi) a professional counselor licensed, or prior to
166 October 1, 1998, eligible for licensure, pursuant to section 20-195cc, or
167 (vii) a physician certified in psychiatry by the American Board of
168 Psychiatry and Neurology, psychologist, advanced practice registered
169 nurse certified as a clinical specialist in adult psychiatric and mental
170 health nursing with the American Nurses Credentialing Center,
171 marital and family therapist, clinical social worker or professional
172 counselor licensed or certified as such or as a person entitled to
173 perform similar services, under a different designation, in another state
174 or jurisdiction whose requirements for practicing in such capacity are
175 substantially similar to or higher than those of this state; and (D)
176 passed an examination prescribed by the commissioner. Any such
177 applicant who, on or before July 1, 2017, is a matriculating student in
178 good standing in a graduate degree program at a regionally accredited

179 institution of higher education in one of the fields required under
180 subparagraph (B) of this subdivision on or before July 1, 2017, but who
181 cannot reasonably complete the requirements set forth in this
182 subdivision prior to January 1, 2019, as determined by the
183 commissioner, may apply for a license under this subdivision on and
184 after January 1, 2019.]

185 [(2)] (a) Except as otherwise provided in subsections [(b)] (c) and
186 [(c)] (d) of this section, an applicant for a license as a professional
187 counselor shall [, on and after January 1, 2019,] submit evidence
188 satisfactory to the commissioner of having: [(A) (i)] (1) (A) Earned a
189 graduate degree in clinical mental health counseling as part of a
190 program of higher learning accredited by the Council for Accreditation
191 of Counseling and Related Educational Programs, or a successor
192 organization, or [(ii) (I)] (B) (i) completed at least sixty graduate
193 semester hours in counseling or a related mental health field at a
194 regionally accredited institution of higher education that included
195 coursework in each of the following areas: Human growth and
196 development; social and cultural foundations; counseling theories;
197 counseling techniques; group counseling; career counseling; appraisals
198 or tests and measurements to individuals and groups; research and
199 evaluation; professional orientation to mental health counseling;
200 addiction and substance abuse counseling; trauma and crisis
201 counseling; and diagnosis and treatment of mental and emotional
202 disorders, [(II)] (ii) earned from a regionally accredited institution of
203 higher education a graduate degree in counseling or a related mental
204 health field, [(III)] (iii) completed a one-hundred-hour practicum in
205 counseling taught by a faculty member licensed or certified as a
206 professional counselor or its equivalent in another state, and [(IV)] (iv)
207 completed a six-hundred-hour clinical mental health counseling
208 internship taught by a faculty member licensed or certified as a
209 professional counselor or its equivalent in another state; [(B)] (2)
210 acquired three thousand hours of postgraduate experience under
211 professional supervision, including a minimum of one hundred hours
212 of direct professional supervision, in the practice of professional

213 counseling, performed over a period of not less than two years; and
214 [(C)] (3) passed an examination prescribed by the commissioner.

215 (b) An applicant for a license as a professional counselor associate
216 shall submit to the Commissioner of Public Health evidence
217 satisfactory to the commissioner of having (1) earned a graduate
218 degree in clinical mental health counseling as part of a program of
219 higher learning accredited by the Council for Accreditation of
220 Counseling and Related Educational Programs, or a successor
221 organization, or (2) (A) completed at least sixty graduate semester
222 hours in counseling or a related mental health field at a regionally
223 accredited institution of higher education that included coursework in
224 each of the following areas: Human growth and development; social
225 and cultural foundations; counseling theories; counseling techniques;
226 group counseling; career counseling; appraisals or tests and
227 measurements to individuals and groups; research and evaluation;
228 professional orientation to mental health counseling; addiction and
229 substance abuse counseling; trauma and crisis counseling; and
230 diagnosis and treatment of mental and emotional disorders, (B)
231 completed a one-hundred-hour practicum in counseling taught by a
232 faculty member licensed or certified as a professional counselor or its
233 equivalent in another state, (C) completed a six-hundred-hour clinical
234 mental health counseling internship taught by a faculty member
235 licensed or certified as a professional counselor or its equivalent in
236 another state, and (D) earned from a regionally accredited institution
237 of higher education a graduate degree in counseling or a related
238 mental health field.

