



SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1138 be amended to read as follows:

- 1 Page 10, delete lines 22 through 42.
- 2 Delete page 11.
- 3 Page 12, delete line 1, begin a new paragraph and insert:
- 4 "SECTION 17. IC 25-23.6-8-1.7, AS ADDED BY P.L.177-2009,
- 5 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 6 JULY1, 2024]: Sec. 1.7. An individual who receives a master's degree
- 7 and enters a doctoral program may do either of the following:
- 8 (1) Apply for a marriage and family therapist associate license
- 9 under section 1.5 of this chapter by meeting the requirements of
- 10 this chapter.
- 11 (2) Elect not to apply for a marriage and family therapist associate
- 12 license under section 1.5 of this chapter, accrue the clinical
- 13 experience required under section ~~2.7(b)~~ **2.7(c)** of this chapter,
- 14 and apply for a marriage and family therapist license at the
- 15 conclusion of the doctoral program.
- 16 SECTION 18. IC 25-23.6-8-2.7, AS AMENDED BY P.L.160-2018,
- 17 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 18 JULY 1, 2024]: Sec. 2.7. **(a) For purposes of this section, "virtual**
- 19 **supervision" means supervision of an applicant for a license as a**
- 20 **marriage and family therapist by a qualified supervisor through an**
- 21 **electronic platform that provides for synchronous visual and audio**
- 22 **interaction in real time, and which is compliant with the federal**
- 23 **Health Insurance Portability and Accountability Act (HIPAA).**
- 24 **Virtual supervision does not include telephone calls, electronic**
- 25 **mail, or text messages.**
- 26 **(a) (b) As used in this section, "first available examination" means**
- 27 **the first examination:**

- 1 (1) after the date of **an individual's:**
 2 (†) (A) graduation; or
 3 (‡) (B) moving into Indiana;
 4 that has an application deadline that is at least thirty (30) days
 5 after the date of graduation or the date of moving into Indiana,
 6 unless the individual chooses to meet a deadline that is less than
 7 thirty (30) days after either of those events; **or**
 8 **(2) during the individual's last academic semester, trimester,**
 9 **or quarter, if the individual is eligible to take the exam**
 10 **pursuant to section 3 of this chapter.**
- 11 (†) (c) An applicant for a license as a marriage and family therapist
 12 under section 1 of this chapter must have at least two (2) years of
 13 postdegree clinical experience, during which at least fifty percent
 14 (50%) of the applicant's clients were receiving marriage and family
 15 therapy services. The applicant's clinical experience must include one
 16 thousand (1,000) hours of postdegree clinical experience and two
 17 hundred (200) hours of postdegree clinical supervision, of which one
 18 hundred (100) hours must be individual supervision, under the
 19 supervision of a licensed marriage and family therapist who has at least
 20 five (5) years of experience or an equivalent supervisor, as determined
 21 by the board.
- 22 (‡) (d) If an individual applies for, takes, and passes the first
 23 available examination, the individual may not count more than five
 24 hundred (500) hours of the postdegree clinical experience that is:
 25 (1) required under subsection (†); (c); and
 26 (2) accumulated before taking the examination toward licensure
 27 as a marriage and family therapist.
- 28 (†) (e) If an individual does not pass the first available examination,
 29 the individual may:
 30 (1) retain the hours accumulated before taking the examination;
 31 (2) continue working; and
 32 (3) not accumulate any additional hours toward licensure as a
 33 marriage and family therapist until passing the examination.
- 34 (‡) (f) If an individual does not take the first available examination,
 35 the individual may not begin accumulating any postdegree clinical
 36 experience hours toward licensure as a marriage and family therapist
 37 until the individual passes the examination.
- 38 (†) (g) When obtaining the clinical experience required under
 39 subsection (†); (c), the applicant must provide direct individual, group,
 40 and family therapy and counseling to the following categories of cases:
 41 (1) **Unmarried couples: romantic relationships and relational**
 42 **systems.**
 43 (2) Married couples.
 44 (3) Separating or divorcing couples.
 45 (4) Family ~~groups~~; **systems and groupings**, including children
 46 **and minors.**

1 ~~(g)~~ **(h)** A doctoral internship may be applied toward the supervised
2 work experience requirement.

3 ~~(h)~~ **(i)** Except as provided in subsection ~~(i)~~; **(j)**, the experience
4 requirement may be met by work performed at or away from the
5 premises of the supervising marriage and family therapist.

6 (i) ~~(j)~~ **(k)**, the work
7 requirement may not be performed away from the supervising marriage
8 and family therapist's premises if:

9 (1) the work is the independent private practice of marriage and
10 family therapy; and

11 (2) the work is not performed at a place that has the supervision
12 of a licensed marriage and family therapist or an equivalent
13 supervisor, as determined by the board.

