

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE

House Bill 311 (Delegate Hubbard)
Health and Government Operations Education, Health, and Environmental Affairs

Professional Counselors and Therapists - Continuing Education - Home Study

This bill repeals a provision of law that prohibits the State Board of Professional Counselors and Therapists from authorizing home study toward the completion of continuing education requirements.

Fiscal Summary

State Effect: The change is procedural in nature and does not directly affect governmental finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: Certificate or license holders regulated by the board must obtain a minimum of 40 continuing education units (CEUs) in each two-year renewal period. A licensee or certificate holder must attest to completion of the CEUs and provide required documentation. Certificate holders or licensees may obtain up to 10 of the 40 CEUs through individualized learning, such as receiving formal professional supervision (except administrative supervision), participation in peer case conference or peer supervision groups, and participation in distance learning programs with evidence of appropriateness, minimum mastery of materials, and completion. The board may not authorize home study toward the completion of continuing education requirements.

At least five health occupations boards allow licensees to obtain a portion of CEUs required for license renewal through home study – the boards of Examiners of Psychologists, Podiatric Medical Examiners, Social Work Examiners, Nursing (for licensed electrologists only), and Residential Child Care Program Professionals. The State Board of Professional Counselors and Therapists is the only board to prohibit home study in statute.

The State Board of Professional Counselors and Therapists licenses and certifies professional counselors, alcohol and drug counselors, and marriage and family therapists; receives and resolves complaints regarding professional counselors and therapists; and sets standards for the practice of professional counseling through regulations and legislation. The board consists of 13 members: 5 licensed clinical professional counselors, 3 licensed clinical marriage and family therapists, 3 licensed clinical alcohol and drug counselors, and 2 consumers.

The 1992 full sunset evaluation of the board by the then-Department of Fiscal Services recommended that the board *restrict* continuing education credits acquired through home study. Chapter 58 of 1993 *prohibited* the board from authorizing any home study courses toward the completion of continuing education requirements.

Additional Information

Prior Introductions: None.

Cross File: Although designated as a cross file, SB 476 (Senator Benson) - Education, Health, and Environmental Affairs, is not identical.

Information Source(s): Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader - February 14, 2011
mlm/ljm

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