

SENATE BILL 306

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1998 Regular Session  
8lr2058  
CF 8lr0254

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By: **Senators Dorman, Middleton, ~~and Craig Craig, and Dyson~~**

Introduced and read first time: February 4, 1998

Assigned to: Economic and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 20, 1998

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Professional Counselors - Licensing**

3 FOR the purpose of establishing requirements for the licensing of clinical professional  
4 counselors, clinical marriage and family therapists, and clinical alcohol and  
5 drug counselors; requiring the State Board of Examiners of Professional  
6 Counselors (Board) to waive certain requirements for licensing of certain  
7 individuals under specified circumstances; requiring the Board to issue certain  
8 licenses; authorizing certain individuals to render certain diagnoses;  
9 establishing requirements for the renewal of certain licenses; establishing  
10 certain prohibitions and conditions relating to the surrender of certain licenses;  
11 prohibiting certain individuals from engaging in certain actions or making  
12 certain representations in the State or using certain titles unless licensed by the  
13 Board; establishing certain criminal penalties; defining certain terms; altering a  
14 certain definition; mandating the development of certain regulations between  
15 the Board and the Board of Examiners of Psychologists; and generally relating  
16 to the licensing of clinical professional counselors, clinical marriage and family  
17 therapists, and clinical alcohol and drug counselors in the State.

18 BY repealing and reenacting, with amendments,  
19 Article - Courts and Judicial Proceedings  
20 Section 9-109.1(a)  
21 Annotated Code of Maryland  
22 (1995 Replacement Volume and 1997 Supplement)

23 BY repealing and reenacting, without amendments,  
24 Article - Courts and Judicial Proceedings  
25 Section 9-109.1(b)

1 Annotated Code of Maryland  
2 (1995 Replacement Volume and 1997 Supplement)

3 BY repealing and reenacting, with amendments,  
4 Article - Health Occupations  
5 Section 17-101(c), 17-202, and 17-205(c)  
6 Annotated Code of Maryland  
7 (1994 Replacement Volume and 1997 Supplement)

8 BY adding to  
9 Article - Health Occupations  
10 Section 17-3A-01 through 17-3A-11, inclusive, to be under the new subtitle  
11 "Subtitle 3A. Licensing"  
12 Annotated Code of Maryland  
13 (1994 Replacement Volume and 1997 Supplement)

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

16 **Article - Courts and Judicial Proceedings**

17 9-109.1.

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

19 (2) "Client" means an individual who communicates to or receives  
20 services from a psychiatric-mental health nursing specialist or a professional  
21 counselor regarding the diagnosis or treatment of the individual's mental or  
22 emotional disorder.

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

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

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

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

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

33 (b) Unless otherwise provided, in any judicial, legislative, or administrative  
34 proceeding, a client or a client's authorized representative has a privilege to refuse to

1 disclose, and to prevent a witness from disclosing, communications relating to  
 2 diagnosis or treatment of the client's mental or emotional disorder.

3 **Article - Health Occupations**

4 17-101.

5 (c) "Appraisal" means:

6 (1) Selecting, administering, scoring, and interpreting instruments  
 7 designed to assess an individual's aptitudes, attitudes, abilities, achievements,  
 8 interests, and personal characteristics; and

9 (2) Using nonstandardized methods and techniques for understanding  
 10 human behavior in relation to coping with, adapting to, or changing life situations.

11 (3) THE INSTRUMENTS REFERENCED IN § 17-101(C)(1) MAY NOT  
 12 INCLUDE INSTRUMENTS WHICH REQUIRE SPECIALIZED PSYCHOLOGICAL TRAINING  
 13 FOR ADMINISTRATION AND INTERPRETATION UNLESS THE LICENSED OR CERTIFIED  
 14 PROFESSIONAL COUNSELOR HAS COMPLETED TRAINING DEEMED BY THE BOARD OF  
 15 EXAMINERS OF PSYCHOLOGISTS AND THE BOARD OF PROFESSIONAL COUNSELORS  
 16 TO BE EQUIVALENT TO THAT OF A LICENSED PSYCHOLOGIST WHO IS QUALIFIED TO  
 17 ADMINISTER THE SAME TYPES OF INSTRUMENTS.

