

SENATE BILL 575

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HB 522/01 - ENV

2002 Regular Session
2lr2160
CF 2lr1969

By: **Senator Jacobs**

Introduced and read first time: February 1, 2002

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Professional Counselors and Therapists**

3 FOR the purpose of authorizing the State Board of Professional Counselors and
4 Therapists to adopt regulations to allow individuals to practice under
5 supervision as licensed graduate marriage and family therapists or as licensed
6 graduate professional counselors; providing certain qualifications for practice
7 under supervision; authorizing the use of certain titles and certain
8 representations; prohibiting the use of those titles and representations by
9 individuals not licensed; providing certain penalties for certain violations;
10 defining certain terms; and generally relating to licensed graduate marriage
11 and family therapists and licensed graduate professional counselors.

12 BY repealing and reenacting, with amendments,
13 Article - Health Occupations
14 Section 17-3A-01
15 Annotated Code of Maryland
16 (2000 Replacement Volume and 2001 Supplement)

17 BY adding to
18 Article - Health Occupations
19 Section 17-3A-02.1
20 Annotated Code of Maryland
21 (2000 Replacement Volume and 2001 Supplement)

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

24 **Article - Health Occupations**

25 17-3A-01.

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

27 (b) "License" means [a license issued by the Board to practice clinical
28 professional counseling, clinical marriage and family therapy, or clinical alcohol and

1 drug counseling.], UNLESS THE CONTEXT REQUIRES OTHERWISE, ONE OF FIVE
2 TYPES OF LICENSES ISSUED BY THE BOARD AUTHORIZING AN INDIVIDUAL TO
3 PRACTICE:

- 4 (1) CLINICAL ALCOHOL AND DRUG COUNSELING;
- 5 (2) CLINICAL MARRIAGE AND FAMILY THERAPY;
- 6 (3) CLINICAL PROFESSIONAL COUNSELING;
- 7 (4) GRADUATE MARRIAGE AND FAMILY THERAPY; OR
- 8 (5) GRADUATE PROFESSIONAL COUNSELING.

9 (C) "LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST" MEANS AN
10 INDIVIDUAL APPROVED BY THE BOARD TO PRACTICE MARRIAGE AND FAMILY
11 THERAPY UNDER SUPERVISION WHILE FULFILLING THE SUPERVISED EXPERIENCE
12 REQUIREMENTS FOR LICENSURE.

13 (D) "LICENSED GRADUATE PROFESSIONAL COUNSELOR" MEANS AN
14 INDIVIDUAL APPROVED BY THE BOARD TO PRACTICE PROFESSIONAL COUNSELING
15 UNDER SUPERVISION WHILE FULFILLING THE SUPERVISED EXPERIENCE
16 REQUIREMENTS FOR LICENSURE.

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

22 [(d)] (F) "Practice clinical marriage and family therapy" means to engage
23 professionally and for compensation in marriage and family therapy and appraisal
24 activities by providing services involving the application of therapy principles and
25 methods in the diagnosis, prevention, treatment, and amelioration of psychological
26 problems[,] AND emotional or mental conditions of individuals or groups.

27 [(e)] (G) "Practice clinical professional counseling" means to engage
28 professionally and for compensation in counseling and appraisal activities by
29 providing services involving the application of counseling principles and methods in
30 the diagnosis, prevention, treatment, and amelioration of psychological problems[,]
31 AND emotional or mental conditions of individuals or groups.

32 17-3A-02.1.

33 (A) THE BOARD MAY ADOPT REGULATIONS TO ALLOW AN INDIVIDUAL TO
34 PRACTICE UNDER SUPERVISION AS A LICENSED GRADUATE PROFESSIONAL
35 COUNSELOR OR A LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST.

1 (B) TO QUALIFY TO PRACTICE AS A LICENSED GRADUATE PROFESSIONAL
2 COUNSELOR OR A LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST, AN
3 INDIVIDUAL SHALL BE:

4 (1) OF GOOD MORAL CHARACTER; AND

5 (2) AT LEAST 18 YEARS OLD.

6 (C) AN INDIVIDUAL MAY PRACTICE PROFESSIONAL COUNSELING AS A
7 LICENSED GRADUATE PROFESSIONAL COUNSELOR WITHOUT LICENSURE FOR A
8 LIMITED PERIOD OF TIME IF THE INDIVIDUAL:

9 (1) HAS PASSED THE NATIONAL PROFESSIONAL COUNSELOR
10 EXAMINATION APPROVED BY THE BOARD;

11 (2) IS UNDER THE SUPERVISION OF A LICENSED CLINICAL
12 PROFESSIONAL COUNSELOR OR ANOTHER HEALTH CARE PROVIDER LICENSED
13 UNDER THIS ARTICLE, AS APPROVED BY THE BOARD; AND

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

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

18 (1) HAS PASSED THE NATIONAL MARRIAGE AND FAMILY THERAPY
19 EXAMINATION APPROVED BY THE BOARD;

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

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

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

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

33 (G) (1) AN INDIVIDUAL MAY NOT PRACTICE WITHOUT APPROVAL BY THE
34 BOARD.

1 (2) AN INDIVIDUAL SHALL BE APPROVED BY THE BOARD TO PRACTICE
2 AS A LICENSED GRADUATE PROFESSIONAL COUNSELOR OR A LICENSED GRADUATE
3 MARRIAGE AND FAMILY THERAPIST BEFORE THE INDIVIDUAL MAY:

4 (I) USE THE TITLE "LICENSED GRADUATE PROFESSIONAL
5 COUNSELOR" OR "LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST";

6 (II) USE THE INITIALS "L.G.P.C." OR "L.G.M.F.T." AFTER THE NAME OF
7 THE INDIVIDUAL;

8 (III) REPRESENT TO THE PUBLIC THAT THE INDIVIDUAL IS
9 APPROVED BY THE BOARD TO PRACTICE PROFESSIONAL COUNSELING OR MARRIAGE
10 AND FAMILY THERAPY; OR

11 (IV) USE ANY TITLE, ABBREVIATION, SIGN, CARD, OR OTHER
12 REPRESENTATION THAT THE INDIVIDUAL IS A LICENSED GRADUATE PROFESSIONAL
13 COUNSELOR OR A LICENSED GRADUATE MARRIAGE AND FAMILY THERAPIST.

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

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