

SENATE BILL 575

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2002 Regular Session
(2lr2160)

ENROLLED BILL

-- Education, Health, and Environmental Affairs/Environmental Matters --

Introduced by **Senator Jacobs**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER 327

1 AN ACT concerning

2 **~~State Board of Professional Counselors and Therapists~~**
3 **Health Occupations - Graduate Licenses**

4 FOR the purpose of authorizing the State Board of Professional Counselors and
5 Therapists to adopt regulations to allow individuals to practice under
6 supervision as licensed graduate alcohol and drug counselors, licensed graduate
7 marriage and family therapists, or as licensed graduate professional counselors;
8 providing certain qualifications for practice under supervision; authorizing the
9 use of certain titles and certain representations; prohibiting the use of those
10 titles and representations by individuals not licensed; providing certain
11 penalties for certain violations; requiring certain applicants for a provisional
12 graduate social worker license to meet certain qualifications; providing for the
13 period of time during which a certain license is valid; authorizing certain
14 provisional licensees to apply for a graduate social worker license upon the
15 accreditation of the provisional licensee's degree program; defining certain
16 terms; and generally relating to ~~licensed graduate alcohol and drug counselors,~~
17 ~~licensed graduate~~ licenses and health occupations. ~~marriage and family~~

1 ~~therapists, and licensed graduate professional counselors.~~

2 BY repealing and reenacting, with amendments,

3 Article - Health Occupations

4 Section 17-3A-01 and 19-302

5 Annotated Code of Maryland

6 (2000 Replacement Volume and 2001 Supplement)

7 BY adding to

8 Article - Health Occupations

9 Section 17-3A-02.1

10 Annotated Code of Maryland

11 (2000 Replacement Volume and 2001 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Health Occupations**

15 17-3A-01.

16 (a) In this subtitle the following words have the meanings indicated.

17 (b) "License" means [a license issued by the Board to practice clinical
18 professional counseling, clinical marriage and family therapy, or clinical alcohol and
19 drug counseling.], UNLESS THE CONTEXT REQUIRES OTHERWISE, ONE OF ~~FIVE SIX~~
20 TYPES OF LICENSES ISSUED BY THE BOARD AUTHORIZING AN INDIVIDUAL TO
21 PRACTICE:

22 (1) CLINICAL ALCOHOL AND DRUG COUNSELING;

23 (2) CLINICAL MARRIAGE AND FAMILY THERAPY;

24 (3) CLINICAL PROFESSIONAL COUNSELING;

25 (4) GRADUATE ALCOHOL AND DRUG COUNSELING;

26 ~~(4)~~ (5) GRADUATE MARRIAGE AND FAMILY THERAPY; OR

27 ~~(5)~~ (6) GRADUATE PROFESSIONAL COUNSELING.

28 (C) "LICENSED GRADUATE ALCOHOL AND DRUG COUNSELOR" MEANS AN
29 INDIVIDUAL APPROVED BY THE BOARD TO PRACTICE GRADUATE ALCOHOL AND
30 DRUG COUNSELING.

31 ~~(C)~~ (D) "LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST" MEANS
32 AN INDIVIDUAL APPROVED BY THE BOARD TO PRACTICE GRADUATE MARRIAGE AND
33 FAMILY THERAPY UNDER SUPERVISION WHILE FULFILLING THE SUPERVISED
34 ~~EXPERIENCE REQUIREMENTS FOR LICENSURE.~~

1 ~~(D)~~ (E) "LICENSED GRADUATE PROFESSIONAL COUNSELOR" MEANS AN
 2 INDIVIDUAL APPROVED BY THE BOARD TO PRACTICE GRADUATE PROFESSIONAL
 3 COUNSELING UNDER SUPERVISION WHILE FULFILLING THE SUPERVISED
 4 EXPERIENCE REQUIREMENTS FOR LICENSURE.

5 [(c)] ~~(E)~~ (F) "Practice clinical alcohol and drug counseling" means to engage
 6 professionally and for compensation in alcohol and drug counseling and appraisal
 7 activities by providing services involving the application of counseling principles and
 8 methods in the diagnosis, prevention, treatment, and amelioration of psychological
 9 problems[,] AND emotional or mental conditions of individuals or groups.

