

PROPOSED AMENDMENT

HB 1138 # 3

DIGEST

Licensing matters. Allows certain individuals to take various licensing examinations early if certain conditions are met. Clarifies virtual supervision for purposes of an individual obtaining clinical social work experience. Increases the number of: (1) clinical social work experience hours; and (2) postdegree clinical experience hours; an individual may obtain through virtual supervision.

- 1 Page 8, between lines 13 and 14, begin a new paragraph and insert:
2 "SECTION 14. IC 25-23.6-5-3.5, AS AMENDED BY
3 P.L.215-2018(ss), SECTION 12, IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3.5. **(a) For purposes**
5 **of this section, "virtual supervision" means supervision of an**
6 **applicant for a license as a clinical social worker by a qualified**
7 **supervisor through an electronic platform that provides for**
8 **synchronous visual and audio interaction in real time, and which**
9 **is compliant with the federal Health Insurance Portability and**
10 **Accountability Act (HIPAA). Virtual supervision does not include**
11 **telephone calls, electronic mail, or text messages.**
12 ~~(a)~~ **(b)** The applicant for a license as a clinical social worker must
13 have at least two (2) years of clinical social work experience after
14 receiving a graduate degree in social work and under the supervision
15 of a qualified supervisor as determined by the board.
16 ~~(b)~~ **(c)** If an individual is obtaining the clinical social work
17 experience described in subsection ~~(a)~~ **(b)** in Indiana, the individual
18 must be licensed as a social worker under section 1 of this chapter.
19 ~~(c)~~ **(d)** A doctoral internship may be applied toward the supervised
20 clinical social work experience requirement.
21 ~~(d)~~ **(e)** Except as provided in subsection ~~(c)~~; **(f)**, the clinical social
22 work experience requirement may be met by work performed at or
23 away from the premises of the qualified supervisor.
24 ~~(e)~~ **(f)** Except as provided in subsection ~~(g)~~; **(h)**, the clinical social
25 work requirement may not be performed away from the qualified
26 supervisor's premises if:

1 (1) the work is the independent private practice of clinical social
2 work; and

3 (2) the work is not performed at a place with the supervision of a
4 qualified supervisor available.

5 ~~(f)~~ **(g)** Any supervised clinical social work experience hours that an
6 applicant accumulates under this chapter after being licensed as a
7 social worker under section 1 of this chapter do not expire and may be
8 used by the applicant to satisfy the supervised clinical social work
9 experience requirements under this chapter.

10 ~~(g)~~ **(h)** Up to ~~fifty percent (50%)~~ **one hundred percent (100%)** of
11 the supervised clinical social work experience hours required under
12 subsection ~~(a)~~ **(b)** may be accounted for through virtual supervision by
13 a qualified supervisor described in subsection ~~(a)~~: **(b)**.

14 ~~(h)~~ **(i)** After obtaining a temporary permit under section 11.5 of this
15 chapter, any supervised clinical social work experience hours that an
16 applicant accumulates under this chapter before the temporary permit
17 expires may be used by the applicant to satisfy the supervised clinical
18 social work experience requirements under this chapter during the
19 following time after the applicant obtained the temporary permit:

20 (1) For not more than four (4) years.

21 (2) After the four (4) year period, if approved by the board."

22 Page 8, between lines 38 and 39, begin a new paragraph and insert:

23 "SECTION 15. IC 25-23.6-8-2.7, AS AMENDED BY
24 P.L.160-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS
25 [EFFECTIVE JULY 1, 2024]: Sec. 2.7. (a) As used in this section,
26 "first available examination" means the first examination after the date
27 of:

28 (1) graduation; or

29 (2) moving into Indiana;

30 that has an application deadline that is at least thirty (30) days after the
31 date of graduation or the date of moving into Indiana, unless the
32 individual chooses to meet a deadline that is less than thirty (30) days
33 after either of those events.

34 (b) An applicant for a license as a marriage and family therapist
35 under section 1 of this chapter must have at least two (2) years of
36 postdegree clinical experience, during which at least fifty percent
37 (50%) of the applicant's clients were receiving marriage and family
38 therapy services. The applicant's clinical experience must include one
39 thousand (1,000) hours of postdegree clinical experience and two
40 hundred (200) hours of postdegree clinical supervision, of which one

1 hundred (100) hours must be individual supervision, under the
 2 supervision of a licensed marriage and family therapist who has at least
 3 five (5) years of experience or an equivalent supervisor, as determined
 4 by the board.

5 (c) If an individual applies for, takes, and passes the first available
 6 examination, the individual may not count more than five hundred
 7 (500) hours of the postdegree clinical experience that is:

- 8 (1) required under subsection (b); and
- 9 (2) accumulated before taking the examination toward licensure
 10 as a marriage and family therapist.

11 (d) If an individual does not pass the first available examination, the
 12 individual may:

- 13 (1) retain the hours accumulated before taking the examination;
- 14 (2) continue working; and
- 15 (3) not accumulate any additional hours toward licensure as a
 16 marriage and family therapist until passing the examination.

17 (e) If an individual does not take the first available examination, the
 18 individual may not begin accumulating any postdegree clinical
 19 experience hours toward licensure as a marriage and family therapist
 20 until the individual passes the examination.

