



Reprinted
April 7, 1999

ENGROSSED SENATE BILL No. 124

DIGEST OF SB 124 (Updated April 6, 1999 4:56 pm - DI 98)

Citations Affected: IC 25-23.6; noncode.

Synopsis: Grandfathering of employees. Provides that an individual who is employed by certain state government agencies in certain job classifications is exempted from having to obtain a license as a social worker, clinical social worker, or mental health counselor for as long as the individual remains in the same job classification or job family of that job classification. Provides an exemption to certain mental health counselor licensure requirements for individuals with certain experience or education. Requires the social worker, marriage and family therapist, and mental health counselor board to amend an administrative rule to add the Indiana council of community mental health centers to the list of organizations that are approved as sponsors for continuing education programs.

Effective: Upon passage; July 1, 1999.

Miller, Craycraft

(HOUSE SPONSORS — TINCHER, BROWN T, CROSBY)

January 6, 1999, read first time and referred to Committee on Health and Provider Services.

January 19, 1999, amended, reported favorably — Do Pass.

January 25, 1999, read second time, ordered engrossed. Engrossed.

January 26, 1999, read third time, passed. Yeas 48, nays 0.

HOUSE ACTION

March 3, 1999, read first time and referred to Committee on Public Health.

March 29, 1999, amended, reported — Do Pass.

April 6, 1999, read second time, amended, ordered engrossed.

ES 124—LS 6390/DI 88+



C
O
P
Y

Reprinted
April 7, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

ENGROSSED SENATE BILL No. 124

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 25-23.6-1-3.9 IS ADDED TO THE INDIANA
2 CODE AS A **NEW SECTION** TO READ AS FOLLOWS[EFFECTIVE
3 JULY 1, 1999]: **Sec. 3.9. "Governmental employee" means an**
4 **individual employed by the office of the secretary of family and**
5 **social services, the division of family and children, the division of**
6 **mental health, the division of disability, aging, and rehabilitative**
7 **services, the department of correction, or the state department of**
8 **health in one (1) of the following classifications:**
9 (1) **2AA3 Behavioral clinician 3.**
10 (2) **2AA4 Behavioral clinician 4.**
11 (3) **2AA5 Clinical associate 5.**
12 (4) **2FL1 Mental health administrator 1.**
13 (5) **2FL2 Mental health administrator 2.**
14 (6) **2FL3 Mental health administrator 3.**
15 (7) **2AN3 Substance abuse counselor 3.**
16 (8) **2AN4 Substance abuse counselor 4.**

ES 124—LS 6390/DI 88+



C
O
P
Y

- 1 **(9) 2AN5 Substance abuse counselor 5.**
 2 **(10) 2AH2 Social services specialist 2.**
 3 **(11) 2AH3 Social services specialist 3.**
 4 **(12) 2AH4 Social services specialist 4.**
 5 **(13) 2AI1 Psychiatric services director 1.**
 6 **(14) 2AE2 Psychiatric social services specialist 2.**
 7 **(15) 2AE3 Psychiatric social services specialist 3.**

8 SECTION 2. IC 25-23.6-3-2 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) This article may
 10 not be construed to limit the marriage and family therapy services
 11 performed by a person who does not use a title specified in this article
 12 and who is one (1) of the following:

- 13 (1) A licensed or certified health care professional acting within
 14 the scope of the person's license or certificate.
 15 (2) A student, an intern, or a trainee pursuing a course of study in
 16 medicine or psychology or a course of study to gain licensure
 17 under this article in an accredited institution of higher education
 18 or training institution, or is a graduate accumulating experience
 19 required for licensure if:
 20 (A) the activities are performed under qualified supervision
 21 and constitute a part of the person's supervised course of study
 22 or other level of supervision; and
 23 (B) the student or graduate uses a title that contains the term
 24 "intern" or "trainee";
 25 (3) Not a resident of Indiana if the person performed services in
 26 Indiana for not more than five (5) days in any one (1) month and
 27 not more than fifteen (15) days in any one (1) calendar year and
 28 the person is authorized to perform such services under the laws
 29 of the state or country in which the person resides.
 30 (4) A rabbi, priest, Christian Science practitioner, minister, or
 31 other member of the clergy.
 32 (5) An employee of or a volunteer for ~~a nonprofit corporation or~~
 33 an organization performing charitable, religious, or educational
 34 functions, providing pastoral counseling or other assistance.
 35 (6) A person who provides school counseling or a person who is
 36 certified by a state or national organization that is recognized by
 37 the Indiana division of mental health and who provides
 38 counseling in the areas of alcohol or drug abuse addictions.
 39 **(7) A governmental employee who remains in the same job**
 40 **classification or job family of that job classification.**

41 (b) Nothing in this section prohibits a person referred to in
 42 subsection (a) from qualifying for licensure under this article.