239 [(b)] (c) An applicant for licensure by endorsement shall present
240 evidence satisfactory to the commissioner that the applicant is licensed
241 or certified as a professional counselor or professional counselor
242 associate, or as a person entitled to perform similar services under a
243 different designation, in another state or jurisdiction whose
244 requirements for practicing in such capacity are substantially similar to
245 or higher than those of this state and that there are no disciplinary
246 actions or unresolved complaints pending.

247 [(c)] (d) An applicant who is licensed or certified as a professional
248 counselor or its equivalent in another state, territory or commonwealth
249 of the United States may substitute three years of licensed or certified
250 work experience in the practice of professional counseling in lieu of the
251 requirements of [subparagraph (C) of subdivision (1) of subsection (a)
252 of this section, or subparagraph (B) of] subdivision (2) of subsection (a)
253 of this section, [as applicable,] provided the commissioner finds that
254 such experience is equal to or greater than the requirements of this
255 state.

256 Sec. 5. (NEW) (*Effective October 1, 2019*) (a) An individual licensed as
257 a professional counselor pursuant to section 20-195dd of the general
258 statutes, as amended by this act, may practice professional counseling.
259 The practice of professional counseling includes, but is not limited to,
260 engaging in the independent practice of professional counseling.

261 (b) An individual licensed as a professional counselor associate
262 pursuant to subsection (d) of section 20-195dd of the general statutes,
263 as amended by this act, may practice professional counseling under
264 professional supervision. Except as provided in subsection (c) of
265 section 20-195bb of the general statutes, as amended by this act, a
266 licensed professional counselor associate may not engage in the
267 independent practice of professional counseling.

268 Sec. 6. Section 20-195ff of the general statutes is repealed and the
269 following is substituted in lieu thereof (*Effective October 1, 2019*):

270 The Commissioner of Public Health may adopt regulations, in
271 accordance with the provisions of chapter 54, to further the purposes
272 of subdivision (18) of subsection (c) of section 19a-14, as amended by
273 this act, subsection (e) of section 19a-88, as amended by this act,
274 subdivision (15) of section 19a-175, subsection (b) of section 20-9,
275 sections 20-195aa to [20-195ff] 20-195ee, inclusive, as amended by this
276 act, and [sections 20-206jj to 20-206oo, inclusive] section 5 of this act.

277 Sec. 7. Section 20-195a of the general statutes is repealed and the
278 following is substituted in lieu thereof (*Effective October 1, 2019*):

279 For purposes of this chapter:

280 (1) "Commissioner" means the Commissioner of Public Health;

281 (2) "Department" means the Department of Public Health;

282 (3) "Marital and family therapy" means the evaluation, assessment,
283 diagnosis, counseling, management and treatment of emotional
284 disorders, whether cognitive, affective or behavioral, within the
285 context of marriage and family systems, through the professional
286 application of individual psychotherapeutic and family-systems
287 theories and techniques in the delivery of services to individuals,
288 couples and families; [.]

289 (4) "Licensed marital and family therapy associate" means a person
290 who has been licensed by the department as a marital and family
291 therapy associate pursuant to this chapter and whose license permits
292 the person to engage in the practice of marital and family therapy
293 under the clinical supervision of a licensed marital and family
294 therapist; and

295 (5) "Licensed marital and family therapist" means a person who has
296 been licensed by the department as a marital and family therapist
297 pursuant to this chapter.

