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House Bill 736 – Interstate Licensed Professional Counselors Compact
Position: Support with Amendment
House Health and Government Operations Committee
February 18, 2021

Dr. Aliya Jones, Deputy Secretary, Behavioral Health Administration, Maryland Department of Health
Jake Whitaker, Deputy Legislative Officer, Governor's Office

Chair Pendergrass, Vice Chair Pena-Melnyk, and Members of the Committee:

House Bill (HB 736) will increase meaningful access to counseling services, including mental health and substance use disorder services, by eliminating barriers currently precluding out-of-state professional counselors from serving Maryland patients. The Nurse Licensure Compact and the Interstate Medical Licensure Compact have been successful in increasing the availability of health care practitioners in Maryland and the Counseling Compact that would be established under HB 736 will be another important step in achieving this goal.

The Counseling Compact will enhance licensure portability for practitioners wishing to practice across state lines while allowing the Maryland State Board of Professional Counselors and Therapists (BOPCT) to protect patients through enhanced sharing of licensure information. The Counseling Compact does not limit BOPCT's ability to protect public health and safety through the existing Maryland statutory and regulatory frameworks. Under the Compact, the Board will continue to determine the requirements for licensure in Maryland, as well as maintain Maryland's scope of practice requirements for all professional counselors wishing to practice here.

Since taking office, Governor Hogan and Lieutenant Governor Rutherford have remained committed to addressing the heroin and opioid epidemic, including expanding access to critical behavioral health and substance use disorder treatment services. The COVID-19 pandemic has only exacerbated the need for these critical treatment services. Drug overdose deaths in Maryland and across the United States have increased since the beginning of the pandemic.

In keeping with the Governor and Lieutenant Governor's commitment to reducing barriers to critical behavioral health services, the Counseling Compact will result in a much-needed increase in the number of professional counselors in Maryland. According to data from the Maryland Medicaid Program and the Behavioral Health Administration, the number of individuals who accessed mental health services increased from 7,398 in 2019 to 106,642 in 2020. Improving access to mental health and substance use disorder treatment services will remain critical even after the COVID-19 pandemic has ended.

For these reasons, the Administration respectfully requests the Committee move to adopt the following amendment language and report HB 736 favorable as amended.

AMENDMENT

On page 29, in line 29, strike “shall take effect July 1, 2021” and substitute “is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted”.

Rationale:

After consulting with stakeholders, including substance use disorder treatment services providers, we concluded that the need for additional professional counselors is immediate. Accordingly, we respectfully submit the preceding amendment.