C
O
p
y

1 SECTION 3. IC 25-23.6-4-2 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) This article may
 3 not be construed to limit the social work or clinical social work services
 4 performed by a person who does not use a title specified in this article
 5 and who is one (1) of the following:

6 (1) A licensed or certified health care professional acting within
 7 the scope of the person's license or certificate.

8 (2) A student, an intern, or a trainee pursuing a course of study in
 9 medicine, psychology, or a course of study to gain licensure under
 10 this article in an accredited institution of higher education or
 11 training institution accredited by the Council on Social Work
 12 Education, or a graduate accumulating experience required for
 13 licensure if:

14 (A) the services are performed under qualified supervision and
 15 constitute a part of the person's supervised course of study or
 16 other level of supervision; and

17 (B) the student or graduate uses a title that contains the term
 18 "intern", "student", or "trainee".

19 (3) Not a resident of Indiana if the person performed social work
 20 in Indiana for not more than five (5) days in any one (1) month or
 21 more than fifteen (15) days in any one (1) calendar year and the
 22 person is authorized to perform such services under the laws of
 23 the state or country in which the person resides.

24 (4) A rabbi, priest, Christian Science practitioner, minister, or
 25 other member of the clergy.

26 (5) An employee or a volunteer for a ~~nonprofit corporation~~ or an
 27 organization performing charitable, religious, or educational
 28 functions, providing pastoral counseling, or other assistance.

29 (6) A person who provides school counseling or a person who is
 30 certified by a state or national organization that is recognized by
 31 the Indiana division of mental health and who provides
 32 counseling in the areas of alcohol or drug abuse addictions.

33 **(7) A governmental employee who remains in the same job
 34 classification or job family of that job classification.**

35 (b) Nothing in this section prohibits a person referred to in
 36 subsection (a) from qualifying for licensure under this article.

37 SECTION 4. IC 25-23.6-4.5-2 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) This article may
 39 not be construed to limit the mental health counseling services
 40 performed by a person who does not use a title specified in this article
 41 and who is one (1) of the following:

42 (1) A licensed or certified health care professional acting within

C
O
P
Y



1 the scope of the person's license or certificate.

2 (2) A student, an intern, or a trainee pursuing a course of study in
3 medicine, psychology, or a course of study to gain licensure under
4 this article in an accredited institution of higher education or
5 training institution, or is a graduate accumulating experience
6 required for licensure if:

7 (A) the services are performed under qualified supervision and
8 constitute a part of the person's supervised course of study or
9 other level of supervision; and

10 (B) the student or graduate uses a title that contains the term
11 "intern" or "trainee".

12 (3) Not a resident of Indiana if the person performed the services
13 in Indiana for not more than five (5) days in any one (1) month or
14 fifteen (15) days within any one (1) calendar year and the person
15 is authorized to perform such services under the laws of the state
16 or country in which the person resides.

17 (4) A rabbi, priest, Christian Science practitioner, minister, or
18 other member of the clergy.

19 (5) An employee or a volunteer for a ~~nonprofit corporation~~ or an
20 organization performing charitable, religious, or educational
21 functions, providing pastoral counseling, or providing other
22 assistance.

23 (6) A person who provides school counseling or a person who is
24 certified by a state or national organization that is recognized by
25 the Indiana division of mental health and who provides
26 counseling in the areas of alcohol or drug abuse addictions.

27 **(7) A governmental employee who remains in the same job**
28 **classification or job family of that job classification.**

29 (b) Nothing in this section prohibits a person referred to in
30 subsection (a) from qualifying for licensure under this article.