298 Sec. 8. Section 20-195b of the general statutes is repealed and the
299 following is substituted in lieu thereof (*Effective October 1, 2019*):

300 (a) Except as provided in section 20-195f, as amended by this act, no
301 person shall practice marital and family therapy unless licensed in
302 accordance with section 20-195c, as amended by this act.

303 (b) No person shall use the title "licensed marital and family
304 therapist" or "licensed marital and family therapist associate" unless
305 [he is] licensed in accordance with the provisions of section 20-195c, as
306 amended by this act.

307 Sec. 9. Section 20-195c of the general statutes is repealed and the

308 following is substituted in lieu thereof (*Effective October 1, 2019*):

309 (a) Each applicant for licensure as a marital and family therapist
310 shall present to the department satisfactory evidence that such
311 applicant has: (1) Completed a graduate degree program specializing
312 in marital and family therapy [from] offered by a regionally accredited
313 college or university or an accredited postgraduate clinical training
314 program accredited by the Commission on Accreditation for Marriage
315 and Family Therapy Education offered by a regionally accredited
316 institution of higher education; (2) completed a supervised practicum
317 or internship with emphasis in marital and family therapy supervised
318 by the program granting the requisite degree or by an accredited
319 postgraduate clinical training program [] accredited by the
320 Commission on Accreditation for Marriage and Family Therapy
321 Education and offered by a regionally accredited institution of higher
322 education, in which the student received a minimum of five hundred
323 direct clinical hours that included one hundred hours of clinical
324 supervision; (3) completed twelve months of relevant postgraduate
325 experience, including (A) a minimum of one thousand hours of direct
326 client contact offering marital and family therapy services subsequent
327 to being awarded a master's degree or doctorate or subsequent to the
328 training year specified in subdivision (2) of this subsection, and (B) one
329 hundred hours of postgraduate clinical supervision provided by a
330 licensed marital and family therapist; and (4) passed an examination
331 prescribed by the department. The fee shall be three hundred fifteen
332 dollars for each initial application.

333 (b) Each applicant for licensure as a marital and family therapist
334 associate shall present to the department (1) satisfactory evidence that
335 such applicant has completed a graduate degree program specializing
336 in marital and family therapy offered by a regionally accredited
337 institution of higher education or an accredited postgraduate clinical
338 training program accredited by the Commission on Accreditation for
339 Marriage and Family Therapy Education and offered by a regionally
340 accredited institution of higher education, and (2) verification from a
341 supervising licensed marital and family therapist that the applicant is

342 working toward completing the postgraduate experience required for
343 licensure as a marital and family therapist under subdivision (3) of
344 subsection (a) of this section. The fee shall be one hundred twenty-five
345 dollars for each initial application.

346 [(b)] (c) The department may grant licensure without examination,
347 subject to payment of fees with respect to the initial application, to any
348 applicant who is currently licensed or certified as a marital or marriage
349 and family therapist or a marital and family therapist associate in
350 another state, territory or commonwealth of the United States,
351 provided such state, territory or commonwealth maintains licensure or
352 certification standards which, in the opinion of the department, are
353 equivalent to or higher than the standards of this state. No license shall
354 be issued under this section to any applicant against whom
355 professional disciplinary action is pending or who is the subject of an
356 unresolved complaint.

357 [(c) Licenses] (d) (1) A license issued to a marital and family
358 therapist issued under this section may be renewed annually in
359 accordance with the provisions of section 19a-88, as amended by this
360 act. The fee for such renewal shall be three hundred twenty dollars.
361 Each licensed marital and family therapist applying for license renewal
362 shall furnish evidence satisfactory to the commissioner of having
363 participated in continuing education programs. The commissioner
364 shall adopt regulations, in accordance with chapter 54, to [(1)] (A)
365 define basic requirements for continuing education programs, which
366 shall include not less than one contact hour of training or education
367 each registration period on the topic of cultural competency and, on
368 and after January 1, 2016, not less than two contact hours of training or
369 education during the first renewal period in which continuing
370 education is required and not less than once every six years thereafter
371 on the topic of mental health conditions common to veterans and
372 family members of veterans, including [(A)] (i) determining whether a
373 patient is a veteran or family member of a veteran, [(B)] (ii) screening
374 for conditions such as post-traumatic stress disorder, risk of suicide,
375 depression and grief, and [(C)] (iii) suicide prevention training, [(2)] (B)

376 delineate qualifying programs, [(3)] (C) establish a system of control
377 and reporting, and [(4)] (D) provide for waiver of the continuing
378 education requirement for good cause.