18 17-202.

19 (a) (1) The Board consists of nine members appointed by the Governor with  
 20 the advice of the Secretary.

21 (2) Of the nine Board members:

22 (i) Five shall be certified as professional counselors, LICENSED  
 23 UNDER SUBTITLE 3A OF THIS SECTION, including:

24 1. One who is primarily engaged in professional counselor  
 25 education;

26 2. One who is employed in the private sector;

27 3. One who is employed in the public sector; and

28 4. Two professional counselors at large;

29 (ii) One shall be a ~~certified~~ LICENSED professional  
 30 counselor-marriage and family therapist;

31 (iii) One shall be a certified OR LICENSED professional  
 32 counselor-alcohol and drug; and

33 (iv) Two shall be consumer members.

1 (3) The composition of the Board as to the race and sex of its members  
2 shall reflect the composition of the population of the State.

3 (4) The Governor shall appoint the professional counselors from a list  
4 submitted to the Governor by the Secretary. Any association representing professional  
5 counselors may submit recommendations for Board members to the Secretary.

6 (b) The consumer members of the Board:

7 (1) Shall be members of the general public;

8 (2) May not be or ever have been a certified professional counselor or in  
9 training to become a certified professional counselor;

10 (3) May not have a household member who is a certified professional  
11 counselor or in training to become a certified professional counselor;

12 (4) May not participate or ever have participated in a commercial or  
13 professional field related to professional counseling;

14 (5) May not have a household member who participates in a commercial  
15 or professional field related to professional counseling;

16 (6) May not have had within 2 years before appointment a substantial  
17 financial interest in a person regulated by the Board; and

18 (7) While members of the Board, may not have a substantial financial  
19 interest in a person regulated by the Board.

20 (c) The ~~certified~~ LICENSED professional counselor-marriage and family  
21 therapy member of the Board shall:

22 (1) Have a master's or doctoral degree in a marriage and family therapy  
23 field; and

24 (2) Meet the educational and supervised experience requirements of §  
25 17-302 of this title.

26 (d) The certified OR LICENSED professional counselor-alcohol and drug  
27 member of the Board shall:

28 (1) Have a master's or doctoral degree in a health and human services  
29 counseling field; and

30 (2) Meet the educational and supervised experience requirements of §  
31 17-302.3 of this title.

32 (e) A certified associate counselor-alcohol and drug or a certified supervised  
33 counselor-alcohol and drug shall be appointed by the Governor to serve as an advisor  
34 to the Board.

1 (f) Before taking office, each appointee to the Board shall take the oath  
2 required by Article I, § 9 of the State Constitution.

3 (g) (1) The term of a member is 4 years.

4 (2) The terms of the members of the Board are staggered as required by  
5 the terms of the members of the Board serving on July 1, 1988.

6 (3) At the end of a term, a member continues to serve until a successor is  
7 appointed and qualifies.

8 (4) A member may not serve more than 2 consecutive full terms.

9 (5) To the extent practicable, the Governor shall fill any vacancy on the  
10 Board within 60 days of the date of the vacancy.

11 (h) (1) The governor may remove a member for incompetency, misconduct, or  
12 neglect of duty.

13 (2) Upon the recommendation of the Secretary, the Governor may  
14 remove a member whom the Secretary finds to have been absent from 2 successive  
15 Board meetings without adequate reason.

16 17-205.

17 (c) (1) The Board may not take action regarding certified professional  
18 counselors-marriage and family therapists without the approval of the Board  
19 member who is a certified professional counselor-marriage and family therapist.

20 (2) The Board may not take action regarding alcohol and drug counselors  
21 without the approval of the Board member who is a certified professional  
22 counselor-alcohol and drug.

