

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 306

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Craig” and substitute “Craig, and Dyson”; in line 13, after “terms;” insert “altering a certain definition;”; and after line 17, insert:

“BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings

Section 9-109.1(a)

Annotated Code of Maryland

(1995 Replacement Volume and 1997 Supplement)

BY repealing and reenacting, without amendments,

Article - Courts and Judicial Proceedings

Section 9-109.1(b)

Annotated Code of Maryland

(1995 Replacement Volume and 1997 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 30, insert:

“Article - Courts and Judicial Proceedings

9-109.1.

(a) (1) In this section[, ] the following words have the meanings indicated.

(2) “Client” means an individual who communicates to or receives services from a psychiatric-mental health nursing specialist or a professional counselor regarding the diagnosis or

(Over)

treatment of the individual's mental or emotional disorder.

(3) "Professional counselor" means an individual who is certified OR LICENSED as a counselor under Title 17 of the Health Occupations Article.

(4) "Psychiatric-mental health nursing specialist" means a registered nurse who:

(i) Has a master's degree in psychiatric-mental health nursing; or

(ii) Has a baccalaureate degree in nursing and a master's degree in a mental health field; or

(iii) Is certified as a clinical specialist in psychiatric and mental health nursing by the American Nurses' Association or by a body approved by the Board of Nursing.

(b) Unless otherwise provided, in any judicial, legislative, or administrative proceeding, a client or a client's authorized representative has a privilege to refuse to disclose, and to prevent a witness from disclosing, communications relating to diagnosis or treatment of the client's mental or emotional disorder."

#### AMENDMENT NO. 3

On page 2, in line 27, strike "certified" and substitute "LICENSED"; and in line 29, after "certified" insert "OR LICENSED".

#### AMENDMENT NO. 4

On page 3, in line 18, strike "certified" and substitute "LICENSED"; and in line 24, after "certified" insert "OR LICENSED".

#### AMENDMENT NO. 5

On page 5, in line 5, strike ", UNLESS THE CONTEXT REQUIRES OTHERWISE,".

On page 6, in line 36, after "EXPERIENCE" insert "OR ITS EQUIVALENT".

#### AMENDMENT NO. 6

On page 7, after line 1, insert:

"(C) THE CURRENT PROFESSIONAL COUNSELOR MEMBERS OF THE BOARD WHO ARE NOT LICENSED UNDER THIS SUBTITLE MAY SERVE THE REMAINDER OF

THEIR TERMS.”;

and strike in their entirety lines 25 through 27, inclusive, and substitute “AN INDIVIDUAL LICENSED UNDER THIS SUBTITLE MAY PROVIDE SERVICES INVOLVING THE APPLICATION OF COUNSELING PRINCIPLES AND METHODS IN THE DIAGNOSIS, PREVENTION, TREATMENT, AND AMELIORATION OF PSYCHOLOGICAL PROBLEMS, EMOTIONAL CONDITIONS, OR MENTAL CONDITIONS OF INDIVIDUALS OR GROUPS.”.

AMENDMENT NO. 7

On page 10, after line 7, insert:

“(D) THIS SUBTITLE MAY NOT BE CONSTRUED TO LIMIT THE SCOPE OF PRACTICE OF ANY INDIVIDUAL WHO IS DULY LICENSED UNDER THE HEALTH OCCUPATIONS ARTICLE.”;

and in line 12, after “Counselors” insert “and minimum continuing education requirements of licensed professional counselors”.