21 (f) When obtaining the clinical experience required under
 22 subsection (b), the applicant must provide direct individual, group, and
 23 family therapy and counseling to the following categories of cases:

- 24 (1) Unmarried ~~couples~~. **romantic relationships and relational**
 25 **systems.**
- 26 (2) Married couples.
- 27 (3) Separating or divorcing couples.
- 28 (4) Family ~~groups~~, **systems and groupings**, including children
 29 **and minors.**

30 (g) A doctoral internship may be applied toward the supervised
 31 work experience requirement.

32 (h) Except as provided in subsection (i), the experience requirement
 33 may be met by work performed at or away from the premises of the
 34 supervising marriage and family therapist.

35 (i) Except as provided in subsection (j), the work requirement may
 36 not be performed away from the supervising marriage and family
 37 therapist's premises if:

- 38 (1) the work is the independent private practice of marriage and
 39 family therapy; and
- 40 (2) the work is not performed at a place that has the supervision

1 of a licensed marriage and family therapist or an equivalent
2 supervisor, as determined by the board.

3 (j) Up to ~~fifty percent (50%)~~ **one hundred percent (100%)** of the
4 supervised postdegree clinical experience hours required under
5 subsection (b) may be accounted for through virtual supervision by a
6 licensed marriage and family therapist or equivalent supervisor
7 described in subsection (b).

8 SECTION 16. IC 25-23.6-8-3, AS AMENDED BY P.L.10-2019,
9 SECTION 112, IS AMENDED TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2024]: Sec. 3. **(a) As used in this section,**
11 **"term" refers to an academic semester, trimester, or quarter.**

12 **(b)** An individual who satisfies the requirements of section 1.5(a)(1)
13 through 1.5(a)(4) of this chapter may take the examination provided by
14 the board.

15 **(c) An individual who:**

16 **(1) is enrolled in the last term of the last year of a program**
17 **leading to a degree that meets the requirements of section**
18 **1.5(a)(1) of this chapter; and**

19 **(2) provides a letter of good standing from the director of the**
20 **marriage and family therapy department or the director's**
21 **designee;**

22 **may take the examination provided by the board for a license as a**
23 **marriage and family therapist associate.**

24 **(d) A letter of good standing provided under subsection (c)(2) by**
25 **an individual who applies for a license as a marriage and family**
26 **therapist associate must include the following information:**

27 **(1) The individual's first and last name.**

28 **(2) The type of degree and program in which the individual is**
29 **enrolled.**

30 **(3) A statement confirming that the individual is currently in**
31 **the final term of the program.**

32 **(4) The anticipated date of completion of the program.**

33 **(5) A statement confirming that the individual is in good**
34 **academic standing.**

35 SECTION 17. IC 25-23.6-8.5-5, AS AMENDED BY P.L.84-2010,
36 SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2024]: Sec. 5. **(a) As used in this section, "term" refers to**
38 **an academic semester, trimester, or quarter.**

39 **(b)** An individual who satisfies the requirements of:

40 **(1) section 1 or 1.5 of this chapter; and**

1 (2) section 2 of this chapter;
2 may take the examination provided by the board.

3 **(c) An individual who:**

- 4 **(1) is enrolled in the last term of the last year of a program**
5 **leading to a degree that meets the requirements of section**
6 **1.5(a)(1) of this chapter; and**
7 **(2) provides a letter of good standing from the director of the**
8 **mental health counselor department or the director's**
9 **designee;**

10 **may take the examination provided by the board for a license as a**
11 **mental health counselor associate.**

12 **(d) A letter of good standing provided under subsection (c)(2) by**
13 **an individual who applies for a license as a mental health counselor**
14 **associate must include the following information:**

- 15 **(1) The individual's first and last name.**
16 **(2) The type of degree and program in which the individual is**
17 **enrolled.**
18 **(3) A statement confirming that the individual is currently in**
19 **the final term of the program.**
20 **(4) The anticipated date of completion of the program.**
21 **(5) A statement confirming that the individual is in good**
22 **academic standing.**

23 SECTION 18. IC 25-23.6-10.5-9, AS ADDED BY P.L.122-2009,
24 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2024]: Sec. 9. **(a) As used in this section, "term" refers to**
26 **an academic semester, trimester, or quarter.**

27 **(a) (b) An individual who satisfies the requirements of sections 4,**
28 **6, and 8 of this chapter may take the licensed clinical addiction**
29 **counselor examination established by the board.**

30 **(b) (c) An individual who satisfies the requirements of sections 3,**
31 **5, and 7 of this chapter may take the licensed addiction counselor**
32 **examination established by the board.**

33 **(d) An individual who:**

- 34 **(1) is enrolled in the last term of the last year of a program**
35 **leading to a degree that meets the requirements of section**
36 **1.5(a)(1) of this chapter; and**
37 **(2) provides a letter of good standing from the director of the**
38 **addiction counselor department or the director's designee;**
39 **may take the examination provided by the board for a license as an**
40 **addiction counselor associate.**

- 1 **(e) A letter of good standing provided under subsection (d)(2) by**
2 **an individual who applies for a license as an addiction counselor**
3 **associate must include the following information:**
4 **(1) The individual's first and last name.**
5 **(2) The type of degree and program in which the individual is**
6 **enrolled.**
7 **(3) A statement confirming that the individual is currently in**
8 **the final term of the program.**
9 **(4) The anticipated date of completion of the program.**
10 **(5) A statement confirming that the individual is in good**
11 **academic standing."**

12 Renumber all SECTIONS consecutively.
 (Reference is to HB 1138 as printed January 25, 2024.)