23 (3) THE BOARD SHALL INVESTIGATE ALL COMPLAINTS FILED AGAINST  
24 LICENSED PROFESSIONAL COUNSELORS IF, AT THE TIME OF THE VIOLATION, THE  
25 LICENSED PROFESSIONAL COUNSELOR HAS ALSO REGISTERED AND QUALIFIED FOR  
26 PSYCHOLOGY ASSOCIATE STATUS BY VIRTUE OF HOLDING A MASTER'S DEGREE  
27 UNDER TITLE 18 (MARYLAND PSYCHOLOGISTS ACT) OF THIS ARTICLE.

28 (4) THE BOARD SHALL NOTIFY THE BOARD OF EXAMINERS OF  
29 PSYCHOLOGISTS OF THE COMPLAINT IN WRITING WITHIN 60 DAYS OF RECEIPT OF  
30 THE COMPLAINT IF AN INVESTIGATION OF THE SUPERVISING LICENSED  
31 PSYCHOLOGISTS IS WARRANTED.

32 (5) THE BOARD SHALL INITIATE DISCIPLINARY ACTION AGAINST ANY  
33 LICENSED PROFESSIONAL COUNSELOR WHO ALSO REGISTERS AS A PSYCHOLOGY  
34 ASSOCIATE AND VIOLATES ANY PORTION OF THIS STATUTE.

## SUBTITLE 3A. LICENSING.

17-3A-01.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "LICENSE" MEANS, ~~UNLESS THE CONTEXT REQUIRES OTHERWISE,~~ A LICENSE ISSUED BY THE BOARD TO PRACTICE CLINICAL PROFESSIONAL COUNSELING, CLINICAL MARRIAGE AND FAMILY THERAPY, OR CLINICAL ALCOHOL AND DRUG COUNSELING.

(C) "PRACTICE CLINICAL ALCOHOL AND DRUG COUNSELING" MEANS TO ENGAGE PROFESSIONALLY AND FOR COMPENSATION IN ALCOHOL AND DRUG COUNSELING ACTIVITIES WHILE REPRESENTING ONESELF TO BE A LICENSED CLINICAL ALCOHOL AND DRUG COUNSELOR.

(D) "PRACTICE CLINICAL MARRIAGE AND FAMILY THERAPY" MEANS TO ENGAGE PROFESSIONALLY AND FOR COMPENSATION IN MARRIAGE AND FAMILY THERAPY ACTIVITIES WHILE REPRESENTING ONESELF TO BE A LICENSED CLINICAL MARRIAGE AND FAMILY THERAPIST.

(E) "PRACTICE CLINICAL PROFESSIONAL COUNSELING" MEANS TO ENGAGE PROFESSIONALLY AND FOR COMPENSATION IN COUNSELING AND APPRAISAL ACTIVITIES WHILE REPRESENTING ONESELF TO BE A LICENSED CLINICAL PROFESSIONAL COUNSELOR.

17-3A-02.

(A) TO QUALIFY FOR LICENSING, AN APPLICANT SHALL BE AN INDIVIDUAL WHO MEETS THE APPLICABLE REQUIREMENTS OF THIS SECTION.

(B) THE APPLICANT SHALL BE OF GOOD MORAL CHARACTER.

(C) THE APPLICANT SHALL BE AT LEAST 18 YEARS OLD.

(D) FOR A LICENSE TO PRACTICE CLINICAL ALCOHOL AND DRUG COUNSELING, THE APPLICANT SHALL HAVE:

(1) MET THE REQUIREMENTS OF § 17-302.3 OF THIS ARTICLE; AND

(2) PROVIDED DOCUMENTATION TO THE BOARD EVIDENCING THE COMPLETION OF 60 HOURS OF GRADUATE COURSE WORK, INCLUDING TRAINING IN PERSONALITY DEVELOPMENT, DIAGNOSIS AND TREATMENT OF MENTAL AND EMOTIONAL DISORDERS, PSYCHOPATHOLOGY, AND PSYCHOTHERAPY IN ALCOHOL AND DRUG DISORDERS FROM AN ACCREDITED COLLEGE OR UNIVERSITY APPROVED BY THE BOARD.

