



February 25, 1999

HOUSE BILL No. 2033

DIGEST OF HB2033 (Updated February 24, 1999 4:04 pm - DI 77)

Citations Affected: IC 25-23.6; noncode.

Synopsis: Mental health counselors. Allows the social worker, marriage and family therapist, and mental health counselor board to waive or modify the education or experience requirements for a mental health counselor applicant who demonstrates sufficient experience and knowledge in the practice of mental health counseling. Allows an individual who meets certain requirements to be granted a mental health counselor's license.

Effective: Upon passage; July 1, 1999.

Robertson

January 27, 1999, read first time and referred to Committee on Public Health.
February 24, 1999, amended, reported — Do Pass.

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February 25, 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.

HOUSE BILL No. 2033

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 25-23.6-8.5-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) An individual
3 who applies for a license as a mental health counselor must meet the
4 following requirements:
5 (1) **Except as provided in subsection (b)**, furnish satisfactory
6 evidence to the board that the individual has:
7 (A) received a master's or doctor's degree in an area related to
8 mental health counseling from:
9 (i) an institution of higher education that meets the
10 requirements under section 2 of this chapter; or
11 (ii) a foreign school that has a program of study that meets
12 the requirements under section 2 of this chapter;
13 (B) completed the educational requirements under section 3 of
14 this chapter; and
15 (C) completed the experience requirements under section 4 of
16 this chapter.
17 (2) Furnish satisfactory evidence to the board that the individual

HB 2033—LS 8100/DI 77+



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1 does not have a conviction for a crime that has a direct bearing on
2 the individual's ability to practice competently.

3 (3) Furnish satisfactory evidence to the board that the individual
4 has not been the subject of a disciplinary action by a licensing or
5 certification agency of another state or jurisdiction on the grounds
6 that the individual was not able to practice as a mental health
7 counselor without endangering the public.

8 (4) Pass an examination provided by the board.

9 (5) Pay the fee established by the board.

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

13 SECTION 2. P.L.147-1997, SECTION 79, IS AMENDED TO
14 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: (a) The
15 definitions under IC 25-23.6, as amended by this act, apply throughout
16 this SECTION.

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

21 (1) Submits an application to the board before ~~July~~ **December 1,**
22 **1999.**

23 (2) Has:

24 **(A) at least twenty (20) years of mental health counseling**
25 **experience in a joint commission accredited agency and**
26 **has a bachelor's degree in psychology; or**

27 **(B) a master's or doctor's degree from an institution of higher**
28 **learning in at least one (1) of the following areas:**

29 ~~(A)~~ **(i) Counseling.**

30 ~~(B)~~ **(ii) Clinical or counseling psychology.**

31 ~~(C)~~ **(iii) Mental health.**

32 ~~(D)~~ **(iv) Applied human development.**

33 **(v) Psychology.**

34 (3) Presents evidence that the applicant is credentialed by a
35 national organization that provides private credentialing in mental
36 health counseling.

37 (4) Presents evidence from employers or professional colleagues
38 that the applicant has at least five (5) years of mental health
39 counseling practice within the ten (10) years preceding the date
40 of application.

41 (5) Pays the fee required by the board.

42 (6) Has not had a license, certificate, or registration in mental

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- 1 health counseling or a related profession suspended or revoked in
 2 any jurisdiction.
- 3 (7) Has not been convicted of a crime that has a direct bearing on
 4 the individual's ability to practice competently.
- 5 (8) Presents evidence that the applicant has completed at least two
 6 thousand (2,000) hours of supervised client counseling before the
 7 date of application.
- 8 (c) The board shall exempt an individual from the requirement
 9 under IC 25-23.6, as amended by this act, and grant the individual a
 10 marriage and family therapist license if the individual has a current
 11 certificate as a marriage and family therapist under IC 25-23.6 or
 12 obtains this certificate no later than June 30, 1999.
- 13 (d) 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 social worker license if the individual has a current certificate as a
 16 social worker under IC 25-23.6-5 or obtains this certificate no later
 17 than June 30, 1999.
- 18 (e) 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 clinical social worker license if the individual has a current certificate
 21 as a clinical social worker issued under IC 25-23.6 or obtains this
 22 certificate no later than June 30, 1999.
- 23 (f) Notwithstanding subsections (c), (d), and (e), if the board has:
 24 (1) taken a disciplinary action against the certificate of a:
 25 (A) certified marriage and family therapist;
 26 (B) certified social worker; or
 27 (C) certified clinical social worker;
 28 before July 1, 1997; and
 29 (2) imposed sanctions against an individual under subdivision (1);
 30 and the sanctions imposed under subdivision (2) remain in place, the
 31 board shall review the file of each individual described in this
 32 subsection to determine whether to grant a license to the individual as
 33 provided in this act. The board may grant a license with any restrictions
 34 the board believes are appropriate to protect the public health.
- 35 (g) This SECTION expires ~~July~~ **December** 1, 1999.
- 36 **SECTION 3. An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 2033, 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 2, line 25, after "experience" insert "**in a joint commission accredited agency**".

Page 2, line 25, after "degree" insert "**in psychology**".

and when so amended that said bill do pass.

(Reference is to HB 2033 as introduced.)

BROWN C, Chair

Committee Vote: yeas 9, nays 0.

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