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By: **Delegate Hubbard**

Introduced and read first time: February 10, 2006

Assigned to: Health and Government Operations

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A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Professional Counselors and Therapists - Appraisal - Defined**

3 FOR the purpose of altering the definition of the term "appraisal" to repeal the  
4 provision that certain instruments or tests requiring specialized knowledge or  
5 training to administer or interpret are excluded unless a certain licensee or  
6 certificate holder completes certain training approved by the Board of  
7 Examiners of Psychologists and to require certain licensees or certificate holders  
8 to meet certain standards established by the State Board of Professional  
9 Counselors and Therapists; and generally relating to the State Board of  
10 Professional Counselors and Therapists and the regulation of the  
11 administration of instruments and tests.

12 BY repealing and reenacting, with amendments,  
13 Article - Health Occupations  
14 Section 17-101  
15 Annotated Code of Maryland  
16 (2005 Replacement Volume)

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

19 **Article - Health Occupations**

20 17-101.

21 (a) In this title the following words have the meanings indicated.

22 (b) "Alcohol and drug counseling" means assisting an individual, family, or  
23 group through the client-counselor relationship:

24 (1) To develop understanding of intrapersonal and interpersonal  
25 substance abuse problems;

26 (2) To define goals relating to substance abuse;

27 (3) To make decisions relating to substance abuse;

1 (4) To plan a course of action reflecting the needs, interests, and abilities  
2 of the individual, family, or group relating to substance abuse; and

3 (5) To use informational and community substance abuse resources  
4 relating to personal, social, emotional, educational, and vocational development and  
5 adjustment.

6 (c) (1) "Appraisal" means:

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

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

13 (2) "Appraisal" does not include instruments OR TESTS which require  
14 specialized psychological training for administration and interpretation unless the  
15 licensed or certified professional counselor has [completed training deemed by the  
16 Board of Examiners of Psychologists and the State Board of Professional Counselors  
17 and Therapists to be equivalent to that of a licensed psychologist who is qualified to  
18 administer the same types of instruments] MET THE COMPETENCY STANDARDS  
19 ESTABLISHED BY THE BOARD FOR THE ADMINISTRATION AND INTERPRETATION OF  
20 THE SAME TYPES OF INSTRUMENTS OR TESTS.

21 (d) "Board" means the State Board of Professional Counselors and Therapists.

22 (e) "Certificate" means a certificate issued by the Board to practice  
23 professional counseling.

24 (f) "Certified professional counselor" means a professional counselor who is  
25 certified by the Board.

26 (g) "Certified professional counselor-marriage and family therapist" means  
27 an individual who is certified by the Board to practice marriage and family therapy in  
28 the State.

29 (h) (1) "Certified supervised counselor-alcohol and drug" means an  
30 individual who is certified by the Board to practice alcohol and drug counseling in the  
31 State pursuant to the limitations in § 17-302.4 of this title.

32 (2) "Certified associate counselor-alcohol and drug" means an individual  
33 who is certified by the Board to practice alcohol and drug counseling in the State  
34 pursuant to the limitations in § 17-302.5 of this title.

35 (3) "Certified professional counselor-alcohol and drug" means an  
36 individual who is certified by the Board to practice alcohol and drug counseling in the  
37 State.

1 (i) "Counseling" means assisting an individual, family, or group through the  
2 client-counselor relationship:

3 (1) To develop understanding of intrapersonal and interpersonal  
4 problems;

5 (2) To define goals;

6 (3) To make decisions;

7 (4) To plan a course of action reflecting the needs, interests, and abilities  
8 of the individual, family, or group; and

9 (5) To use informational and community resources, as these procedures  
10 are related to personal, social, emotional, educational, and vocational development  
11 and adjustment.

12 (j) "Fund" means the State Board of Professional Counselors and Therapists  
13 Fund.

14 (k) "Marriage and family therapy" means applying marriage and family  
15 systems theory, principles, methods, therapeutic techniques, and research in:

16 (1) Resolving emotional conflict and modifying perception and behavior  
17 in the context of marriage and family life; and

18 (2) The identification and assessment of client needs and the  
19 implementation of therapeutic intervention.

20 (l) "Practice alcohol and drug counseling" means to engage professionally and  
21 for compensation in alcohol and drug counseling activities while representing oneself  
22 to be a certified professional counselor-alcohol and drug, a certified supervised  
23 counselor-alcohol and drug, or a certified associate counselor-alcohol and drug.

24 (m) "Practice marriage and family therapy" means to engage professionally  
25 and for compensation in marriage and family therapy activities while representing  
26 oneself to be a certified professional counselor-marriage and family therapist.

27 (n) "Practice professional counseling" means to engage professionally and for  
28 compensation in counseling and appraisal activities while representing oneself to be a  
29 professional counselor.

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