

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 736

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Dorman” and substitute “Dorman, Collins, Conway, Dyson, and Hollinger”.

AMENDMENT NO. 2

On page 1, in line 2, strike “Counselors” and substitute “Counselors-Clinical and Professional Counselors-Marriage and Family Therapist-Clinical”; strike beginning with “altering” in line 3 down through the second “scheme” in line 4 and substitute “establishing requirements for the licensure of professional counselors-clinical and professional counselors-marriage and family therapist-clinical”; strike beginning with “establishing” in line 7 down through “counselors-clinical;” in line 8; and in line 14, after “changes;” insert “requiring the State Board of Examiners of Professional Counselors to make a certain assessment and report to the General Assembly on the results of its assessment on or before a certain date and make recommendations to the General Assembly on or before a certain date regarding the licensing of certain certified professional counselors-alcohol and drug;”.

On page 1, in line 18, strike “17-206;”; in the same line, after “17-301” insert “17-302, 17-302.2, 17-303, 17-304, and 17-307”; after line 21, insert:

“BY renumbering

Article - Health Occupations

Section 17-302.4 and 17-302.5, respectively

to be Section 17-302.5 and 17-302.6, respectively

Annotated Code of Maryland

(1994 Replacement Volume and 1996 Supplement)”;

and in line 24, strike “17-403” and substitute “17-306.1”.

(Over)

AMENDMENT NO. 3

On page 2, in line 2, after “That” insert:

“Section(s) 17-302.4 and 17-302.5, respectively, of Article - Health Occupations of the Annotated Code of Maryland be renumbered to be Section(s) 17-302.5 and 17-302.6, respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That”;

in lines 6, 16, 17, 23, and 25, in each instance, strike all the brackets; in line 17, strike “(B)”;

and in line 23, strike “(C)”.

On page 3, in lines 9, 10, 13, 16, and 30, in each instance, strike all the brackets; in line 10, strike “(D)”;

in line 13, strike “(E)”;

in line 31, strike “(F)(1)” and substitute “(N)”;

in line 31, after “PRACTICE” insert “: (1)”;

and in line 32, strike “COUNSELING” and substitute “COUNSELING-CLINICAL; OR

(2) PROFESSIONAL COUNSELING-MARRIAGE AND FAMILY THERAPIST-CLINICAL”.

On pages 3 and 4, strike in their entirety the lines beginning with line 33 on page 3 through line 6 on page 4, inclusive.

On page 4, in line 7, strike “(J)” and substitute “(O)”;

after line 9, insert:

“(P) “LICENSED PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL” MEANS A PROFESSIONAL COUNSELOR LICENSED BY THE BOARD TO PRACTICE PROFESSIONAL COUNSELING-MARRIAGE AND FAMILY THERAPIST-CLINICAL.”;

strike in their entirety lines 10 through 36, inclusive; and in line 37, strike “(M)” and substitute “(Q)”.

On page 5, after line 6, insert:

“(R) (1) “PRACTICE PROFESSIONAL COUNSELING-MARRIAGE AND FAMILY THERAPIST-CLINICAL” MEANS TO ENGAGE IN THE BUSINESS OF PROFESSIONAL

COUNSELING-MARRIAGE AND FAMILY THERAPIST-CLINICAL FOR COMPENSATION BY APPLYING CLINICAL COUNSELING THEORIES, METHODS, AND THERAPEUTIC INTERVENTIONS FOR THE ALLEVIATION OF INTERPERSONAL, MENTAL, AND EMOTIONAL CONDITIONS.

(2) "PRACTICE PROFESSIONAL COUNSELING-MARRIAGE AND FAMILY THERAPIST-CLINICAL" INCLUDES THE RENDERING OF A DIAGNOSIS BASED ON A RECOGNIZED MANUAL OF MENTAL AND EMOTIONAL DISORDERS AND THE USE OF PSYCHOTHERAPY TO TREAT THE DISORDERS.;

strike in their entirety lines 7 through 15, inclusive; in lines 21, 22, 24, 25, 26, and 27, in each instance, strike all the brackets; in lines 21, 22, 23, 24, 25, and 27, in each instance, strike "LICENSE"; in lines 24 and 25, and 26, in each instance, strike "PROFESSIONAL COUNSELING-MARRIAGE"; strike in their entirety lines 28 through 30, inclusive; in line 31, strike "(D)" and substitute "(C)"; in line 38, strike "FOUR" and substitute "THREE"; in the same line, strike the second set of brackets; and in the same line, strike "LICENSED".