379 (2) A license issued to a marital and family therapist associate shall
380 expire on or before twenty-four months after the date on which such
381 license was issued and may be renewed once for an additional twenty-
382 four months in accordance with the provisions of section 19a-88, as
383 amended by this act. The fee for such renewal shall be two hundred
384 twenty dollars. Each licensed marital and family therapist associate
385 applying for license renewal shall furnish evidence satisfactory to the
386 commissioner of working toward completing the postgraduate
387 experience required for licensure as a marital and family therapist
388 under subdivision (3) of subsection (a) of this section and the potential
389 for successful completion of such experience prior to the expiration of
390 the twenty-four month renewal period.

391 [(d)] (e) Notwithstanding the provisions of this section, an applicant
392 who is currently licensed or certified as a marital or marriage and
393 family therapist in another state, territory or commonwealth of the
394 United States that does not maintain standards for licensure or
395 certification that are equivalent to or higher than the standards in this
396 state may substitute three years of licensed or certified work
397 experience in the practice of marital and family therapy, as defined in
398 section 20-195a, as amended by this act, in lieu of the requirements of
399 subdivisions (2) and (3) of subsection (a) of this section.

400 Sec. 10. Subdivision (1) of subsection (e) of section 19a-88 of the
401 general statutes is repealed and the following is substituted in lieu
402 thereof (*Effective October 1, 2019*):

403 (e) (1) Each person holding a license or certificate issued under
404 section 19a-514, 20-65k, 20-74s, 20-185k, 20-185l, 20-195cc, as amended
405 by this act, or 20-206ll and chapters 370 to 373, inclusive, 375, 378 to
406 381a, inclusive, 383 to 383c, inclusive, 384, 384a, 384b, 384d, 385, 393a,
407 395, 399 or 400a and section 20-206n or 20-206o shall, annually, or, in

408 the case of a person holding a license as a marital and family therapist
409 associate under section 20-195c, as amended by this act, on or before
410 twenty-four months after the date of initial licensure, during the
411 month of such person's birth, apply for renewal of such license or
412 certificate to the Department of Public Health, giving such person's
413 name in full, such person's residence and business address and such
414 other information as the department requests.

415 Sec. 11. Subsection (a) of section 20-20600 of the general statutes is
416 repealed and the following is substituted in lieu thereof (*Effective*
417 *October 1, 2019*):

418 (a) The Commissioner of Public Health may adopt regulations in
419 accordance with the provisions of chapter 54 to carry out the
420 provisions of subdivision (24) of subsection (c) of section 19a-14,
421 subsection (e) of section 19a-88, as amended by this act, subsection (b)
422 of section 20-9, subsection [(c)] (d) of section 20-195c, as amended by
423 this act, [sections 20-195aa to 20-195ff, inclusive,] and sections 20-206jj
424 to [20-20600] 20-206nn, inclusive.

