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By: **Delegate Hubbard**

Introduced and read first time: February 9, 2006

Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 8, 2006

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Board of Professional Counselors and Therapists - Licenses and**  
 3 **Certificates - Reciprocity**

4 FOR the purpose of authorizing the State Board of Professional Counselors and  
 5 Therapists to waive certain certification requirements for certain applicants for  
 6 certificates to practice as a professional counselor-alcohol and drug, associate  
 7 counselor-alcohol and drug, or supervised counselor-alcohol and drug under  
 8 certain circumstances; requiring certain applicants to meet certain  
 9 requirements to qualify for a certain waiver; authorizing the Board to waive  
 10 certain licensing requirements for certain applicants for a license to practice as  
 11 a clinical alcohol and drug counselor or a clinical professional counselor under  
 12 certain circumstances; requiring certain applicants to meet certain  
 13 requirements to qualify for a certain waiver; requiring the Board to adopt  
 14 certain regulations; and generally relating to the State Board of Professional  
 15 Counselors and Therapists and the reciprocity of licenses and certificates.

16 BY adding to  
 17 Article - Health Occupations  
 18 Section 17-306.1 and 17-3A-03.1  
 19 Annotated Code of Maryland  
 20 (2005 Replacement Volume)

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

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**Article - Health Occupations**

2 17-306.1.

3 (A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD MAY WAIVE  
4 THE REQUIREMENTS FOR CERTIFICATION FOR AN APPLICANT WHO IS CERTIFIED OR  
5 OTHERWISE AUTHORIZED TO PRACTICE AS A PROFESSIONAL COUNSELOR-ALCOHOL  
6 AND DRUG, ASSOCIATE COUNSELOR-ALCOHOL AND DRUG, OR SUPERVISED  
7 COUNSELOR-ALCOHOL AND DRUG IN ANOTHER STATE, TERRITORY, OR  
8 JURISDICTION.

9 (B) IF THE APPLICANT IS CERTIFIED TO PRACTICE AS A PROFESSIONAL  
10 COUNSELOR-ALCOHOL AND DRUG, THE BOARD MAY GRANT A WAIVER UNDER THIS  
11 SECTION ONLY IF THE APPLICANT:

12 (1) IS CERTIFIED IN ANOTHER STATE, TERRITORY, OR JURISDICTION  
13 THAT HAS REQUIREMENTS THAT ~~EQUAL~~ ARE EQUIVALENT TO OR EXCEED THE  
14 REQUIREMENTS OF § 17-302.3 OF THIS SUBTITLE;

15 (2) SUBMITS AN APPLICATION TO THE BOARD ON A FORM THAT THE  
16 BOARD REQUIRES; AND

17 (3) PAYS TO THE BOARD AN APPLICATION FEE SET BY THE BOARD.

18 (C) IF THE APPLICANT IS CERTIFIED TO PRACTICE AS AN ASSOCIATE  
19 COUNSELOR-ALCOHOL AND DRUG, THE BOARD MAY GRANT A WAIVER UNDER THIS  
20 SECTION ONLY IF THE APPLICANT:

21 (1) IS CERTIFIED IN ANOTHER STATE, TERRITORY, OR JURISDICTION  
22 THAT HAS REQUIREMENTS THAT ~~EQUAL~~ ARE EQUIVALENT TO OR EXCEED THE  
23 REQUIREMENTS OF § 17-302.4 OF THIS SUBTITLE;

24 (2) SUBMITS AN APPLICATION TO THE BOARD ON A FORM THAT THE  
25 BOARD REQUIRES; AND

26 (3) PAYS TO THE BOARD AN APPLICATION FEE SET BY THE BOARD.

27 (D) IF THE APPLICANT IS CERTIFIED TO PRACTICE AS A SUPERVISED  
28 COUNSELOR-ALCOHOL AND DRUG, THE BOARD MAY GRANT A WAIVER UNDER THIS  
29 SECTION ONLY IF THE APPLICANT:

30 (1) IS CERTIFIED IN ANOTHER STATE, TERRITORY, OR JURISDICTION  
31 THAT HAS REQUIREMENTS THAT ~~EQUAL~~ ARE EQUIVALENT TO OR EXCEED THE  
32 REQUIREMENTS OF § 17-302.5 OF THIS SUBTITLE;

33 (2) SUBMITS AN APPLICATION TO THE BOARD ON A FORM THAT THE  
34 BOARD REQUIRES; AND

35 (3) PAYS TO THE BOARD AN APPLICATION FEE SET BY THE BOARD.

36 (E) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

1 17-3A-03.1.

2 (A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD MAY WAIVE  
3 THE REQUIREMENTS FOR LICENSING FOR AN APPLICANT WHO IS LICENSED TO  
4 PRACTICE AS A CLINICAL ALCOHOL AND DRUG COUNSELOR IN ANOTHER STATE,  
5 TERRITORY, OR JURISDICTION ONLY IF THE APPLICANT:

6 (1) IS LICENSED IN ANOTHER STATE, TERRITORY, OR JURISDICTION  
7 THAT HAS REQUIREMENTS THAT ~~EQUAL~~ ARE EQUIVALENT TO OR EXCEED THE  
8 REQUIREMENTS OF § 17-3A-02(D) OF THIS SUBTITLE;

9 (2) SUBMITS AN APPLICATION TO THE BOARD ON A FORM THAT THE  
10 BOARD REQUIRES; AND

11 (3) PAYS TO THE BOARD AN APPLICATION FEE SET BY THE BOARD.

12 ~~(B) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD MAY WAIVE~~  
13 ~~THE REQUIREMENTS FOR LICENSING FOR AN APPLICANT WHO IS LICENSED TO~~  
14 ~~PRACTICE AS A CLINICAL PROFESSIONAL COUNSELOR IN ANOTHER STATE,~~  
15 ~~TERRITORY, OR JURISDICTION ONLY IF THE APPLICANT:~~

16 (1) IS LICENSED IN ANOTHER STATE, TERRITORY, OR JURISDICTION  
17 THAT HAS REQUIREMENTS THAT ARE EQUIVALENT TO OR EXCEED THE  
18 REQUIREMENTS OF § 17-3A-02(F) OF THIS SUBTITLE;

19 (2) SUBMITS AN APPLICATION TO THE BOARD ON A FORM THAT THE  
20 BOARD REQUIRES; AND

21 (3) PAYS TO THE BOARD AN APPLICATION FEE SET BY THE BOARD.

22 ~~(B)~~ (C) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS  
23 SECTION.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2006.