

HOUSE BILL 421

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HB 522/01 - ENV

2002 Regular Session
2lr1969
CF 2lr2160

By: **Delegate Hubbard**

Introduced and read first time: January 29, 2002
Assigned to: Environmental Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: February 19, 2002

CHAPTER 367

1 AN ACT concerning

2 **State Board of Professional Counselors and Therapists**

3 FOR the purpose of authorizing the State Board of Professional Counselors and
4 Therapists to adopt regulations to allow individuals to practice under
5 supervision as licensed alcohol and drug counselors, licensed graduate marriage
6 and family therapists, or as licensed graduate professional counselors; providing
7 certain qualifications for practice under supervision; authorizing the use of
8 certain titles and certain representations; prohibiting the use of those titles and
9 representations by individuals not licensed; providing certain penalties for
10 certain violations; defining certain terms; and generally relating to licensed
11 graduate alcohol and drug counselors, licensed graduate marriage and family
12 therapists, and licensed graduate professional counselors.

13 BY repealing and reenacting, with amendments,
14 Article - Health Occupations
15 Section 17-3A-01
16 Annotated Code of Maryland
17 (2000 Replacement Volume and 2001 Supplement)

18 BY adding to
19 Article - Health Occupations
20 Section 17-3A-02.1
21 Annotated Code of Maryland
22 (2000 Replacement Volume and 2001 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
24 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Health Occupations

2 17-3A-01.

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

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

9 (1) CLINICAL ALCOHOL AND DRUG COUNSELING;

10 (2) CLINICAL MARRIAGE AND FAMILY THERAPY;

11 (3) CLINICAL PROFESSIONAL COUNSELING;

12 (4) GRADUATE ALCOHOL AND DRUG COUNSELING;13 ~~(4)~~ (5) GRADUATE MARRIAGE AND FAMILY THERAPY; OR14 ~~(5)~~ (6) GRADUATE PROFESSIONAL COUNSELING.

15 (C) "LICENSED GRADUATE ALCOHOL AND DRUG COUNSELOR" MEANS AN
 16 INDIVIDUAL APPROVED BY THE BOARD TO PRACTICE GRADUATE ALCOHOL AND
 17 DRUG COUNSELING.

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

22 ~~(D)~~ (E) "LICENSED GRADUATE PROFESSIONAL COUNSELOR" MEANS AN
 23 INDIVIDUAL APPROVED BY THE BOARD TO PRACTICE GRADUATE PROFESSIONAL
 24 COUNSELING UNDER SUPERVISION WHILE FULFILLING THE SUPERVISED
 25 EXPERIENCE REQUIREMENTS FOR LICENSURE.

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

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

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

6 (I) "PRACTICE GRADUATE ALCOHOL AND DRUG COUNSELING" MEANS TO
 7 PRACTICE ALCOHOL AND DRUG COUNSELING:

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

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

13 (J) "PRACTICE GRADUATE MARRIAGE AND FAMILY THERAPY" MEANS TO
 14 PRACTICE MARRIAGE AND FAMILY THERAPY:

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

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

20 (K) "PRACTICE GRADUATE PROFESSIONAL COUNSELING" MEANS TO
 21 PRACTICE PROFESSIONAL COUNSELING:

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

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

27 17-3A-02.1.

28 (A) THE BOARD MAY ADOPT REGULATIONS TO ALLOW AN INDIVIDUAL TO
 29 PRACTICE UNDER SUPERVISION AS A LICENSED GRADUATE ALCOHOL AND DRUG
 30 COUNSELOR, A LICENSED GRADUATE PROFESSIONAL COUNSELOR, OR A LICENSED
 31 GRADUATE MARRIAGE AND FAMILY THERAPIST.

32 (B) TO QUALIFY TO PRACTICE AS A LICENSED GRADUATE ALCOHOL AND
 33 DRUG COUNSELOR, A LICENSED GRADUATE PROFESSIONAL COUNSELOR, OR A
 34 LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST, AN INDIVIDUAL SHALL
 35 BE:

36 (1) OF GOOD MORAL CHARACTER; AND

1 (2) AT LEAST 18 YEARS OLD.

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

5 (1) A MASTER'S OR DOCTORAL DEGREE IN A HEALTH AND HUMAN
6 SERVICES COUNSELING FIELD THAT MEETS THE EDUCATIONAL REQUIREMENTS OF
7 § 17-3A-02 OF THIS SUBTITLE; AND

8 (2) PASSED THE NATIONAL ALCOHOL AND DRUG COUNSELOR
9 EXAMINATION APPROVED BY THE BOARD.

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

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

16 (2) PASSED THE NATIONAL MARRIAGE AND FAMILY THERAPY
17 EXAMINATION APPROVED BY THE BOARD.

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

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

23 (2) PASSED THE NATIONAL PROFESSIONAL COUNSELOR EXAMINATION
24 APPROVED BY THE BOARD.

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

28 ~~(1) HAS PASSED THE NATIONAL PROFESSIONAL COUNSELOR~~
29 ~~EXAMINATION APPROVED BY THE BOARD;~~

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

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

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

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

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

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

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

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

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

18 (2) AN INDIVIDUAL SHALL BE APPROVED BY THE BOARD TO PRACTICE
19 AS A LICENSED GRADUATE ALCOHOL AND DRUG COUNSELOR, A LICENSED
20 GRADUATE PROFESSIONAL COUNSELOR, OR A LICENSED GRADUATE MARRIAGE AND
21 FAMILY THERAPIST BEFORE THE INDIVIDUAL MAY:

22 (I) USE THE TITLE "LICENSED GRADUATE ALCOHOL AND DRUG
23 COUNSELOR", "LICENSED GRADUATE PROFESSIONAL COUNSELOR", OR "LICENSED
24 GRADUATE MARRIAGE AND FAMILY THERAPIST";

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

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

30 (IV) USE ANY TITLE, ABBREVIATION, SIGN, CARD, OR OTHER
31 REPRESENTATION THAT THE INDIVIDUAL IS A LICENSED GRADUATE ALCOHOL AND
32 DRUG COUNSELOR, A LICENSED GRADUATE PROFESSIONAL COUNSELOR, OR A
33 LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST.

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

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