(E) FOR A LICENSE TO PRACTICE CLINICAL MARRIAGE AND FAMILY THERAPY, THE APPLICANT SHALL HAVE:

1 (1) MET THE REQUIREMENTS OF § 17-302.1 OF THIS ARTICLE; AND

2 (2) PROVIDED DOCUMENTATION TO THE BOARD EVIDENCING THE  
3 COMPLETION OF 60 HOURS OF GRADUATE COURSE WORK, INCLUDING TRAINING IN  
4 PERSONALITY DEVELOPMENT, DIAGNOSIS AND TREATMENT OF MENTAL AND  
5 EMOTIONAL DISORDERS, PSYCHOPATHOLOGY, FAMILY THERAPY, AND  
6 PSYCHOTHERAPY FROM AN ACCREDITED COLLEGE OR UNIVERSITY APPROVED BY  
7 THE BOARD.

8 (F) FOR A LICENSE TO PRACTICE CLINICAL PROFESSIONAL COUNSELING, THE  
9 APPLICANT SHALL HAVE:

10 (1) MET OR PREVIOUSLY MET AT THE TIME OF CERTIFICATION THE  
11 REQUIREMENTS OF § 17-302 OF THIS ARTICLE; AND

12 (2) PROVIDED DOCUMENTATION TO THE BOARD EVIDENCING THE  
13 COMPLETION OF 60 HOURS OF GRADUATE COURSE WORK IN THE LICENSEE'S  
14 RESPECTIVE AREA OF PRACTICE, INCLUDING TRAINING IN PERSONALITY  
15 DEVELOPMENT, DIAGNOSIS, AND TREATMENT OF MENTAL AND EMOTIONAL  
16 DISORDERS, PSYCHOPATHOLOGY, AND PSYCHOTHERAPY FROM AN ACCREDITED  
17 COLLEGE OR UNIVERSITY PROGRAM APPROVED BY THE BOARD.

18 (G) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, THE APPLICANT SHALL  
19 PASS AN EXAMINATION APPROVED BY THE BOARD.

20 (H) THE APPLICANT SHALL PROVIDE DOCUMENTATION EVIDENCING THE  
21 COMPLETION OF 2 YEARS OF POSTGRADUATE SUPERVISED CLINICAL EXPERIENCE  
22 AS REQUIRED BY THE BOARD.

23 17-3A-03.

24 (A) THE BOARD SHALL WAIVE THE REQUIREMENTS FOR LICENSING OF ANY  
25 PERSON UNDER § 17-3A-02 OF THIS SUBTITLE FOR ANY PERSON WHO HAS FILED A  
26 LETTER OF INTENT WITH THE BOARD BY OCTOBER 1, 1999, AND WHO BY OCTOBER 1,  
27 2001:

28 (1) HAS BEEN CERTIFIED BY THE BOARD AS A CERTIFIED  
29 PROFESSIONAL COUNSELOR, CERTIFIED PROFESSIONAL COUNSELOR-MARRIAGE  
30 AND FAMILY THERAPIST, OR A CERTIFIED PROFESSIONAL COUNSELOR-ALCOHOL  
31 AND DRUG OR IS A PERSON WITH A MASTERS' DEGREE OR DOCTORAL DEGREE WHO IS  
32 DESIGNATED BY THE BOARD AS ELIGIBLE FOR A LICENSE AS A LICENSED CLINICAL  
33 PROFESSIONAL COUNSELOR, LICENSED CLINICAL MARRIAGE AND FAMILY  
34 THERAPIST, OR LICENSED CLINICAL ALCOHOL AND DRUG COUNSELOR; AND