On page 6, in lines 7, 9, 21, 22, 23, 24, and 34, in each instance, strike all the brackets and strike "LICENSED"; in line 8, strike the brackets; in the same line, strike "THERAPY"; in line 12, strike "AND"; after line 12, insert:

"(V) ONE SHALL BE A LICENSED PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL; AND";

in line 13, strike "(V)" and substitute "(VI)"; and in lines 22, 24, and 25, in each instance, after "counselor" insert ", LICENSED PROFESSIONAL COUNSELOR-CLINICAL, OR LICENSED PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL".

On page 7, in line 5, strike the brackets; and in the same line, strike "LICENSED"; after line 16, insert:

"(F) THE LICENSED PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL MEMBER OF THE BOARD SHALL:

(1) HAVE A MASTER’S OR DOCTORAL DEGREE IN COUNSELING OR RELATED FIELD APPROVED BY THE BOARD; AND

(2) MEET THE EDUCATIONAL AND SUPERVISED EXPERIENCE REQUIREMENT OF § 17-302.4 OF THIS TITLE.”;

in line 17, strike “(F)” and substitute “(G)”; in line 19, strike “(G)” and substitute “(H)”; and in line 27, strike “(H)” and substitute “(I)”.

On page 8, in lines 1, 2, 4, 10, 15, 16, 17, 23, 25, 27, 29, 35, 36, and 37, in each instance, strike all the brackets and strike “LICENSED”; in lines 3, 11, 24, and 26, in each instance, strike all the brackets and strike “THERAPY”; after line 5, insert “(V) LICENSED PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL;”; in line 6, strike “(V)” and substitute “(VI)”; in line 7, strike “(VI)” and substitute “(VII)”; in line 12, strike the first “LICENSED”; in lines 13, 18, and 39, in each instance, after “CLINICAL,” insert “LICENSED PROFESSIONAL COUNSELORS-MARRIAGE AND FAMILY THERAPISTS-CLINICAL;”; in lines 17 and 37, in each instance, strike “THERAPY”; in line 28, strike “PROFESSIONAL COUNSELORS-ALCOHOL”; in the same line, strike the brackets; and after line 33, insert:

“(4) THE BOARD MAY NOT TAKE ACTION REGARDING LICENSED PROFESSIONAL COUNSELORS-MARRIAGE AND FAMILY THERAPISTS-CLINICAL WITHOUT THE APPROVAL OF THE BOARD MEMBER WHO IS A LICENSED PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL.”.

On page 9, strike in their entirety lines 1 through 26, inclusive; in lines 28, 31, 33, in each instance, strike all the brackets and strike “LICENSED”; in lines 29 and 32, in each instance, strike all the brackets; in line 29, strike “THERAPY”; and in line 32, strike “L.P.C.”.

On page 10, in lines 1, 4, 8, 9, 11, 13, and 18, in each instance, strike all the brackets and strike “LICENSED”; in lines 2 and 5, in each instance, strike all the brackets and strike “THERAPY”; in lines 6, 15, and 17, in each instance, strike all the brackets; in line 6, strike “L.P.C.-M.F.T.”; in line 10, strike “THERAPY”; and in line 15, strike “L.P.C.-A.D.”.

On page 11, after line 2, insert:

“(4) REPRESENT TO THE PUBLIC THAT THE INDIVIDUAL IS LICENSED AS A LICENSED PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL.”;

in line 5, strike “COUNSELING” and substitute “COUNSELING-CLINICAL, OR PROFESSIONAL COUNSELING-MARRIAGE AND FAMILY THERAPIST-CLINICAL”; in lines 26 and 31, in each instance, strike “COUNSELOR” and substitute “COUNSELOR-CLINICAL LICENSE, OR A PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL”; in line 9, after “A” insert “CERTIFICATE OR A”; in line 26, strike the brackets; in the same line, before “A” insert a comma; and in line 31, after “FOR” insert “CERTIFICATION.”

On page 13, strike in their entirety lines 3 through 14, inclusive; in lines 18 and 21, in each instance, strike all the brackets and strike “LICENSED”; in line 22, strike “THERAPY”; in line 26, strike “has” and substitute “;

(1) HAS”;

and in line 28, after “Board” insert “; AND

(2) IS WORKING UNDER SUPERVISION FOR THE PURPOSE OF QUALIFYING FOR THE REQUIREMENTS FOR CERTIFICATION OR LICENSURE UNDER THIS TITLE”.