31 SECTION 5. IC 25-23.6-8.5-1 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) An individual
33 who applies for a license as a mental health counselor must meet the
34 following requirements:

35 (1) **Except as provided in subsection (b)**, furnish satisfactory
36 evidence to the board that the individual has:

37 (A) received a master's or doctor's degree in an area related to
38 mental health counseling from:

39 (i) an institution of higher education that meets the
40 requirements under section 2 of this chapter; or

41 (ii) a foreign school that has a program of study that meets
42 the requirements under section 2 of this chapter;



C
O
P
Y

- 1 (B) completed the educational requirements under section 3 of
 2 this chapter; and
 3 (C) completed the experience requirements under section 4 of
 4 this chapter.
- 5 (2) Furnish satisfactory evidence to the board that the individual
 6 does not have a conviction for a crime that has a direct bearing on
 7 the individual's ability to practice competently.
- 8 (3) Furnish satisfactory evidence to the board that the individual
 9 has not been the subject of a disciplinary action by a licensing or
 10 certification agency of another state or jurisdiction on the grounds
 11 that the individual was not able to practice as a mental health
 12 counselor without endangering the public.
- 13 (4) Pass an examination provided by the board.
- 14 (5) Pay the fee established by the board.
- 15 **(b) If the applicant demonstrates sufficient experience and**
 16 **knowledge in the practice of mental health counseling, the board**
 17 **may waive or modify the requirements under subsection (a)(1).**
- 18 SECTION 6. P.L.147-1997, SECTION 79, IS AMENDED TO
 19 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: (a) The
 20 definitions under IC 25-23.6, as amended by this act, apply throughout
 21 this SECTION.
- 22 (b) The board shall exempt an individual from the requirement
 23 under IC 25-23.6, as amended by this act, and grant the individual a
 24 mental health counselor license if the individual meets the following
 25 requirements:
- 26 (1) Submits an application to the board before ~~July~~ **December 1,**
 27 **1999.**
- 28 (2) Has:
- 29 **(A) at least twenty (20) years of mental health counseling**
 30 **experience in a joint commission accredited agency and**
 31 **has a bachelor's degree in psychology; or**
- 32 **(B) a master's or doctor's degree from an institution of higher**
 33 **learning in at least one (1) of the following areas:**
- 34 ~~(A)~~ **(i) Counseling.**
- 35 ~~(B)~~ **(ii) Clinical or counseling psychology.**
- 36 ~~(C)~~ **(iii) Mental health.**
- 37 ~~(D)~~ **(iv) Applied human development.**
- 38 **(v) Psychology.**
- 39 (3) Presents evidence that the applicant is credentialed by a
 40 national organization that provides private credentialing in mental
 41 health counseling.
- 42 (4) Presents evidence from employers or professional colleagues

C
O
P
Y

- 1 that the applicant has at least five (5) years of mental health
 2 counseling practice within the ten (10) years preceding the date
 3 of application.
 4 (5) Pays the fee required by the board.
 5 (6) Has not had a license, certificate, or registration in mental
 6 health counseling or a related profession suspended or revoked in
 7 any jurisdiction.
 8 (7) Has not been convicted of a crime that has a direct bearing on
 9 the individual's ability to practice competently.
 10 (8) Presents evidence that the applicant has completed at least two
 11 thousand (2,000) hours of supervised client counseling before the
 12 date of application.

13 (c) The board shall exempt an individual from the requirement
 14 under IC 25-23.6, as amended by this act, and grant the individual a
 15 marriage and family therapist license if the individual has a current
 16 certificate as a marriage and family therapist under IC 25-23.6 or
 17 obtains this certificate no later than June 30, 1999.

18 (d) The board shall exempt an individual from the requirement
 19 under IC 25-23.6, as amended by this act, and grant the individual a
 20 social worker license if the individual has a current certificate as a
 21 social worker under IC 25-23.6-5 or obtains this certificate no later
 22 than June 30, 1999.

23 (e) The board shall exempt an individual from the requirement
 24 under IC 25-23.6, as amended by this act, and grant the individual a
 25 clinical social worker license if the individual has a current certificate
 26 as a clinical social worker issued under IC 25-23.6 or obtains this
 27 certificate no later than June 30, 1999.