425 Sec. 12. Subdivisions (6) to (19), inclusive, of subsection (c) of section
426 19a-14 of the general statutes are repealed and the following is
427 substituted in lieu thereof (*Effective October 1, 2019*):

428 (6) Marital and family therapist and marriage and family therapist
429 associate;

430 (7) Nurse-midwife;

431 (8) Licensed clinical social worker;

432 (9) Respiratory care practitioner;

433 (10) Asbestos contractor, asbestos consultant and asbestos training
434 provider;

435 (11) Massage therapist;

- 436 (12) Registered nurse's aide;
- 437 (13) Radiographer;
- 438 (14) Dental hygienist;
- 439 (15) Dietitian-Nutritionist;
- 440 (16) Asbestos abatement worker;
- 441 (17) Asbestos abatement site supervisor;
- 442 (18) Licensed or certified alcohol and drug counselor;
- 443 (19) Professional counselor and professional counselor associate;

444 Sec. 13. Subsection (a) of section 20-195f of the general statutes is
445 repealed and the following is substituted in lieu thereof (*Effective*
446 *October 1, 2019*):

447 (a) No license as a marital and family therapist shall be required of:
448 (1) A student pursuing a course of study in an educational institution
449 meeting the requirements of section 20-195c, as amended by this act, if
450 such activities constitute a part of his or her supervised course of
451 study; (2) a faculty member within an institution of higher learning
452 performing duties consistent with his or her position; [(3) a person
453 holding a graduate degree in marriage and family therapy; provided
454 (A) the activities performed or services provided by the person
455 constitute part of the supervised work experience required for
456 licensure under subdivision (3) of subsection (a) of section 20-195c, and
457 (B) not later than two years after completion of such supervised work
458 experience, the exemption to the licensure requirement shall cease if
459 the person did not successfully complete the licensing examination, as
460 required under subdivision (4) of subsection (a) of said section; or (4)]
461 or (3) a person licensed or certified in this state in a field other than
462 marital and family therapy practicing within the scope of such license
463 or certification.

464 Sec. 14. Section 20-195ee of the general statutes is repealed and the
 465 following is substituted in lieu thereof (*Effective October 1, 2019*):

466 The Commissioner of Public Health may take any disciplinary
 467 action set forth in section 19a-17 against a professional counselor or
 468 professional counselor associate for any of the following reasons: (1)
 469 Failure to conform to the accepted standards of the profession; (2)
 470 conviction of a felony; (3) fraud or deceit in obtaining or seeking
 471 reinstatement of a license to practice professional counseling; (4) fraud
 472 or deceit in the practice of professional counseling; (5) negligent,
 473 incompetent or wrongful conduct in professional activities; (6)
 474 physical, mental or emotional illness or disorder resulting in an
 475 inability to conform to the accepted standards of the profession; (7)
 476 alcohol or substance abuse; (8) wilful falsification of entries in any
 477 hospital, patient or other record pertaining to professional counseling;
 478 or (9) violation of any provision of sections 20-195aa to 20-195dd,
 479 inclusive, as amended by this act, or any regulation adopted pursuant
 480 to section 20-195ff, as amended by this act. The commissioner may
 481 order a license holder to submit to a reasonable physical or mental
 482 examination if his physical or mental capacity to practice safely is the
 483 subject of an investigation. The commissioner may petition the
 484 superior court for the judicial district of Hartford to enforce such order
 485 or any action taken pursuant to said section 19a-17. The commissioner
 486 shall give notice and an opportunity to be heard on any contemplated
 487 action under said section 19a-17.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	20-195aa
Sec. 2	<i>October 1, 2019</i>	20-195bb
Sec. 3	<i>October 1, 2019</i>	20-195cc
Sec. 4	<i>October 1, 2019</i>	20-195dd
Sec. 5	<i>October 1, 2019</i>	New section
Sec. 6	<i>October 1, 2019</i>	20-195ff
Sec. 7	<i>October 1, 2019</i>	20-195a
Sec. 8	<i>October 1, 2019</i>	20-195b

Sec. 9	<i>October 1, 2019</i>	20-195c
Sec. 10	<i>October 1, 2019</i>	19a-88(e)(1)
Sec. 11	<i>October 1, 2019</i>	20-20600(a)
Sec. 12	<i>October 1, 2019</i>	19a-14(c)(6) to (19)
Sec. 13	<i>October 1, 2019</i>	20-195f(a)
Sec. 14	<i>October 1, 2019</i>	20-195ee