On page 14, strike in their entirety lines 1 through 31, inclusive; in line 33, after “COUNSELOR-CLINICAL” insert “OR LICENSED PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL”; in line 35, strike “OR”; and in the same line, after “§ 17-302.2” insert “; OR § 17-302.3”.

On page 15, in line 14, after “APPLICANT” insert “FOR A PROFESSIONAL COUNSELING-CLINICAL LICENSE”; and after line 23, insert:

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“(C) (1) IN ADDITION TO THE REQUIREMENTS UNDER SUBSECTION (A) OF THIS SECTION, AN APPLICANT FOR A PROFESSIONAL COUNSELING-MARRIAGE AND FAMILY THERAPIST-CLINICAL LICENSE SHALL HAVE A MINIMUM OF 144 HOURS OF PERIODIC DIRECT SUPERVISION PROVIDED IN AT LEAST 2 CONSECUTIVE YEARS WHERE CLINICAL SUPERVISION IS PART OF AN EMPLOYMENT CONTRACT AND THE SUPERVISOR IS A LICENSED PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL.

(2) IF A LICENSED PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL IS NOT AVAILABLE AT THE EMPLOYMENT SITE, THEN A LICENSED SOCIAL WORKER-CLINICAL, A LICENSED PSYCHOLOGIST, OR A LICENSED PSYCHIATRIST WHO IS APPROVED BY THE BOARD MAY PROVIDE THE SUPERVISION.

(3) AFTER OCTOBER 1, 2002, THE CLINICAL SUPERVISOR SHALL BE A LICENSED PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL.”.

On pages 15 and 16, strike in their entirety the lines beginning with line 24 on page 15 through line 16 on page 16, inclusive.

On page 16, in lines 18 and 24, in each instance, strike all the brackets; and in lines 18 and 24, in each instance, before “LICENSE” insert “OR”.

On pages 16 through 18, strike in their entirety the lines beginning with line 32 on page 16 through line 21 on page 18, inclusive.

On page 18, after line 21, insert “17-306.1.”; in line 22, strike “(B)”; in line 23, after “COUNSELOR-CLINICAL” insert “OR PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL”; in line 28, strike “LICENSE” and substitute “CERTIFICATE”; in the same line, strike “LICENSED” and substitute “CERTIFIED”; in line 32, after “EXPERIENCE” insert “PROVIDING PSYCHOTHERAPY SERVICES FOR COMPENSATION”; in lines 32, 33, and 34, in each instance, strike “LICENSED” and substitute “CERTIFIED”; and strike beginning with “, OR” in line 34 down through “COMPENSATION” in line 35.

On page 19, strike in their entirety lines 1 through 30, inclusive; in lines 32, 34, 35, and 36, in each instance, strike all the brackets; and in lines 32, 34, 35, and 36, in each instance, before “LICENSE” insert “OR”.

On page 20, in lines 1, 2, 3, 5, 6, 7, 8, 11, 12, 14, 15, 16, 20, 21, 23, 25, 26, 28, 31, 32, 33, and 34, in each instance, strike all the brackets; in lines 1, 2, 3, 20, 21, 23, 24, 25, 26, 28, 31, 32, and 33, in each instance, before “LICENSE” insert “OR”; in line 5, before “An” insert “(A)”; in lines 5, 6, 7, 8, 14, 15, and 16, in each instance, strike “LICENSED”; in lines 8 and 16, in each instance, strike “THERAPY”; in line 9, strike ““LICENSED PROFESSIONAL COUNSELOR-CLINICAL,””; in the same line, before “certified” insert opening quotes; in line 11, strike “L.P.C.”; in the same line, strike “L.P.C.-M.F.T.”; in line 12, strike “L.P.C.-A.D.”; and in the same line, strike “OR “L.P.C.-C.””; in line 17, strike “LICENSED PROFESSIONAL COUNSELOR-CLINICAL,”; after line 18, insert:

“(B) AN INDIVIDUAL WHO IS LICENSED BY THE BOARD AS A LICENSED PROFESSIONAL COUNSELOR-CLINICAL MAY:

(1) USE THE TITLE “LICENSED PROFESSIONAL COUNSELOR-CLINICAL”;

(2) USE THE INITIALS “L.P.C.-C.” AFTER THE NAME OF THE INDIVIDUAL;

AND

(3) REPRESENT TO THE PUBLIC THAT THE INDIVIDUAL IS LICENSED AS A LICENSED PROFESSIONAL COUNSELOR-CLINICAL.