35 (2) HAS PROVIDED DOCUMENTATION TO THE BOARD EVIDENCING THE  
36 COMPLETION OF 3 YEARS OF FULL-TIME EXPERIENCE OR ITS EQUIVALENT  
37 PROVIDING PSYCHOTHERAPY SERVICES FOR COMPENSATION, AS A CERTIFIED  
38 PROFESSIONAL COUNSELOR, CERTIFIED PROFESSIONAL COUNSELOR-MARRIAGE  
39 AND FAMILY THERAPIST, OR CERTIFIED PROFESSIONAL COUNSELOR-ALCOHOL AND  
40 DRUG OR THEIR EQUIVALENT AS DETERMINED BY THE BOARD.

1 (B) A LICENSE ISSUED UNDER THIS SUBTITLE SHALL BE VALID FOR 2 YEARS.

2 (C) THE CURRENT PROFESSIONAL COUNSELOR MEMBERS OF THE BOARD  
3 WHO ARE NOT LICENSED UNDER THIS SUBTITLE MAY SERVE THE REMAINDER OF  
4 THEIR TERMS.

5 17-3A-04.

6 TO APPLY FOR A LICENSE, AN APPLICANT SHALL:

7 (1) SUBMIT AN APPLICATION ON THE FORM THAT THE BOARD  
8 REQUIRES; AND

9 (2) PAY TO THE BOARD THE APPLICATION FEE SET BY THE BOARD.

10 17-3A-05.

11 (A) THE BOARD SHALL ISSUE A LICENSE TO ANY APPLICANT WHO MEETS THE  
12 REQUIREMENTS OF THIS SUBTITLE.

13 (B) THE BOARD SHALL INCLUDE ON EACH LICENSE THAT THE BOARD ISSUES:

14 (1) THE KIND OF LICENSE;

15 (2) THE FULL NAME OF THE LICENSEE;

16 (3) A SERIAL NUMBER;

17 (4) THE SIGNATURES OF THE CHAIRMAN AND THE SECRETARY OF THE  
18 BOARD; AND

19 (5) THE SEAL OF THE BOARD.

20 (C) THE BOARD MAY ISSUE A LICENSE TO REPLACE A LOST, DESTROYED, OR  
21 MUTILATED LICENSE IF THE LICENSEE PAYS THE LICENSE REPLACEMENT FEE SET  
22 BY THE BOARD.

23 17-3A-06.

24 A LICENSE AUTHORIZES THE LICENSEE TO PRACTICE CLINICAL ALCOHOL AND  
25 DRUG COUNSELING, CLINICAL MARRIAGE AND FAMILY THERAPY, OR CLINICAL  
26 PROFESSIONAL COUNSELING WHILE THE LICENSE IS EFFECTIVE.

27 17-3A-07.

28 ~~AN INDIVIDUAL MAY RENDER A DIAGNOSIS BASED ON A RECOGNIZED MANUAL~~  
29 ~~OF MENTAL AND EMOTIONAL DISORDER AND USE PSYCHOTHERAPY TO TREAT A~~  
30 ~~DISORDER IF THE INDIVIDUAL HAS RECEIVED A LICENSE FROM THE BOARD. AN~~  
31 INDIVIDUAL LICENSED UNDER THIS SUBTITLE MAY PROVIDE SERVICES INVOLVING  
32 THE APPLICATION OF COUNSELING PRINCIPLES AND METHODS IN THE DIAGNOSIS.

1 PREVENTION, TREATMENT, AND AMELIORATION OF PSYCHOLOGICAL PROBLEMS,  
2 EMOTIONAL CONDITIONS, OR MENTAL CONDITIONS OF INDIVIDUALS OR GROUPS.

3 17-3A-08.

4 (A) (1) A LICENSE EXPIRES ON THE DATE SET BY THE BOARD, UNLESS THE  
5 LICENSE IS RENEWED FOR AN ADDITIONAL TERM AS PROVIDED IN THIS SECTION.

6 (2) A LICENSE MAY NOT BE RENEWED FOR A TERM LONGER THAN 2  
7 YEARS.