10 [(d)] ~~(F)~~ (G) "Practice clinical marriage and family therapy" means to
 11 engage professionally and for compensation in marriage and family therapy and
 12 appraisal activities by providing services involving the application of therapy
 13 principles and methods in the diagnosis, prevention, treatment, and amelioration of
 14 psychological problems[,] AND emotional or mental conditions of individuals or
 15 groups.

16 [(e)] ~~(G)~~ (H) "Practice clinical professional counseling" means to engage
 17 professionally and for compensation in counseling and appraisal activities by
 18 providing services involving the application of counseling principles and methods in
 19 the diagnosis, prevention, treatment, and amelioration of psychological problems[,]
 20 AND emotional or mental conditions of individuals or groups.

21 (I) "PRACTICE GRADUATE ALCOHOL AND DRUG COUNSELING" MEANS TO
 22 PRACTICE ALCOHOL AND DRUG COUNSELING:

23 (1) UNDER THE SUPERVISION OF A LICENSED CLINICAL ALCOHOL AND
 24 DRUG COUNSELOR OR ANOTHER HEALTH CARE PROVIDER LICENSED UNDER THIS
 25 ARTICLE, AS APPROVED BY THE BOARD; AND

26 (2) WHILE FULFILLING THE REQUIREMENTS FOR SUPERVISED
 27 EXPERIENCE UNDER § 17-3A-02 OF THIS SUBTITLE.

28 (J) "PRACTICE GRADUATE MARRIAGE AND FAMILY THERAPY" MEANS TO
 29 PRACTICE MARRIAGE AND FAMILY THERAPY:

30 (1) UNDER THE SUPERVISION OF A LICENSED CLINICAL MARRIAGE AND
 31 FAMILY THERAPIST OR ANOTHER HEALTH CARE PROVIDER LICENSED UNDER THIS
 32 ARTICLE, AS APPROVED BY THE BOARD; AND

33 (2) WHILE FULFILLING THE REQUIREMENTS FOR SUPERVISED
 34 EXPERIENCE UNDER § 17-3A-02 OF THIS SUBTITLE.

35 (K) "PRACTICE GRADUATE PROFESSIONAL COUNSELING" MEANS TO
 36 PRACTICE PROFESSIONAL COUNSELING:

37 (1) UNDER THE SUPERVISION OF A LICENSED CLINICAL PROFESSIONAL
 38 COUNSELOR OR ANOTHER HEALTH CARE PROVIDER LICENSED UNDER THIS
 39 ARTICLE, AS APPROVED BY THE BOARD; AND

1 (2) WHILE FULFILLING THE REQUIREMENTS FOR SUPERVISED
2 EXPERIENCE UNDER § 17-3A-02 OF THIS SUBTITLE.

3 17-3A-02.1.

4 (A) THE BOARD MAY ADOPT REGULATIONS TO ALLOW AN INDIVIDUAL TO
5 PRACTICE UNDER SUPERVISION AS A LICENSED GRADUATE ALCOHOL AND DRUG
6 COUNSELOR, A LICENSED GRADUATE PROFESSIONAL COUNSELOR, OR A LICENSED
7 GRADUATE MARRIAGE AND FAMILY THERAPIST.

8 (B) TO QUALIFY TO PRACTICE AS A LICENSED GRADUATE ALCOHOL AND
9 DRUG COUNSELOR, A LICENSED GRADUATE PROFESSIONAL COUNSELOR, OR A
10 LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST, AN INDIVIDUAL SHALL
11 BE:

12 (1) OF GOOD MORAL CHARACTER; AND

13 (2) AT LEAST 18 YEARS OLD.

14 (C) AN INDIVIDUAL MAY PRACTICE GRADUATE ALCOHOL AND DRUG
15 COUNSELING UNDER SUPERVISION FOR A LIMITED PERIOD OF TIME IF THE
16 INDIVIDUAL HAS:

17 (1) A MASTER'S OR DOCTORAL DEGREE IN A HEALTH AND HUMAN
18 SERVICES COUNSELING FIELD THAT MEETS THE EDUCATIONAL REQUIREMENTS OF
19 § 17-3A-02 OF THIS SUBTITLE; AND

20 (2) PASSED THE NATIONAL ALCOHOL AND DRUG COUNSELOR
21 EXAMINATION APPROVED BY THE BOARD.

