

SENATE BILL 575

Unofficial Copy  
J2

2002 Regular Session  
(21r2160)

**ENROLLED BILL**

-- Education, Health, and Environmental Affairs/Environmental Matters --

Introduced by **Senator Jacobs**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **~~State Board of Professional Counselors and Therapists~~**  
3 **Health Occupations - Graduate Licenses**

4 FOR the purpose of authorizing the State Board of Professional Counselors and  
5 Therapists to adopt regulations to allow individuals to practice under  
6 supervision as licensed graduate alcohol and drug counselors, licensed graduate  
7 marriage and family therapists, or as licensed graduate professional counselors;  
8 providing certain qualifications for practice under supervision; authorizing the  
9 use of certain titles and certain representations; prohibiting the use of those  
10 titles and representations by individuals not licensed; providing certain  
11 penalties for certain violations; requiring certain applicants for a provisional  
12 graduate social worker license to meet certain qualifications; providing for the  
13 period of time during which a certain license is valid; authorizing certain  
14 provisional licensees to apply for a graduate social worker license upon the  
15 accreditation of the provisional licensee's degree program; defining certain  
16 terms; and generally relating to ~~licensed graduate alcohol and drug counselors,~~  
17 ~~licensed graduate~~ licenses and health occupations. ~~marriage and family~~

1 ~~therapists, and licensed graduate professional counselors.~~

2 BY repealing and reenacting, with amendments,

3 Article - Health Occupations

4 Section 17-3A-01 and 19-302

5 Annotated Code of Maryland

6 (2000 Replacement Volume and 2001 Supplement)

7 BY adding to

8 Article - Health Occupations

9 Section 17-3A-02.1

10 Annotated Code of Maryland

11 (2000 Replacement Volume and 2001 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Health Occupations**

15 17-3A-01.

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

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

22 (1) CLINICAL ALCOHOL AND DRUG COUNSELING;

23 (2) CLINICAL MARRIAGE AND FAMILY THERAPY;

24 (3) CLINICAL PROFESSIONAL COUNSELING;

25 (4) GRADUATE ALCOHOL AND DRUG COUNSELING;

26 ~~(4)~~ (5) GRADUATE MARRIAGE AND FAMILY THERAPY; OR

27 ~~(5)~~ (6) GRADUATE PROFESSIONAL COUNSELING.

28 (C) "LICENSED GRADUATE ALCOHOL AND DRUG COUNSELOR" MEANS AN  
29 INDIVIDUAL APPROVED BY THE BOARD TO PRACTICE GRADUATE ALCOHOL AND  
30 DRUG COUNSELING.

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

1 ~~(D)~~ (E) "LICENSED GRADUATE PROFESSIONAL COUNSELOR" MEANS AN  
 2 INDIVIDUAL APPROVED BY THE BOARD TO PRACTICE GRADUATE PROFESSIONAL  
 3 COUNSELING UNDER SUPERVISION WHILE FULFILLING THE SUPERVISED  
 4 EXPERIENCE REQUIREMENTS FOR LICENSURE.

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

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

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

21 (I) "PRACTICE GRADUATE ALCOHOL AND DRUG COUNSELING" MEANS TO  
 22 PRACTICE ALCOHOL AND DRUG COUNSELING:

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

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

28 (J) "PRACTICE GRADUATE MARRIAGE AND FAMILY THERAPY" MEANS TO  
 29 PRACTICE MARRIAGE AND FAMILY THERAPY:

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

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

35 (K) "PRACTICE GRADUATE PROFESSIONAL COUNSELING" MEANS TO  
 36 PRACTICE PROFESSIONAL COUNSELING:

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

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

3 17-3A-02.1.

4     (A)     THE BOARD MAY ADOPT REGULATIONS TO ALLOW AN INDIVIDUAL TO  
5 PRACTICE UNDER SUPERVISION AS A LICENSED GRADUATE ALCOHOL AND DRUG  
6 COUNSELOR, A LICENSED GRADUATE PROFESSIONAL COUNSELOR, OR A LICENSED  
7 GRADUATE MARRIAGE AND FAMILY THERAPIST.

8     (B)     TO QUALIFY TO PRACTICE AS A LICENSED GRADUATE ALCOHOL AND  
9 DRUG COUNSELOR, A LICENSED GRADUATE PROFESSIONAL COUNSELOR, OR A  
10 LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST, AN INDIVIDUAL SHALL  
11 BE:

12           (1)     OF GOOD MORAL CHARACTER; AND

13           (2)     AT LEAST 18 YEARS OLD.

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

17           (1)     A MASTER'S OR DOCTORAL DEGREE IN A HEALTH AND HUMAN  
18 SERVICES COUNSELING FIELD THAT MEETS THE EDUCATIONAL REQUIREMENTS OF  
19 § 17-3A-02 OF THIS SUBTITLE; AND

20           (2)     PASSED THE NATIONAL ALCOHOL AND DRUG COUNSELOR  
21 EXAMINATION APPROVED BY THE BOARD.

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

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

28           (2)     PASSED THE NATIONAL MARRIAGE AND FAMILY THERAPY  
29 EXAMINATION APPROVED BY THE BOARD.

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

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

35           (2)     PASSED THE NATIONAL PROFESSIONAL COUNSELOR EXAMINATION  
36 APPROVED BY THE BOARD.