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 20 \$	FY 21 \$
Public Health, Dept.	GF - Cost	19,351	23,641
State Comptroller - Fringe Benefits ¹	GF - Cost	7,303	9,738
Resources of the General Fund	GF - Revenue Gain	40,835	68,720

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill, which requires the licensure of professional counselor associates (PCAs) and licensed martial and family therapist associates (LMFTAs) by the Department of Public Health (DPH), is anticipated to result in a net General Fund revenue gain of approximately \$14,001 in FY 20 and \$35,341 in FY 21.

The anticipated FY 20 cost to the State of \$26,834 includes total estimated DPH expenses of \$19,531. DPH costs reflect the salary for a half-time Office Assistant \$17,731 (partial year, as the bill is effective 10/1/19), and a one-time equipment cost of \$1,800 for a computer, software, and scanner for this employee. The full-year salary for the Office Assistant in FY 21 is approximately \$23,641. The State Comptroller fringe benefit cost for this position is \$7,303 in FY 20 \$9,738 in FY 21.

General Fund revenue of approximately \$40,835 is anticipated in FY

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 41.19% of payroll in FY 20 and FY 21.

20 from the following:

- The initial licensure of approximately 143 PCAs with a fee of \$220 per application = \$31,460
- The initial licensure of approximately 75 LMFTAs with a fee of \$125 per application = \$9,375

In FY 21, General Fund revenue of approximately \$68,720 is anticipated from:

- The initial licensure of approximately 143 PCAs = \$31,460
- The renewal licensure of approximately 143 PCAs with a fee of \$195 per application = \$27,885
- The initial licensure of approximately 72 LMFTAs = \$9,375

In 2018, there were 2,865 licensed professional counselors and 1,489 licensed martial and family therapist in Connecticut. Using the percent of Master's Level Social Worker temporary licenses issued for the licensed Master's Level Social Worker population, it is assumed that approximately five percent of professional counselors and licensed martial and family therapists will seek associate licensure annually. LMFTA licensure is biannual under the bill. Therefore, revenue from its \$220 renewal fee is not anticipated until the out years.

House "A" makes technical changes to statute in concert with the language of the underlying bill and is not anticipated to result in a fiscal impact to the State or municipalities.

The Out Years

The annualized ongoing fiscal impact identified above will continue into the future subject to the number of initial and renewal licenses for PCAs and LMFTAs issued by DPH and cost inflation.

OLR Bill Analysis**sHB 7132 (as amended by House "A")*****AN ACT CONCERNING LICENSURE OF PROFESSIONAL COUNSELOR ASSOCIATES AND MARITAL AND FAMILY THERAPIST ASSOCIATES.****SUMMARY**

This bill creates a new associate licensure category for licensed professional counselors (LPCs) and marital and family therapists (MFTs) that allows them to practice under professional supervision while pursuing full licensure. To qualify for an associate license, the applicant must meet certain educational and clinical training requirements.

The bill also prohibits anyone who is unlicensed from using the title (1) "licensed professional counselor associate" or "professional counselor" or any title, words, letters, or abbreviations that may reasonably be confused with licensure or (2) "licensed marital and family therapist associate." Existing law similarly prohibits unlicensed people from using a title that indicates that they are fully licensed LPCs and MFTs.

For LPCs, the associate license must be renewed annually. The initial license fee is \$220 and the renewal fee is \$195. For MFTs, the associate license is valid for two years and may be renewed once. The initial license fee is \$125 and the renewal fee is \$220.

The bill allows the Department of Public Health (DPH) to take disciplinary actions against associate LPC and MFT licensees under the same grounds for which she may take action against other LPC and MFT licensees (e.g., fraud or deceit in obtaining the license).

