



Board of Professional Counselors and Therapists

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

Nicki Drotleff, Board Chair – Tony W. Torain, Executive Director
4201 Patterson Avenue, Baltimore MD 21215, 410-764-4732

2022 SESSION POSITION PAPER

BILL NO: HB 1318
COMMITTEE: Health & Government Operations
POSITION: Oppose

TITLE: Health Occupations – Mental Health Services – Cultural Competency and Diversity

BILL ANALYSIS: House Bill (HB) 1318 will require the State Board of Professional Counselors and Therapists, the State Board of Psychologists, and the State Board of Social Work Examiners to have a certain number of members who are from underrepresented communities; require the boards' licensees to earn a certain number of continuing education units in cultural competency; and establish a Culturally Informed and Culturally Responsive Mental Health Task Force, as well as an Alternative Mental Health Professional Licensing Pathways Workgroup.

POSITION AND RATIONALE:

The State Board of Professional Counselors and Therapists (the Board) opposes HB 1318 - Health Occupations – Mental Health Services – Cultural Competency and Diversity.

The Board supports: (a) the importance of diversity and cultural competence; (b) requiring licensed mental health clinicians to receive ongoing education about the many issues around culture, gender, and race; (c) being mindful and proactive of underrepresented populations entering the mental health field; and (d) the idea of creating financial support for education advancement for underrepresented groups. This is evidenced by the fact that the Board addresses these issues regularly as the regulations for all five (5) licenses are continually being reviewed and amended (as necessary) to ensure that the required coursework is sufficient in terms of cultural competency and diversity. While the Board agrees with the requirement of continuing education courses that address cultural competency, these changes belong in regulations, not in statute. Additionally, the Board supports updating the regulations to require three (3) continuing education hours to address cultural competency. The Board's Credentialing Committee, along with various associations and organizations that are associated with each profession, are constantly evaluating coursework. Therefore, the Board believes that HB 1318 will repeat work that is already ongoing by the Board, and it will be unnecessary and redundant. For example, licensees are now complying with implicit bias training as a result of legislation passed in last year's session (Chapters 744 and 745, Acts of 2021).

The State Board of Professional Counselors and Therapists, the State Board of Examiners of Psychologists, and the State Board of Social Work Examiners are proud that the members who make up the Boards already exceed the requirements of diversity regarding race and gender. The Boards believe that HB 1318 could create unnecessary hardship when filling Board seats in the future, which could lead to seats remaining vacant indefinitely and hinder the Boards' ability to function effectively.

In addition, the Boards are concerned that creating a path to licensure that does not involve passing a national examination will lower the standards for all of the represented professions. This will contradict the Boards' primary mission of protecting the public.

In closing, the State Board of Professional Counselors and Therapists, the State Board of Examiners of Psychologists, and the State Board of Social Work Examiners believe that HB 1318 is overly ambitious in addressing Board composition, continuing education requirements, alternatives to licensing, and financial support for certain populations. For these reasons, the Boards respectfully request an unfavorable report on HB 1318.

If you'd like to discuss this further, please contact Tony W. Torain, J.D., Executive Director for the State Board of Professional Counselors and Therapists, at 410-764-4732 or at tonyw.torain@maryland.gov; Lorraine Smith, Executive Director for the State Board of Examiners of Psychologists at 410-764-4786 or at Lorraine.smith@maryland.gov; or Dr. Stanley Weinstein, Executive Director for the State Board of Social Work Examiners at 410-764-4722 or at Stanley.weinstein@maryland.gov.

The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.