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

4 ~~(1) HAS PASSED THE NATIONAL PROFESSIONAL COUNSELOR~~  
5 ~~EXAMINATION APPROVED BY THE BOARD;~~

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

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

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

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

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

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

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

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

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

30 (2) AN INDIVIDUAL SHALL BE APPROVED BY THE BOARD TO PRACTICE  
31 AS A LICENSED GRADUATE ALCOHOL AND DRUG COUNSELOR, A LICENSED  
32 GRADUATE PROFESSIONAL COUNSELOR, OR A LICENSED GRADUATE MARRIAGE AND  
33 FAMILY THERAPIST BEFORE THE INDIVIDUAL MAY:

34 (1) USE THE TITLE "LICENSED GRADUATE ALCOHOL AND DRUG  
35 COUNSELOR", "LICENSED GRADUATE PROFESSIONAL COUNSELOR", OR "LICENSED  
36 GRADUATE MARRIAGE AND FAMILY THERAPIST";

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

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

6 (IV) USE ANY TITLE, ABBREVIATION, SIGN, CARD, OR OTHER  
7 REPRESENTATION THAT THE INDIVIDUAL IS A LICENSED GRADUATE ALCOHOL AND  
8 DRUG COUNSELOR, A LICENSED GRADUATE PROFESSIONAL COUNSELOR, OR A  
9 LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST.

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

13 19-302.

14 (a) To obtain a license, an applicant shall demonstrate to the satisfaction of the  
15 Board that the applicant:

16 (1) Has submitted a complete written application in the form prescribed  
17 by the Board;

18 (2) Is at least 18 years old;

19 (3) Is of good moral character;

20 (4) Except as otherwise provided in this title, has successfully passed an  
21 examination or examinations prescribed by the Board pertinent to the license sought;  
22 and

23 (5) Has paid all applicable fees specified by the Board relative to the  
24 licensure process.

25 (b) To obtain a social work associate license, an applicant shall:

26 (1) Meet the requirements of subsection (a) of this section; and

27 (2) Have received a baccalaureate degree in social work from a program  
28 accredited by the Council on Social Work Education.

29 (c) (1) To obtain a graduate social worker license, an applicant shall:

30 [(1)] (I) Meet the requirements of subsection (a) of this section; and

31 [(2)] (II) Have received a master's degree from a program accredited by  
32 the Council on Social Work Education.

33 (2) (I) TO OBTAIN A PROVISIONAL GRADUATE SOCIAL WORKER  
34 LICENSE, AN APPLICANT SHALL:

1 1. MEET THE REQUIREMENTS OF SUBSECTION (A) OF THIS  
2 SECTION; AND

3 2. HAVE RECEIVED A MASTER'S DEGREE FROM A PROGRAM  
4 WHICH HAD RECEIVED FORMAL CANDIDACY STATUS FROM THE COUNCIL ON SOCIAL  
5 WORK EDUCATION AT THE TIME THE DEGREE WAS AWARDED.

6 (II) A PROVISIONAL GRADUATE SOCIAL WORK LICENSE SHALL BE  
7 ISSUED FOR THE LESSER OF A PERIOD:

8 1. NOT TO EXCEED 3 YEARS; OR

9 2. UNTIL THE PROGRAM HAS ATTAINED ACCREDITED  
10 STATUS FROM THE COUNCIL ON SOCIAL WORK EDUCATION.

11 (III) PROVISIONAL LICENSEES WHOSE DEGREE PROGRAMS BECOME  
12 ACCREDITED DURING THE LICENSE PERIOD SHALL BE PERMITTED TO APPLY FOR A  
13 LICENSE AS A GRADUATE SOCIAL WORKER UPON ACCREDITATION BEING GRANTED  
14 TO THE PROGRAM.

15 (d) To obtain a certified social worker license, an applicant shall:

16 (1) Meet the requirements of subsection (a) of this section;

17 (2) Have received a master's degree from a program accredited by the  
18 Council on Social Work Education; and

19 (3) Provide in a form prescribed by the Board, documentation of having  
20 completed 2 years as a licensee with supervised experience of at least 3,000 hours after  
21 receiving the master's degree with a minimum of 144 hours of periodic face-to-face  
22 supervision in the practice of social work under the terms and conditions that the  
23 Board determines by regulation.

24 (e) To obtain a certified social worker-clinical license, an applicant shall:

25 (1) Meet the requirements of subsection (a) of this section;

26 (2) Have received a master's degree in social work and documentation of  
27 clinical course work from a program accredited by the Council on Social Work  
28 Education; and

29 (3) Provide in a form prescribed by the Board, documentation of having  
30 completed 2 years as a licensee with supervised experience of at least 3,000 hours after  
31 receiving the master's degree with a minimum of 144 hours of periodic face-to-face  
32 supervision in the assessment, formulation of a diagnostic impression, and treatment  
33 of mental disorders and other conditions and the provision of psychotherapy under the  
34 terms and conditions that the Board determines by regulation.

35 (f) If the supervision required for a certified social worker license under  
36 subsection (d)(3) of this section was not available to the applicant while the applicant

1 was obtaining the required 2 years of experience, the Board may waive the supervision  
2 requirement on the request of the applicant.

3 (g) If an applicant who is licensed or registered to practice social work in  
4 another state has obtained 2 years of supervised experience under circumstances that  
5 are otherwise equivalent to those required under subsection (d) of this section, the  
6 Board may waive the supervision requirement.

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