22 (D) AN INDIVIDUAL MAY PRACTICE GRADUATE MARRIAGE AND FAMILY
23 THERAPY UNDER SUPERVISION FOR A LIMITED PERIOD OF TIME IF THE INDIVIDUAL
24 HAS:

25 (1) A MASTER'S OR DOCTORAL DEGREE IN A MARRIAGE AND FAMILY
26 FIELD THAT MEETS THE EDUCATIONAL REQUIREMENTS OF § 17-3A-02 OF THIS
27 SUBTITLE; AND

28 (2) PASSED THE NATIONAL MARRIAGE AND FAMILY THERAPY
29 EXAMINATION APPROVED BY THE BOARD.

30 (E) AN INDIVIDUAL MAY PRACTICE GRADUATE PROFESSIONAL COUNSELING
31 UNDER SUPERVISION FOR A LIMITED PERIOD OF TIME IF THE INDIVIDUAL HAS:

32 (1) A MASTER'S OR DOCTORAL DEGREE IN A PROFESSIONAL
33 COUNSELING FIELD THAT MEETS THE EDUCATIONAL REQUIREMENTS OF § 17-3A-02
34 OF THIS SUBTITLE; AND

35 (2) PASSED THE NATIONAL PROFESSIONAL COUNSELOR EXAMINATION
36 APPROVED BY THE BOARD.

1 ~~(C) AN INDIVIDUAL MAY PRACTICE PROFESSIONAL COUNSELING AS A~~
2 ~~LICENSED GRADUATE PROFESSIONAL COUNSELOR WITHOUT LICENSURE FOR A~~
3 ~~LIMITED PERIOD OF TIME IF THE INDIVIDUAL:~~

4 ~~(1) HAS PASSED THE NATIONAL PROFESSIONAL COUNSELOR~~
5 ~~EXAMINATION APPROVED BY THE BOARD;~~

6 ~~(2) IS UNDER THE SUPERVISION OF A LICENSED CLINICAL~~
7 ~~PROFESSIONAL COUNSELOR OR ANOTHER HEALTH CARE PROVIDER LICENSED~~
8 ~~UNDER THIS ARTICLE, AS APPROVED BY THE BOARD; AND~~

9 ~~(3) IS FULFILLING THE REQUIREMENTS FOR SUPERVISED EXPERIENCE~~
10 ~~UNDER § 17-3A-02 OF THIS SUBTITLE.~~

11 ~~(D) AN INDIVIDUAL MAY PRACTICE MARRIAGE AND FAMILY THERAPY~~
12 ~~WITHOUT LICENSURE FOR A LIMITED PERIOD OF TIME IF THE INDIVIDUAL:~~

13 ~~(1) HAS PASSED THE NATIONAL MARRIAGE AND FAMILY THERAPY~~
14 ~~EXAMINATION APPROVED BY THE BOARD;~~

15 ~~(2) IS UNDER THE SUPERVISION OF A LICENSED CLINICAL MARRIAGE~~
16 ~~AND FAMILY THERAPIST OR ANOTHER HEALTH CARE PROVIDER LICENSED UNDER~~
17 ~~THIS ARTICLE, AS APPROVED BY THE BOARD; AND~~

18 ~~(3) IS FULFILLING THE REQUIREMENTS FOR SUPERVISED EXPERIENCE~~
19 ~~UNDER § 17-3A-02 OF THIS SUBTITLE.~~

20 ~~(E) AN INDIVIDUAL MAY PROVIDE COUNSELING UNDER SUPERVISION AS~~
21 ~~PROVIDED IN THIS SECTION IF THE INDIVIDUAL HAS A MASTER'S OR DOCTORAL~~
22 ~~DEGREE IN A PROFESSIONAL COUNSELING FIELD THAT MEETS THE EDUCATIONAL~~
23 ~~REQUIREMENTS OF § 17-3A-02 OF THIS SUBTITLE.~~