28 (f) Notwithstanding subsections (c), (d), and (e), if the board has:

29 (1) taken a disciplinary action against the certificate of a:

30 (A) certified marriage and family therapist;

31 (B) certified social worker; or

32 (C) certified clinical social worker;

33 before July 1, 1997; and

34 (2) imposed sanctions against an individual under subdivision (1);

35 and the sanctions imposed under subdivision (2) remain in place, the
 36 board shall review the file of each individual described in this
 37 subsection to determine whether to grant a license to the individual as
 38 provided in this act. The board may grant a license with any restrictions
 39 the board believes are appropriate to protect the public health.

40 (g) This SECTION expires ~~July~~ **December** 1, 1999.

41 **SECTION 7. [EFFECTIVE JULY 1, 1999] (a) The social worker,
 42 marriage and family therapist, and mental health counselor board**

C
O
P
Y



1 established under IC 25-23.6-2 shall amend 839 IAC 1-6-2(e) to add
2 the Indiana council of community mental health centers to the list
3 of organizations that are approved as sponsors for continuing
4 education programs.

5 (b) This SECTION expires January 1, 2001.

6 SECTION 8. An emergency is declared for this act.

C
o
p
y



SENATE MOTION

Mr. President: I move that Senator Craycraft be added as second author of Senate Bill 124.

MILLER

C
o
p
y



COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 124, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Page 1, line 1, after "1." insert "IC 25-23.6-1-3.9 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS**".

Page 1, line 1, delete the effective date "[EFFECTIVE JANUARY 1, 1999 (RETROACTIVE)]" and insert the effective date "[EFFECTIVE JULY 1, 1999]:".

Page 1, delete line 2 and insert "**Sec. 3.9**".

Page 1, line 3, delete "(b) This SECTION applies to" and insert ""**Governmental employee**" means".

Page 1, run in lines 1 through 3.

Page 1, line 4, after "," insert "**the division of family and children, the division of mental health, the division of disability, aging, and rehabilitative services,**".

Page 1, line 5, after "health" insert "**as of July 1, 1999,**".

Page 1, delete line 10.

Page 1, line 11, delete "5" and insert "**4**".

Page 1, line 12, delete "6" and insert "**5**".

Page 1, line 13, delete "7" and insert "**6**".

Page 1, line 14, delete "8" and insert "**7**".

Page 1, line 15, delete "9" and insert "**8**".

Page 1, line 16, delete "10" and insert "**9**".

Page 1, delete lines 17 through 18.

Page 2, line 1, delete "13" and insert "**10**".

Page 2, line 2, delete "14" and insert "**11**".

Page 2, line 3, delete "15" and insert "**12**".

Page 2, line 4, delete "16" and insert "**13**".

Page 2, line 4, delete "Psychological" and insert "**Psychiatric**".

Page 2, line 5, delete "17" and insert "**14**".

Page 2, line 5, delete "Psychological" and insert "**Psychiatric**".

Page 2, line 6, delete "18" and insert "**15**".

Page 2, line 6, delete "Psychological" and insert "**Psychiatric**".

Page 2, delete lines 7 through 25, begin a new paragraph and insert:

C
O
P
Y



"SECTION 2. IC 25-23.6-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) This article may not be construed to limit the social work or clinical social work services performed by a person who does not use a title specified in this article and who is one (1) of the following:

(1) A licensed or certified health care professional acting within the scope of the person's license or certificate.

(2) A student, an intern, or a trainee pursuing a course of study in medicine, psychology, or a course of study to gain licensure under this article in an accredited institution of higher education or training institution accredited by the Council on Social Work Education, or a graduate accumulating experience required for licensure if:

(A) the services are performed under qualified supervision and constitute a part of the person's supervised course of study or other level of supervision; and

(B) the student or graduate uses a title that contains the term "intern", "student", or "trainee".

(3) Not a resident of Indiana if the person performed social work in Indiana for not more than five (5) days in any one (1) month or more than fifteen (15) days in any one (1) calendar year and the person is authorized to perform such services under the laws of the state or country in which the person resides.

(4) A rabbi, priest, Christian Science practitioner, minister, or other member of the clergy.

(5) An employee or a volunteer for a nonprofit corporation or an organization performing charitable, religious, or educational functions, providing pastoral counseling, or other assistance.

(6) A person who provides school counseling or a person who is certified by a state or national organization that is recognized by the Indiana division of mental health and who provides counseling in the areas of alcohol or drug abuse addictions.