(C) AN INDIVIDUAL WHO IS LICENSED BY THE BOARD AS A LICENSED PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL MAY:

(1) USE THE TITLE “LICENSED PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL”;

(2) USE THE INITIALS “L.P.C.-M.F.T.-C.” AFTER THE NAME OF THE

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INDIVIDUAL; AND

(3) REPRESENT TO THE PUBLIC THAT THE INDIVIDUAL IS LICENSED AS A LICENSED PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL.”;

in line 24, strike the first set of brackets; and in line 34, before “LICENSED” insert “OR”.

On page 21, in lines 2, 5, 8, 9, 13, 17, 19, 21, 22, 23, and 26, in each instance, strike all the brackets; in lines 2, 5, 6, 8, 9, 13, 21, 22, and 23, in each instance, before “LICENSE” insert “OR”; in lines 17 and 19, in each instance, strike “LICENSE”; after line 19, insert:

“(C) IN ACCORDANCE WITH ITS RULES AND REGULATIONS, THE BOARD MAY REINSTATE THE LICENSE OF A PROFESSIONAL COUNSELOR-CLINICAL OR PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL WHO:

(1) HAS NOT BEEN PUT ON INACTIVE STATUS; AND

(2) HAS FAILED TO RENEW THE LICENSE FOR ANY REASON.”;

and in line 26, before “LICENSED” insert “OR”.

On page 22, in lines 5, 10, 11, 16, 17, 18, 19, 20, 21, 24, and 37, strike all the brackets; in line 5, before “LICENSED” insert “OR”; in line 8, after “(5)” insert “(I)”; in the same line, strike “At” and substitute “FOR CERTIFICATE HOLDERS, AT”; in lines 10 and 11, in each instance, strike “LICENSED”; in line 11, strike “THERAPY”; after line 11, insert:

“(II) FOR PROFESSIONAL COUNSELORS-CLINICAL LICENSE HOLDERS, AT THE BOTTOM OF THE FIRST PAGE OF THE DISCLOSURE STATEMENT, THE WORDS, “THIS INFORMATION IS REQUIRED BY THE BOARD OF EXAMINERS OF PROFESSIONAL COUNSELORS WHICH REGULATES ALL LICENSED PROFESSIONAL COUNSELORS-CLINICAL; AND

(III) FOR PROFESSIONAL COUNSELORS-MARRIAGE AND FAMILY

THERAPISTS-CLINICAL LICENSE HOLDERS, AT THE BOTTOM OF THE FIRST PAGE OF THE DISCLOSURE STATEMENT, THE WORDS, “THIS INFORMATION IS REQUIRED BY THE BOARD OF EXAMINERS OF PROFESSIONAL COUNSELORS WHICH REGULATES ALL LICENSED PROFESSIONAL COUNSELORS-MARRIAGE AND FAMILY THERAPIST-CLINICAL; AND”;

in lines 17, 18, 19, 21, and 37, in each instance, before “LICENSE” insert “OR”; in line 23, strike “practicing” and substitute “:

(I) PRACTICING”;

in line 24, strike “LICENSED”; and after line 24, insert:

(II) PRACTICING PROFESSIONAL COUNSELING-CLINICAL OR REPRESENTING TO BE A LICENSED PROFESSIONAL COUNSELOR-CLINICAL; OR

(III) PRACTICING PROFESSIONAL COUNSELING-MARRIAGE AND FAMILY THERAPIST-CLINICAL;”.

On page 23, in lines 1, 6, 10, 13, 16, 17, 21, 22, 23, 25, 26, 28, and 31, in each instance, strike all the brackets; in line 1, before “LICENSED” insert “OR”; in line 6, before “LICENSE” insert “OR”; in line 10, before “Except” insert “(A)”; in lines 10, 13, 16, and 17, in each instance, strike “LICENSED”; in line 17, strike “THERAPY”; in lines 18 and 19, strike “LICENSED PROFESSIONAL COUNSELOR-CLINICAL”; in line 21, strike “L.P.C.”; in the same line, strike “L.P.C.-M.F.T.”; in line 22, strike “L.P.C.-A.D.”; in the same line, strike “OR “L.P.C.-C.””; in line 23, strike “REPRESENTED BY THE ABBREVIATIONS”; in line 27, strike “PROFESSIONAL COUNSELING-MARRIAGE”; in lines 27 and 28, strike “PROFESSIONAL COUNSELING-ALCOHOL AND DRUG, OR PROFESSIONAL COUNSELING-CLINICAL”; after line 31, insert:

