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:

Section 1. Section 20-195aa of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

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

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

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

(3) "Commissioner" means the Commissioner of Public Health;

(4) "Department" means the Department of Public Health;

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

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

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

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

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

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

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

(c) No license as a professional counselor shall be required of thefollowing: (1) A person who furnishes uncompensated assistance in anemergency; (2) a clergyman, priest, minister, rabbi or practitioner ofany religious denomination accredited by the religious body to whichthe person belongs and settled in the work of the ministry, providedthe activities that would otherwise require a license as a professionalcounselor are within the scope of ministerial duties; (3) a sexual assaultcounselor, as defined in section 52-146k; (4) a person participating inuncompensated group or individual counseling; (5) a person with a master's degree in a health-related or human services-related fieldemployed by a hospital, as defined in subsection (b) of section 19a-490,performing services in accordance with section 20-195aa, as amendedby this act, under the supervision of [a person licensed by the state inone of the professions identified in clauses (i) to (vii), inclusive, ofsubparagraph (C) of subdivision (1) of subsection (a) of section 20-195dd] a physician licensed pursuant to chapter 370, who is certified inpsychiatry by the American Board of Psychiatry and Neurology, anadvanced practice registered nurse licensed pursuant to chapter 378,who is certified as a psychiatric and mental health clinical nurse specialist or nurse practitioner by the American Nurses CredentialingCenter, a psychologist licensed pursuant to chapter 383, a marital andfamily therapist licensed pursuant to chapter 383a or a licensed clinicalsocial worker licensed pursuant to chapter 383b; (6) a person licensedor certified by any agency of this state and performing services within the scope of practice for which licensed or certified; (7) a student,intern or trainee pursuing a course of study in counseling in a regionally accredited institution of higher education, provided the activities that would otherwise require a license as a professionalcounselor are performed under supervision and constitute a part of a
supervised course of study; (8) a person employed by an institution of higher education to provide academic counseling in conjunction with the institution's programs and services; or (9) a vocational rehabilitation counselor, job counselor, credit counselor, consumer counselor or any other counselor or psychoanalyst who does not purport to be a counselor whose primary service is the application of established principles of psycho-social development and behavioral science to the evaluation, assessment, analysis and treatment of emotional, behavioral or interpersonal dysfunction or difficulties that interfere with mental health and human development; or (10) a person who earned a degree in accordance with the requirements of subdivision (2) of subsection (a) of section 20-195dd, provided (A) the activities performed and services provided by such person constitute part of the supervised experience required for licensure under subdivision (3) of subsection (a) of said section, and (B) not later than two years after completion of such supervised experience, the exemption to the licensure requirement shall cease if the person did not successfully complete the licensing examination, as required under subdivision (4) of subsection (a) of said section."