8 (B) AT LEAST 1 MONTH BEFORE THE LICENSE EXPIRES, THE BOARD SHALL  
9 SEND TO THE LICENSEE, BY FIRST CLASS MAIL TO THE LAST KNOWN ADDRESS OF  
10 THE LICENSEE, A RENEWAL NOTICE THAT STATES:

11 (1) THE DATE ON WHICH THE CURRENT LICENSE EXPIRES;

12 (2) THE DATE BY WHICH THE RENEWAL APPLICATION MUST BE  
13 RECEIVED BY THE BOARD FOR THE RENEWAL TO BE ISSUED AND MAILED BEFORE  
14 THE LICENSE EXPIRES; AND

15 (3) THE AMOUNT OF THE RENEWAL FEE.

16 (C) EACH LICENSEE SHALL NOTIFY THE BOARD OF ANY CHANGE IN THE  
17 ADDRESS OF THE LICENSEE.

18 (D) BEFORE THE LICENSE EXPIRES, THE LICENSEE PERIODICALLY MAY  
19 RENEW IT FOR AN ADDITIONAL 2-YEAR TERM, IF THE LICENSEE:

20 (1) OTHERWISE IS ENTITLED TO BE LICENSED;

21 (2) PAYS TO THE BOARD THE RENEWAL FEE SET BY THE BOARD;

22 (3) SUBMITS TO THE BOARD A RENEWAL APPLICATION ON THE FORM  
23 THAT THE BOARD REQUIRES; AND

24 (4) SUBMITS SATISFACTORY EVIDENCE OF COMPLIANCE WITH ANY  
25 CONTINUING EDUCATION REQUIREMENTS SET FORTH UNDER THIS SECTION FOR  
26 LICENSE RENEWAL.

27 (E) (1) THE BOARD SHALL RENEW THE LICENSE OF AND ISSUE A RENEWAL  
28 CERTIFICATE TO EACH LICENSEE WHO MEETS THE REQUIREMENTS OF THIS  
29 SECTION.

30 (2) THE BOARD SHALL INCLUDE THE TERM OF THE RENEWAL ON EACH  
31 RENEWAL CERTIFICATE THAT THE BOARD ISSUES.

32 17-3A-09.

33 (A) (1) THE BOARD SHALL PLACE A LICENSEE ON INACTIVE STATUS, IF THE  
34 LICENSEE:

1 (I) SUBMITS TO THE BOARD AN APPLICATION FOR INACTIVE  
2 STATUS ON THE FORM REQUIRED BY THE BOARD; AND

3 (II) PAYS THE INACTIVE STATUS FEE SET BY THE BOARD.

4 (2) THE BOARD SHALL ISSUE A LICENSE TO AN INDIVIDUAL WHO IS ON  
5 INACTIVE STATUS IF THE INDIVIDUAL COMPLIES WITH THE RENEWAL  
6 REQUIREMENTS THAT ARE IN EFFECT WHEN THE INDIVIDUAL REQUESTS THE  
7 RENEWAL OF THE LICENSE.

8 (B) THE BOARD, IN ACCORDANCE WITH ITS REGULATIONS, MAY REINSTATE  
9 THE LICENSE OF A LICENSE HOLDER WHO:

10 (1) HAS NOT PLACED THE LICENSE ON INACTIVE STATUS; AND

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

12 17-3A-10.

13 (A) UNLESS THE BOARD AGREES TO ACCEPT THE SURRENDER OF A LICENSE,  
14 A LICENSED CLINICAL ALCOHOL AND DRUG COUNSELOR, A LICENSED CLINICAL  
15 MARRIAGE AND FAMILY THERAPIST, OR A LICENSED CLINICAL PROFESSIONAL  
16 COUNSELOR MAY NOT SURRENDER THE LICENSE NOR MAY THE LICENSE LAPSE BY  
17 OPERATION OF LAW WHILE THE LICENSEE IS UNDER INVESTIGATION OR WHILE  
18 CHARGES ARE PENDING AGAINST THE LICENSE HOLDER.