“(B) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, UNLESS A PERSON IS LICENSED TO PRACTICE PROFESSIONAL COUNSELING-CLINICAL, THE PERSON MAY NOT:

(1) REPRESENT TO THE PUBLIC BY TITLE, BY DESCRIPTION OF SERVICES, METHODS, OR PROCEDURES, OR OTHERWISE, THAT THE PERSON IS LICENSED BY THE BOARD TO PROVIDE PROFESSIONAL COUNSELING-CLINICAL SERVICES IN THIS STATE;

(2) USE ANY TITLE, ABBREVIATION, SIGN, CARD, OR OTHER REPRESENTATION THAT THE PERSON IS A LICENSED PROFESSIONAL COUNSELOR-CLINICAL; OR

(3) USE THE TITLE “L.P.C.-C.”, OR THE WORDS “LICENSED PROFESSIONAL COUNSELOR-CLINICAL” WITH THE INTENT TO REPRESENT THAT THE PERSON PRACTICES PROFESSIONAL COUNSELING-CLINICAL.

(C) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, UNLESS A PERSON IS LICENSED TO PRACTICE PROFESSIONAL COUNSELING-MARRIAGE AND FAMILY THERAPIST-CLINICAL, THE PERSON MAY NOT:

(1) REPRESENT TO THE PUBLIC BY TITLE, BY DESCRIPTION OF SERVICES, METHODS, OR PROCEDURES, OR OTHERWISE, THAT THE PERSON IS LICENSED BY THE BOARD TO PROVIDE PROFESSIONAL COUNSELING-MARRIAGE AND FAMILY THERAPIST-CLINICAL SERVICES IN THIS STATE;

(2) USE ANY TITLE, ABBREVIATION, SIGN, CARD, OR OTHER REPRESENTATION THAT THE PERSON IS A LICENSED PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL; OR

(3) USE THE TITLE “L.P.C.-M.F.T.-C.”, OR THE WORDS “LICENSED PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL” WITH THE INTENT TO REPRESENT THAT THE PERSON PRACTICES PROFESSIONAL COUNSELING-MARRIAGE AND FAMILY THERAPIST-CLINICAL.”;

in line 32, strike “17-403.”; in line 33, before “A” insert “(D)”; in line 34, after “(1)” insert “(I)”; in line 35, strike “LICENSE” and substitute “CERTIFICATE”; in line 36, strike “(2)” and substitute “(II)”; in the same line, strike “LICENSE” and substitute “CERTIFICATE”; in line 37, strike

“LICENSED” and substitute “CERTIFIED”; and in the same line, strike “AND” and substitute “OR”.

On page 24, in line 1, strike “(3)” and substitute “(III)”; in line 3, strike “LICENSE.” and substitute “CERTIFICATE; OR”; after line 3, insert:

“(2) (I) INTENTIONALLY GIVE FALSE INFORMATION TO THE BOARD WHEN ATTEMPTING TO OBTAIN A LICENSE UNDER THIS SUBTITLE;

(II) INTENTIONALLY USE OR ATTEMPT TO USE THE LICENSE OF ANOTHER PERSON WHO IS A LICENSED PROFESSIONAL COUNSELOR-CLINICAL OR LICENSED PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL; OR

(III) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, PRACTICE OR ATTEMPT TO ENGAGE IN THE BUSINESS OF PROVIDING PROFESSIONAL COUNSELOR-CLINICAL OR PROFESSIONAL COUNSELOR-MARRIAGE AND FAMILY THERAPIST-CLINICAL SERVICES IN THIS STATE WITHOUT A LICENSE. “;

in line 10, strike the brackets; and in line 11, before “LICENSED” insert “OR”.

On page 25, after line 18, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) On or before January 1, 1998, the State Board of Examiners of Professional Counselors shall:

(1) Assess whether, as to those certified professional counselors who meet the requirements of § 17-306 of the Health Occupations Article, as enacted by Section 2 of this Act, it is advisable to specify distinctions in title by specialization; and

(2) Report to the General Assembly, in accordance with § 2-1312 of the State

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Government Article, on the results of its assessment.

(b) On or before January 1, 1999, the State Board of Examiners of Professional Counselors shall issue recommendations to the General Assembly, in accordance with § 2-1312 of the State Government Article, that certified professional counselors-alcohol and drug who meet the requirements of § 17-302.3 of the Health Occupations Article, should be licensed in a manner comparable with the provisions of this Act relating to licensed professional counselors-clinical and licensed professional counselors-marriage and family therapist-clinical.”;
and in line 19, strike “2.” and substitute “4.”.