



Committee: Appropriations Committee
Bill Number: House Bill 589
Title: Budget Reconciliation and Financing Act of 2021
Hearing Date: March 3, 2021
Position: Support with Amendment

The Licensed Clinical Professional Counselors of Maryland (LCPCM) supports *House Bill 589 – Budget Reconciliation and Financing Act of 2021*, with an amendment. Section 5 of this bill would authorize the Governor to transfer \$2 million in special funds from the Board of Professional Counselors and Therapists to the Behavioral Health Administration. LCPCM strongly opposes the transfer of licensee fees from the Board and is requesting that Section 5 be amended from the bill.

Retaining Board Funding

In 2018, LCPCM successfully advocated for the allocation of Board funds to be used to create permanent staff positions that had previously been eliminated. Since then, the Board has made great progress in conducting complaints investigations in a timely manner and working with stakeholders to amend the practice act regulations for the five different licensing categories the Board currently regulates.

Unfortunately, even with this progress, we believe the Board has encountered barriers in further utilizing its fund balance to improve systems and processes, including upgrading its information technology systems. It is our understanding that this is due to confusion of whether the Board needs to work with the Department of Information Technology, Maryland Department of Health, or if they can go through the State's procurement process to solicit private bids. In response to this problem, LCPCM is supporting legislation this year (SB 262/HB 224) to study the development of a common IT platform.

Therefore, LCPCM asks the Committee for assistance in retaining the Board's fund balance, comprised of fees from members of our profession. These funds are essential if future investments in Board processes are to be made that create efficiencies, support licensees, and improve the functioning of Board overall to meet its primary mission of protecting the public.

Restructuring Licensing Fees

If the Budget Committees determine that authorizing Section 5 of the BFFA is necessary, LCPCM would request that the following committee narrative be adopted to ensure that the Board of Professional Counselors and Therapists has a licensing fee structure in place that matches revenues with expenditures. LCPCM was very disappointed when the Board recently began charging \$200 for Licensed Clinical Professional Counselors (LCPCs) to attain approval from the Board to provide clinical supervision to Licensed Graduate Professional Counselors (LGPCs). We have heard anecdotally that this additional fee has been a deterrent in becoming a supervisor, negatively affecting LGPCs who must receive supervision from a Board-approved supervisor in order to qualify for a Clinical Professional Counseling license. LCPCM opposed this additional fee when it was implemented by the Board and is now disappointed that this additional revenue from licensees is at risk of being transferred.

Proposed Committee Narrative

Board of Professional Counselors and Therapists – Special Fund Balance and Fee Structure: The budget committees are concerned with the Board of Professional Counselors and Therapists' surplus fund balance, which indicates fees may be too high. Therefore, the budget committees request that the Board submit a report by October 1, 2021 on its special fund and include an analysis of the following:

- the fee structure history for the special fund, including fees obtained through issuing initial licenses, renewing licenses, and approving supervisors;
- the revenue goals, expenditure plans, and desired special fund balance level for a three-year period;
- implementation plans to reduce fees to lower the fund balance and align revenue and expenditure projections.

Thank you for your consideration of our testimony, and we urge a favorable vote. If we can provide any further information, please contact Rachael faulkner at rfaulkner@policypartners.net or 410-693-4000.