(7) A governmental employee who remains in the same job classification as the governmental employee held on July 1, 1999.

(b) Nothing in this section prohibits a person referred to in subsection (a) from qualifying for licensure under this article.

SECTION 3. IC 25-23.6-4.5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) This article may not be construed to limit the mental health counseling services performed by a person who does not use a title specified in this article and who is one (1) of the following:

C
O
P
Y



(1) A licensed or certified health care professional acting within the scope of the person's license or certificate.

(2) A student, an intern, or a trainee pursuing a course of study in medicine, psychology, or a course of study to gain licensure under this article in an accredited institution of higher education or training institution, or is a graduate accumulating experience required for licensure if:

(A) the services are performed under qualified supervision and constitute a part of the person's supervised course of study or other level of supervision; and

(B) the student or graduate uses a title that contains the term "intern" or "trainee".

(3) Not a resident of Indiana if the person performed the services in Indiana for not more than five (5) days in any one (1) month or fifteen (15) days within any one (1) calendar year and the person is authorized to perform such services under the laws of the state or country in which the person resides.

(4) A rabbi, priest, Christian Science practitioner, minister, or other member of the clergy.

(5) An employee or a volunteer for a nonprofit corporation or an organization performing charitable, religious, or educational functions, providing pastoral counseling, or providing other assistance.

(6) A person who provides school counseling or a person who is certified by a state or national organization that is recognized by the Indiana division of mental health and who provides counseling in the areas of alcohol or drug abuse addictions.

(7) A governmental employee who remains in the same job classification as the governmental employee held on July 1, 1999.

(b) Nothing in this section prohibits a person referred to in subsection (a) from qualifying for licensure under this article."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to Senate Bill 124 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 9, Nays 0.



C
O
P
Y

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 124, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 8, delete "as of July 1, 1999,".

Page 2, line 40, delete "as the governmental employee held on July 1," and insert "**or job family of that job classification.**".

Page 2, delete line 41.

Page 3, line 35, delete "as the governmental employee held on July 1," and insert "**or job family of that job classification.**".

Page 3, delete line 36.

and when so amended that said bill do pass.

(Reference is to SB 124 as printed January 20, 1999.)

BROWN C, Chair

Committee Vote: yeas 13, nays 0.

C
O
P
Y



HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 124 be amended to read as follows:

Page 2, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 2. IC 25-23.6-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) This article may not be construed to limit the marriage and family therapy services performed by a person who does not use a title specified in this article and who is one (1) of the following:

(1) A licensed or certified health care professional acting within the scope of the person's license or certificate.

(2) A student, an intern, or a trainee pursuing a course of study in medicine or psychology or a course of study to gain licensure under this article in an accredited institution of higher education or training institution, or is a graduate accumulating experience required for licensure if:

(A) the activities are performed under qualified supervision and constitute a part of the person's supervised course of study or other level of supervision; and

(B) the student or graduate uses a title that contains the term "intern" or "trainee";

(3) Not a resident of Indiana if the person performed services in Indiana for not more than five (5) days in any one (1) month and not more than fifteen (15) days in any one (1) calendar year and the person is authorized to perform such services under the laws of the state or country in which the person resides.

(4) A rabbi, priest, Christian Science practitioner, minister, or other member of the clergy.

(5) An employee of or a volunteer for a ~~nonprofit corporation~~ or an organization performing charitable, religious, or educational functions, providing pastoral counseling or other assistance.

(6) A person who provides school counseling or a person who is certified by a state or national organization that is recognized by the Indiana division of mental health and who provides counseling in the areas of alcohol or drug abuse addictions.

(7) A governmental employee who remains in the same job classification or job family of that job classification.

(b) Nothing in this section prohibits a person referred to in subsection (a) from qualifying for licensure under this article."

Page 2, line 33, strike "a nonprofit corporation or".

Page 3, line 26, strike "a nonprofit corporation or".

C
O
P
Y



Renumber all SECTIONS consecutively.

(Reference is to ESB 124 as printed March 30, 1999.)

TINCHER

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 124 be amended to read as follows:

Page 3, after line 37, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE JULY 1, 1999] **(a) The social worker, marriage and family therapist, and mental health counselor board established under IC 25-23.6-2 shall amend 839 IAC 1-6-2(e) to add the Indiana council of community mental health centers to the list of organizations that are approved as sponsors for continuing education programs.**

(b) This SECTION expires January 1, 2001."