19 (B) THE BOARD MAY SET CONDITIONS ON ITS AGREEMENT WITH THE  
20 LICENSED CLINICAL ALCOHOL AND DRUG COUNSELOR, LICENSED CLINICAL  
21 MARRIAGE AND FAMILY THERAPIST, OR LICENSED CLINICAL PROFESSIONAL  
22 COUNSELOR UNDER INVESTIGATION OR AGAINST WHOM CHARGES ARE PENDING TO  
23 ACCEPT SURRENDER OF THE LICENSE.

24 17-3A-11.

25 (A) AN INDIVIDUAL MAY NOT PRACTICE, ATTEMPT TO PRACTICE, OR OFFER  
26 TO PRACTICE CLINICAL ALCOHOL AND DRUG COUNSELING, CLINICAL MARRIAGE  
27 AND FAMILY THERAPY, OR CLINICAL PROFESSIONAL COUNSELING IN THE STATE  
28 UNLESS LICENSED BY THE BOARD.

29 (B) UNLESS AN INDIVIDUAL IS LICENSED TO PRACTICE CLINICAL ALCOHOL  
30 AND DRUG COUNSELING, CLINICAL MARRIAGE AND FAMILY THERAPY, OR CLINICAL  
31 PROFESSIONAL COUNSELING, AN INDIVIDUAL MAY NOT:

32 (1) REPRESENT TO THE PUBLIC BY TITLE, BY DESCRIPTION OF  
33 SERVICES, METHODS, OR PROCEDURES, OR OTHERWISE, THAT THE INDIVIDUAL IS  
34 LICENSED BY THE BOARD TO PROVIDE CLINICAL ALCOHOL AND DRUG COUNSELING  
35 SERVICES, CLINICAL MARRIAGE AND FAMILY THERAPY SERVICES, OR CLINICAL  
36 PROFESSIONAL COUNSELING SERVICES IN THE STATE;

1 (2) USE ANY TITLE, ABBREVIATION, SIGN, CARD, OR OTHER  
2 REPRESENTATION THAT THE INDIVIDUAL IS A LICENSED CLINICAL ALCOHOL AND  
3 DRUG COUNSELOR, LICENSED CLINICAL MARRIAGE AND FAMILY THERAPIST, OR  
4 LICENSED CLINICAL PROFESSIONAL COUNSELOR; OR

5 (3) USE THE TITLE "L.C.A.D.C.", "L.C.M.F.T.", OR "L.C.P.C." OR THE WORDS  
6 "LICENSED CLINICAL ALCOHOL AND DRUG COUNSELOR", "LICENSED CLINICAL  
7 MARRIAGE AND FAMILY THERAPIST", OR "LICENSED CLINICAL PROFESSIONAL  
8 COUNSELOR" WITH THE INTENT TO REPRESENT THAT THE INDIVIDUAL PRACTICES  
9 CLINICAL ALCOHOL AND DRUG COUNSELING, CLINICAL MARRIAGE AND FAMILY  
10 THERAPY, OR CLINICAL PROFESSIONAL COUNSELING.

11 (C) (1) ANY INDIVIDUAL WHO VIOLATES ANY PROVISION OF THIS SECTION  
12 IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT  
13 EXCEEDING \$500 OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH.

14 (2) EACH VIOLATION OF THIS SECTION IS A SEPARATE OFFENSE.

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

18 SECTION 2. AND BE IT FURTHER ENACTED, That the Board of Examiners  
19 of Professional Counselors and the Board of Examiners of Psychologists shall develop  
20 regulations by October 1, 2000 that articulate the minimum training standards for  
21 the administration and interpretation of psychological testing by professional  
22 counselors licensed or certified by the Board of Examiners of Professional Counselors  
23 and minimum continuing education requirements of licensed professional counselors.

24 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 1998.