14 ~~(j)~~ **(k)** Up to ~~forty percent (40%)~~ **one hundred percent (100%)** of
15 the supervised postdegree clinical experience hours required under
16 subsection ~~(b)~~ **(c)** may be accounted for through virtual supervision by
17 a licensed marriage and family therapist or equivalent supervisor
18 described in subsection ~~(b)~~; **(c)**."

19 Page 12, between lines 28 and 29, begin a new paragraph and insert:
20 "SECTION 20. IC 25-23.6-8.5-4, AS AMENDED BY
21 P.L.160-2018, SECTION 5, IS AMENDED TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2024]: Sec. 4. **(a) For purposes of this section,**
23 **"virtual supervision" means supervision of an applicant for a**
24 **license as a mental health counselor by a qualified supervisor**
25 **through an electronic platform that provides for synchronous**
26 **visual and audio interaction in real time, and which is compliant**
27 **with the federal Health Insurance Portability and Accountability**
28 **Act (HIPAA). Virtual supervision does not include telephone calls,**
29 **electronic mail, or text messages.**

30 ~~(a)~~ **(b)** As used in this section, "first available examination" means
31 the first examination:

32 (1) after the date of an individual's:

33 ~~(1)~~ **(A)** graduation; or

34 ~~(2)~~ **(B)** moving into Indiana;

35 that has an application deadline that is at least thirty (30) days
36 after the date of graduation or the date of moving into Indiana,
37 unless the individual chooses to meet a deadline that is less than
38 thirty (30) days after either of those events; **or**

39 **(2) during the individual's last academic semester, trimester,**
40 **or quarter, if the individual is eligible to take the exam**
41 **pursuant to section 5 of this chapter.**

42 ~~(b)~~ **(c)** The applicant must have at least three thousand (3,000) hours
43 of post-graduate clinical experience over a two (2) year period. The
44 clinical experience must consist of one hundred (100) hours of
45 supervision under the supervision of a licensed mental health counselor
46 or an equivalent supervisor, as determined by the board.

1 ~~(e)~~ (d) A doctoral internship may be applied toward the supervised
2 work experience requirement.

3 ~~(d)~~ (e) Except as provided in subsection ~~(e)~~; (f), the clinical
4 experience requirement may be met by work performed at or away
5 from the premises of the supervising mental health counselor.

6 ~~(e)~~ (f) Except as provided in subsection ~~(f)~~; (j), the clinical work
7 requirement may not be performed away from the supervising mental
8 health counselor's premises if:

9 (1) the work is the independent private practice of mental health
10 counseling; and

11 (2) the work is not performed at a place that has the supervision
12 of a licensed mental health counselor or an equivalent supervisor,
13 as determined by the board.

14 ~~(f)~~ (g) If an individual applies for, takes, and passes the first
15 available examination, the individual may not count more than one
16 thousand five hundred (1,500) hours of the postdegree clinical
17 experience that is:

18 (1) required under subsection ~~(b)~~; (c); and

19 (2) accumulated before taking the examination toward licensure
20 as a mental health counselor.

21 ~~(g)~~ (h) If an individual does not pass the first available examination,
22 the individual may:

23 (1) retain the hours accumulated before taking the examination;

24 (2) continue working; and

25 (3) not accumulate any additional hours toward licensure as a
26 mental health counselor until passing the examination.

27 ~~(h)~~ (i) If an individual does not take the first available examination,
28 the individual may not begin accumulating any postdegree clinical
29 experience hours toward licensure as a mental health counselor until
30 the individual passes the examination.

31 ~~(i)~~ (j) Up to ~~fifty percent (50%)~~ **one hundred percent (100%)** of
32 the supervised post-graduate clinical experience hours required under
33 subsection ~~(b)~~ (c) may be accounted for through virtual supervision by
34 a licensed mental health counselor or equivalent supervisor described
35 in subsection ~~(b)~~; (c)."

36 Page 13, delete lines 15 through 42.

37 Page 14, delete line 1, begin a new paragraph and insert:

38 "SECTION 22. IC 25-23.6-10.5-7, AS AMENDED BY
39 P.L.207-2021, SECTION 28, IS AMENDED TO READ AS
40 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) **For purposes of**
41 **this section, "virtual supervision" means supervision of an**
42 **applicant for a license as an addiction counselor by a qualified**
43 **supervisor through an electronic platform that provides for**
44 **synchronous visual and audio interaction in real time, and which**
45 **is compliant with the federal Health Insurance Portability and**
46 **Accountability Act (HIPAA). Virtual supervision does not include**

1 **telephone calls, electronic mail, or text messages.**

2 ~~(a)~~ **(b)** An applicant under section 1 of this chapter must have at
3 least two (2) years of addiction counseling experience that must include
4 at least one hundred fifty (150) hours under supervision, one hundred
5 (100) hours of which must be under individual supervision and fifty
6 (50) hours of which must be under group supervision. The supervision
7 required must be provided by a qualified supervisor, as determined by
8 the board.