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

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

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

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

[(a) (1) Except as otherwise provided in subsections (b) and (c) of this section, an applicant for a license as a professional counselor shall, prior to January 1, 2019, submit evidence satisfactory to the commissioner of having: (A) Completed sixty graduate semester hours in or related to the discipline of counseling at a regionally accredited institution of higher education, that included coursework in each of the following areas: (i) Human growth and development, (ii) social and cultural foundations, (iii) counseling theories and techniques or
helping relationships, (iv) group dynamics, (v) processing and
counseling, (vi) career and lifestyle development, (vii) appraisals or
tests and measurements for individuals and groups, (viii) research and
evaluation, and (ix) professional orientation to counseling; (B) earned,
from a regionally accredited institution of higher education a master's
or doctoral degree in social work, marriage and family therapy,
counseling, psychology or a related mental health field; (C) acquired
three thousand hours of postgraduate-degree-supervised experience in
the practice of professional counseling, performed over a period of not
less than one year, that included a minimum of one hundred hours of
direct supervision by (i) a physician licensed pursuant to chapter 370
who has obtained certification in psychiatry from the American Board
of Psychiatry and Neurology, (ii) a psychologist licensed pursuant to
chapter 383, (iii) an advanced practice registered nurse licensed
pursuant to chapter 378 and certified as a clinical specialist in adult
psychiatric and mental health nursing with the American Nurses
Credentialing Center, (iv) a marital and family therapist licensed
pursuant to chapter 383a, (v) a clinical social worker licensed pursuant
to chapter 383b, (vi) a professional counselor licensed, or prior to
October 1, 1998, eligible for licensure, pursuant to section 20-195cc, or
(vii) a physician certified in psychiatry by the American Board of
Psychiatry and Neurology, psychologist, advanced practice registered
nurse certified as a clinical specialist in adult psychiatric and mental
health nursing with the American Nurses Credentialing Center,
marital and family therapist, clinical social worker or professional
counselor licensed or certified as such or as a person entitled to
perform similar services, under a different designation, in another state
or jurisdiction whose requirements for practicing in such capacity are
substantially similar to or higher than those of this state; and (D)
passed an examination prescribed by the commissioner. Any such
applicant who, on or before July 1, 2017, is a matriculating student in
good standing in a graduate degree program at a regionally accredited
institution of higher education in one of the fields required under
subparagraph (B) of this subdivision on or before July 1, 2017, but who
cannot reasonably complete the requirements set forth in this
subdivision prior to January 1, 2019, as determined by the commissioner, may apply for a license under this subdivision on and after January 1, 2019.]

[(2)] (a) Except as otherwise provided in subsections [(b)] (c) and [(c)] (d) of this section, an applicant for a license as a professional counselor shall [on and after January 1, 2019.] submit evidence satisfactory to the commissioner of having: [(A) (i)] (1) (A) Earned a graduate degree in clinical mental health counseling as part of a program of higher learning accredited by the Council for Accreditation of Counseling and Related Educational Programs, or a successor organization, or [(ii) (l)] (B) (i) completed at least sixty graduate semester hours in counseling or a related mental health field at a regionally accredited institution of higher education that included coursework in each of the following areas: Human growth and development; social and cultural foundations; counseling theories; counseling techniques; group counseling; career counseling; appraisals or tests and measurements to individuals and groups; research and evaluation; professional orientation to mental health counseling; addiction and substance abuse counseling; trauma and crisis counseling; and diagnosis and treatment of mental and emotional disorders, [(III) (ii)] (ii) earned from a regionally accredited institution of higher education a graduate degree in counseling or a related mental health field, [(III) (iii)] (iii) completed a one-hundred-hour practicum in counseling taught by a faculty member licensed or certified as a professional counselor or its equivalent in another state, and [(IV) (iv)] (iv) completed a six-hundred-hour clinical mental health counseling internship taught by a faculty member licensed or certified as a professional counselor or its equivalent in another state; [(B)] (2) acquired three thousand hours of postgraduate experience under professional supervision, including a minimum of one hundred hours of direct professional supervision, in the practice of professional counseling, performed over a period of not less than two years; and [(C)] (3) passed an examination prescribed by the commissioner.
(b) An applicant for a license as a professional counselor associate shall submit to the Commissioner of Public Health evidence satisfactory to the commissioner of having (1) earned a graduate degree in clinical mental health counseling as part of a program of higher learning accredited by the Council for Accreditation of Counseling and Related Educational Programs, or a successor organization, or (2) (A) completed at least sixty graduate semester hours in counseling or a related mental health field at a regionally accredited institution of higher education that included coursework in each of the following areas: Human growth and development; social and cultural foundations; counseling theories; counseling techniques; group counseling; career counseling; appraisals or tests and measurements to individuals and groups; research and evaluation; professional orientation to mental health counseling; addiction and substance abuse counseling; trauma and crisis counseling; and diagnosis and treatment of mental and emotional disorders, (B) completed a one-hundred-hour practicum in counseling taught by a faculty member licensed or certified as a professional counselor or its equivalent in another state, (C) completed a six-hundred-hour clinical mental health counseling internship taught by a faculty member licensed or certified as a professional counselor or its equivalent in another state, and (D) earned from a regionally accredited institution of higher education a graduate degree in counseling or a related mental health field.