24 ~~(F) AN INDIVIDUAL MAY PROVIDE MARRIAGE AND FAMILY THERAPY UNDER~~
25 ~~SUPERVISION AS PROVIDED IN THIS SECTION IF THE INDIVIDUAL HAS A MASTER'S~~
26 ~~OR DOCTORAL DEGREE IN A MARRIAGE AND FAMILY FIELD THAT MEETS THE~~
27 ~~EDUCATIONAL REQUIREMENTS OF § 17-3A-02 OF THIS SUBTITLE.~~

28 ~~(G) (F) (1) AN INDIVIDUAL MAY NOT PRACTICE WITHOUT APPROVAL BY~~
29 ~~THE BOARD.~~

30 (2) AN INDIVIDUAL SHALL BE APPROVED BY THE BOARD TO PRACTICE
31 AS A LICENSED GRADUATE ALCOHOL AND DRUG COUNSELOR, A LICENSED
32 GRADUATE PROFESSIONAL COUNSELOR, OR A LICENSED GRADUATE MARRIAGE AND
33 FAMILY THERAPIST BEFORE THE INDIVIDUAL MAY:

34 (1) USE THE TITLE "LICENSED GRADUATE ALCOHOL AND DRUG
35 COUNSELOR", "LICENSED GRADUATE PROFESSIONAL COUNSELOR", OR "LICENSED
36 GRADUATE MARRIAGE AND FAMILY THERAPIST";

1 (II) USE THE INITIALS "L.G.A.D.C.", "L.G.P.C.", OR "L.G.M.F.T." AFTER
2 THE NAME OF THE INDIVIDUAL;

3 (III) REPRESENT TO THE PUBLIC THAT THE INDIVIDUAL IS
4 APPROVED BY THE BOARD TO PRACTICE ALCOHOL AND DRUG COUNSELING,
5 PROFESSIONAL COUNSELING, OR MARRIAGE AND FAMILY THERAPY; OR

6 (IV) USE ANY TITLE, ABBREVIATION, SIGN, CARD, OR OTHER
7 REPRESENTATION THAT THE INDIVIDUAL IS A LICENSED GRADUATE ALCOHOL AND
8 DRUG COUNSELOR, A LICENSED GRADUATE PROFESSIONAL COUNSELOR, OR A
9 LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST.

10 ~~(H)~~ (G) ANY INDIVIDUAL WHO VIOLATES SUBSECTION (G) OF THIS SECTION
11 IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT
12 EXCEEDING \$500 OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH.

13 19-302.

14 (a) To obtain a license, an applicant shall demonstrate to the satisfaction of the
15 Board that the applicant:

16 (1) Has submitted a complete written application in the form prescribed
17 by the Board:

18 (2) Is at least 18 years old;

19 (3) Is of good moral character;

20 (4) Except as otherwise provided in this title, has successfully passed an
21 examination or examinations prescribed by the Board pertinent to the license sought;
22 and

23 (5) Has paid all applicable fees specified by the Board relative to the
24 licensure process.

25 (b) To obtain a social work associate license, an applicant shall:

26 (1) Meet the requirements of subsection (a) of this section; and

27 (2) Have received a baccalaureate degree in social work from a program
28 accredited by the Council on Social Work Education.

29 (c) (1) To obtain a graduate social worker license, an applicant shall:

30 [(1)] (I) Meet the requirements of subsection (a) of this section; and

31 [(2)] (II) Have received a master's degree from a program accredited by
32 the Council on Social Work Education.

33 (2) (I) TO OBTAIN A PROVISIONAL GRADUATE SOCIAL WORKER
34 LICENSE, AN APPLICANT SHALL:

1 was obtaining the required 2 years of experience, the Board may waive the supervision
2 requirement on the request of the applicant.

3 (g) If an applicant who is licensed or registered to practice social work in
4 another state has obtained 2 years of supervised experience under circumstances that
5 are otherwise equivalent to those required under subsection (d) of this section, the
6 Board may waive the supervision requirement.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2002.