9 ~~(b)~~ **(c)** A doctoral internship, or a supervised master's level
10 practicum, an internship, or field experience in addiction counseling,
11 may be applied toward the supervised work experience requirement.

12 ~~(c)~~ **(d)** Except as provided in subsection ~~(d)~~; **(e)**, the experience
13 requirement may be met by work performed at or away from the
14 premises of the qualified supervisor.

15 ~~(d)~~ **(e)** Except as provided in subsection ~~(e)~~; **(f)**, the work
16 requirement may not be performed away from the qualified supervisor's
17 premises if:

18 (1) the work is the independent private practice of addiction
19 counseling; and

20 (2) the work is not performed at a place that has the supervision
21 of a qualified supervisor.

22 ~~(e)~~ **(f)** Up to ~~fifty percent (50%)~~ **one hundred percent (100%)** of
23 the supervised addiction counseling experience hours required under
24 subsection ~~(a)~~ **(b)** may be accounted for through virtual supervision by
25 a qualified supervisor described in subsection ~~(a)~~; **(b)**.

26 SECTION 23. IC 25-23.6-10.5-8, AS AMENDED BY
27 P.L.207-2021, SECTION 29, IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. **(a) For purposes of
29 this section, "virtual supervision" means supervision of an
30 applicant for a license as a clinical addiction counselor by a
31 qualified supervisor through an electronic platform that provides
32 for synchronous visual and audio interaction in real time, and
33 which is compliant with the federal Health Insurance Portability
34 and Accountability Act (HIPAA). Virtual supervision does not
35 include telephone calls, electronic mail, or text messages.**

36 ~~(a)~~ **(b)** An applicant under section 2 of this chapter must have at
37 least two (2) years of clinical addiction counseling experience that must
38 include at least two hundred (200) hours under supervision, one
39 hundred (100) hours of which must be under individual supervision
40 and up to one hundred (100) hours of which may be under group
41 supervision. The supervision required must be provided by a qualified
42 supervisor, as determined by the board.

43 ~~(b)~~ **(c)** A doctoral internship may be applied toward the supervised
44 work experience requirement.

45 ~~(c)~~ **(d)** Except as provided in subsection ~~(d)~~; **(e)**, the experience
46 requirement may be met by work performed at or away from the

1 premises of the qualified supervisor.

2 ~~(d)~~ (e) The work requirement may not be performed away from the
3 qualified supervisor's premises if:

4 (1) the work is the independent private practice of addiction
5 therapy; and

6 (2) the work is not performed at a place that has the supervision
7 of a qualified supervisor.

8 **(f) Up to one hundred percent (100%) of the supervised clinical
9 addiction counseling experience hours required under subsection
10 (b) may be accounted for through virtual supervision by a qualified
11 supervisor described in subsection (b).**

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

16 ~~(a)~~ (b) An individual who satisfies the requirements of sections 4,
17 6, and 8 of this chapter may take the licensed clinical addiction
18 counselor examination established by the board.

19 ~~(b)~~ (c) An individual who satisfies the requirements of sections 3,
20 5, and 7 of this chapter may take the licensed addiction counselor
21 examination established by the board.

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

23 **(1) is enrolled in the last term of the last year of a program
24 leading to a degree that meets the requirements of section
25 1.5(a)(1) of this chapter; and**

26 **(2) provides a letter of good standing from the director of the
27 addiction counselor department or the director's designee;
28 may take the examination provided by the board for a license as an
29 addiction counselor associate.**

30 **(e) An individual who:**

31 **(1) is enrolled in the last term of the last year of a program
32 leading to a degree that meets the requirements of section
33 2.5(1) of this chapter; and**

34 **(2) provides a letter of good standing from the director of the
35 addiction counselor department or the director's designee;
36 may take the examination provided by the board for a license as a
37 clinical addiction counselor associate.**

38 **(f) A letter of good standing provided under subsection (d)(2) or
39 (e)(2) by an individual who applies for a license as an addiction
40 counselor associate or clinical addiction counselor associate must
41 include the following information:**

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

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

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

- 1 **(4) The anticipated date of completion of the program.**
- 2 **(5) A statement confirming that the individual is in good**
- 3 **academic standing."**

4 Renumber all SECTIONS consecutively.
(Reference is to EHB 1138 as printed February 16, 2024.)

Senator ZAY