

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 354

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO COUNSELORS AND THERAPISTS; AMENDING SECTION 54-3404, IDAHO
2 CODE, TO GRANT THE IDAHO STATE LICENSING BOARD OF PROFESSIONAL COUN-
3 SELORS AND MARRIAGE AND FAMILY THERAPISTS THE POWER TO ESTABLISH BY RULE
4 THE STANDARDS AND REQUIREMENTS FOR THE USE OF COMMUNICATION TECHNOLOGY
5 IN THE PRACTICE OF COUNSELING AND MARRIAGE AND FAMILY THERAPY.
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7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 54-3404, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 54-3404. IDAHO STATE LICENSING BOARD OF PROFESSIONAL COUNSELORS AND
11 MARRIAGE AND FAMILY THERAPISTS -- POWERS. The board shall have the following
12 powers:

13 (1) To regulate the practice of professional counselors, clinical pro-
14 fessional counselors, associate marriage and family therapists and marriage
15 and family therapists in the state of Idaho.

16 (2) To pass upon the qualifications and fitness of applicants for li-
17 censes and to adopt rules requiring annual continuing education as a condi-
18 tion for the renewal of licenses issued under this chapter.

19 (3) To adopt and from time to time revise such rules as may be neces-
20 sary to carry into effect the provisions of this chapter. Such rules shall
21 include, but not be limited to, a code of ethics for professional counselors
22 and a code of ethics for marriage and family therapists in the state, which
23 shall be adopted in compliance with chapter 52, title 67, Idaho Code.

24 (4) To review the practice of professional counselors, clinical pro-
25 fessional counselors, associate marriage and family therapists and marriage
26 and family therapists licensed under this chapter and charged with a viola-
27 tion of the provisions of this chapter. This review may include the notes
28 of the license holder and other materials related to the practice. The re-
29 view will remain subject to disclosure according to chapter 3, title 9, Idaho
30 Code, unless the written consent of the client is received by the board.

31 (5) To establish a peer review system whereby each license holder's
32 practice may be reviewed to ensure continuing practice in an appropriate and
33 ethical manner.

34 (6) To examine for, deny, approve, issue, revoke, suspend and renew the
35 licenses of applicants pursuant to this chapter, and to conduct hearings in
36 connection therewith.

37 (7) To conduct hearings to suspend or revoke licenses for violations of
38 the law and rules adopted pursuant to this chapter and cause the prosecution
39 and enjoinder of all such violations.

40 (8) In any proceeding before the board authorized by this chapter, the
41 board or its designee may administer oaths or affirmations to witnesses ap-
42 pearing before it.

1 (9) To authorize, by written agreement, the chief of the bureau of occu-
2 pational licenses as agent to act in its interest.

3 (10) To provide, by rule, licensed professional counselor, licensed
4 clinical professional counselor, licensed associate marriage and family
5 therapist and licensed marriage and family therapist specialty standards.

6 (11) To establish by rule the standards and requirements for the use of
7 communication technology in the practice of counseling and marriage and fam-
8 ily therapy, including supervision.