(Reference is to ESB 124 as printed March 30, 1999.)

CROSBY

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 124 be amended to read as follows:

Page 3, after line 37, begin a new paragraph and insert:

"SECTION 4. IC 25-23.6-8.5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. **(a)** An individual who applies for a license as a mental health counselor must meet the following requirements:

(1) Except as provided in subsection (b), furnish satisfactory evidence to the board that the individual has:

(A) received a master's or doctor's degree in an area related to mental health counseling from:

- (i)** an institution of higher education that meets the requirements under section 2 of this chapter; or
- (ii)** a foreign school that has a program of study that meets the requirements under section 2 of this chapter;

(B) completed the educational requirements under section 3 of this chapter; and

(C) completed the experience requirements under section 4 of



C
O
P
Y

this chapter.

- (2) Furnish satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.
- (3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as a mental health counselor without endangering the public.
- (4) Pass an examination provided by the board.
- (5) Pay the fee established by the board.

(b) If the applicant demonstrates sufficient experience and knowledge in the practice of mental health counseling, the board may waive or modify the requirements under subsection (a)(1).

SECTION 5. P.L.147-1997, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: (a) The definitions under IC 25-23.6, as amended by this act, apply throughout this SECTION.

(b) The board shall exempt an individual from the requirement under IC 25-23.6, as amended by this act, and grant the individual a mental health counselor license if the individual meets the following requirements:

- (1) Submits an application to the board before ~~July~~ **December 1, 1999.**
- (2) Has:
 - (A) at least twenty (20) years of mental health counseling experience in a joint commission accredited agency and has a bachelor's degree in psychology; or**
 - (B) a master's or doctor's degree from an institution of higher learning in at least one (1) of the following areas:**
 - ~~(A)~~ **(i) Counseling.**
 - ~~(B)~~ **(ii) Clinical or counseling psychology.**
 - ~~(C)~~ **(iii) Mental health.**
 - ~~(D)~~ **(iv) Applied human development.**
 - (v) Psychology.**
- (3) Presents evidence that the applicant is credentialed by a national organization that provides private credentialing in mental health counseling.
- (4) Presents evidence from employers or professional colleagues that the applicant has at least five (5) years of mental health counseling practice within the ten (10) years preceding the date of application.



C
O
P
Y

- (5) Pays the fee required by the board.
- (6) Has not had a license, certificate, or registration in mental health counseling or a related profession suspended or revoked in any jurisdiction.
- (7) Has not been convicted of a crime that has a direct bearing on the individual's ability to practice competently.
- (8) Presents evidence that the applicant has completed at least two thousand (2,000) hours of supervised client counseling before the date of application.

(c) The board shall exempt an individual from the requirement under IC 25-23.6, as amended by this act, and grant the individual a marriage and family therapist license if the individual has a current certificate as a marriage and family therapist under IC 25-23.6 or obtains this certificate no later than June 30, 1999.

(d) The board shall exempt an individual from the requirement under IC 25-23.6, as amended by this act, and grant the individual a social worker license if the individual has a current certificate as a social worker under IC 25-23.6-5 or obtains this certificate no later than June 30, 1999.

(e) The board shall exempt an individual from the requirement under IC 25-23.6, as amended by this act, and grant the individual a clinical social worker license if the individual has a current certificate as a clinical social worker issued under IC 25-23.6 or obtains this certificate no later than June 30, 1999.

(f) Notwithstanding subsections (c), (d), and (e), if the board has:

- (1) taken a disciplinary action against the certificate of a:
 - (A) certified marriage and family therapist;
 - (B) certified social worker; or
 - (C) certified clinical social worker;

before July 1, 1997; and

(2) imposed sanctions against an individual under subdivision (1); and the sanctions imposed under subdivision (2) remain in place, the board shall review the file of each individual described in this subsection to determine whether to grant a license to the individual as provided in this act. The board may grant a license with any restrictions the board believes are appropriate to protect the public health.

(g) This SECTION expires ~~July~~ **December** 1, 1999.

SECTION 6. An emergency is declared for this act."

(Reference is to ESB 124 as printed March 30, 1999.)

ROBERTSON



C
O
P
Y