Current law allows students who graduate with advanced degrees in professional counseling and marital and family therapy to practice without a license in order to complete the supervised work experience required for full licensure, but only (1) if supervised by someone licensed in their respective profession and (2) for up to two years after completing the supervised work experience, if they failed the respective licensing examination. The bill eliminates these provisions for both professional counseling and MFT graduates.

The bill also makes technical and conforming changes.

*House Amendment "A" makes clarifying changes by (1) removing a provision from the existing MFT statutes on graduate students practicing without a license and (2) specifying that DPH may take disciplinary action against associate LPC licensees.

EFFECTIVE DATE: October 1, 2019

§§ 1-6 — LPC ASSOCIATE LICENSE

Initial Licensure Requirements

To obtain an LPC associate license, an applicant must submit to the DPH commissioner satisfactory evidence of having earned a graduate degree in clinical mental health counseling as part of a higher education program accredited by the Council for Accreditation of Counseling and Related Educational Programs, or its successor. Alternatively, the bill allows an applicant to complete:

1. at least 60 graduate semester hours in counseling or a related mental health field at a regionally accredited higher education institution that included coursework in (a) human growth and development; (b) social and cultural foundations; (c) counseling theories and techniques; (d) group, career, addiction and substance abuse, and trauma and crisis counseling; (e) appraisals or tests and measurements to individuals and groups; (f) research and evaluation; (g) professional orientation to mental health counseling; and (h) diagnosing and treating mental and

emotional disorders;

2. a 100-hour counseling practicum and a 600-hour clinical mental health counseling internship each taught by a faculty member licensed or certified as a professional counselor or its equivalent in another state; and
3. a graduate degree in counseling or a related mental health field from a regionally accredited higher education institution.

Licensure by Endorsement

As with LPC licenses under existing law, the bill allows DPH to grant an LPC associate license by endorsement to LPC associates licensed or certified in another state or jurisdiction with requirements substantially similar to or higher than Connecticut's. Applicants must have no pending disciplinary actions or complaints.

License Scope

The bill generally prohibits an LPC associate from practicing professional counseling unless he or she is under the supervision of a:

1. LPC;
2. licensed psychiatrist certified by the American Board of Psychiatry and Neurology;
3. licensed advanced practice registered nurse (APRN) certified as a psychiatric and mental health clinical nurse specialist or nurse practitioner by the American Nurses Credentialing Center; or
4. licensed psychologist, MFT, or clinical social worker.

License Renewal

To renew a license, the bill requires LPC associates to submit satisfactory evidence to DPH that they completed continuing education requirements the commissioner sets in regulations. Such continuing education must include at least:

1. one contact hour (i.e., 50 minutes) of education or training in cultural competency;
2. two contact hours of training or education in mental health conditions common to veterans and their family members, during the first renewal period and every six years thereafter; and
3. three contact hours of training or education in professional ethics.

§§ 7-12 — MFT ASSOCIATE LICENSE

Initial Licensure Requirements

To obtain an MFT associate license, an applicant must provide DPH satisfactory evidence of having:

1. completed a (a) graduate degree program specializing in marital and family therapy offered by a regionally accredited higher education institution or (b) postgraduate clinical training program accredited by the Commission on Accreditation for Marriage and Family Therapy Education and offered by a regionally accredited higher education institution and
2. verification from a supervising licensed MFT that the applicant is working toward completing the postgraduate experience requirements for an MFT license.

Licensure Without Examination

As with MFT licenses under existing law, the bill allows DPH to grant an MFT associate license without examination to MFT associates licensed or certified in another U.S. state, territory, or commonwealth. An applicant can obtain a license in this way if the other jurisdiction's licensing standards are at least as strict as Connecticut's. Applicants must also have no pending disciplinary actions or complaints.

License Renewals

The MFT associate license is valid for two years and is renewable

once during the applicant's birth month. The applicant must submit evidence that he or she is working to complete the postgraduate experience requirements for an MFT license and can successfully do so during the two-year renewal period.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 21 Nay 0 (03/22/2019)