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

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

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

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

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

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

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

For purposes of this chapter:

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

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

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

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

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

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

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

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

Sec. 9. Section 20-195c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

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

(b) Each applicant for licensure as a marital and family therapist associate shall present to the department (1) satisfactory evidence that such applicant has completed a graduate degree program specializing in marital and family therapy offered by a regionally accredited institution of higher education or an accredited postgraduate clinical training program accredited by the Commission on Accreditation for
Marriage and Family Therapy Education and offered by a regionally accredited institution of higher education, and (2) verification from a supervising licensed marital and family therapist that the applicant is working toward completing the postgraduate experience required for licensure as a marital and family therapist under subdivision (3) of subsection (a) of this section. The fee shall be one hundred twenty-five dollars for each initial application.

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

[(c) Licenses] (d) (1) A license issued to a marital and family therapist issued under this section may be renewed annually in accordance with the provisions of section 19a-88, as amended by this act. The fee for such renewal shall be three hundred twenty dollars. Each licensed marital and family therapist applying for license renewal shall furnish evidence satisfactory to the commissioner of having participated in continuing education programs. The commissioner shall adopt regulations, in accordance with chapter 54, to [(1)] (A) define basic requirements for continuing education programs, which shall include not less than one contact hour of training or education each registration period on the topic of cultural competency and, on and after January 1, 2016, not less than two contact hours of training or education during the first renewal period in which continuing education is required and not less than once every six years thereafter on the topic of mental health conditions common to veterans and
family members of veterans, including [(A)] (i) determining whether a patient is a veteran or family member of a veteran, [(B)] (ii) screening for conditions such as post-traumatic stress disorder, risk of suicide, depression and grief, and [(C)] (iii) suicide prevention training, [(2)] (B) delineate qualifying programs, [(3)] (C) establish a system of control and reporting, and [(4)] (D) provide for waiver of the continuing education requirement for good cause.

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

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

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

(e) (1) Each person holding a license or certificate issued under
section 19a-514, 20-65k, 20-74s, 20-185k, 20-185l, 20-195cc, as amended by this act, or 20-206ll and chapters 370 to 373, inclusive, 375, 378 to 381a, inclusive, 383 to 383c, inclusive, 384, 384a, 384b, 384d, 385, 393a, 395, 399 or 400a and section 20-206n or 20-206o shall, annually, or, in the case of a person holding a license as a marital and family therapist associate under section 20-195c, as amended by this act, on or before twenty-four months after the date of initial licensure, during the month of such person's birth, apply for renewal of such license or certificate to the Department of Public Health, giving such person's name in full, such person's residence and business address and such other information as the department requests.

Sec. 11. Subsection (a) of section 20-206oo of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

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

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

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

(7) Nurse-midwife;

(8) Licensed clinical social worker;

(9) Respiratory care practitioner;
(10) Asbestos contractor, asbestos consultant and asbestos training provider;

(11) Massage therapist;

(12) Registered nurse’s aide;

(13) Radiographer;

(14) Dental hygienist;

(15) Dietitian-Nutritionist;

(16) Asbestos abatement worker;

(17) Asbestos abatement site supervisor;

(18) Licensed or certified alcohol and drug counselor;

(19) Professional counselor and professional counselor associate;

This act shall take effect as follows and shall amend the following sections:

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Statement of Legislative Commissioners:
In Section 4(a), "Subsections (b) and (c)" were changed to Subsections "(c) and (d)" for accuracy, Subparas. (A)(i) to (C), inclusive, were redesignated as Subdivs. (1)(A) to (3), inclusive, for consistency with
standard drafting conventions and in Section 4(d), "or a professional counselor associate or its equivalent" was deleted and the closing bracket was moved from after "of this section, or" to after "subparagraph (B) of" for accuracy.

PH    Joint Favorable Subst.