



Reprinted  
January 17, 2018

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## HOUSE BILL No. 1059

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DIGEST OF HB 1059 (Updated January 16, 2018 2:01 pm - DI 92)

**Citations Affected:** IC 25-23.6.

**Synopsis:** Professional licensing agency. Removes references in behavioral health and human services licensing law to certified health care professionals. Specifies that the statutes concerning behavioral health and human services professionals may not be construed to limit addiction counseling performed by certain students, interns, and trainees studying in certain institutions. Requires an individual who is licensed as an addiction counselor or a clinical addiction counselor to: (1) display a counselor license or a clear copy of a counselor license at each location where the addiction counselor or clinical addiction counselor regularly practices; and (2) include certain information on the individual's professional marketing material. Changes certain educational and clinical experience requirements for a licensed addiction counselor and a licensed clinical addiction counselor.

**Effective:** July 1, 2018.

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### Bacon, Brown C, Olthoff

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January 3, 2018, read first time and referred to Committee on Public Health.  
January 11, 2018, reported — Do Pass.  
January 16, 2018, read second time, amended, ordered engrossed.

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HB 1059—LS 6506/DI 132





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January 17, 2018

Second Regular Session of the 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

## HOUSE BILL No. 1059

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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 25-23.6-3-2, AS AMENDED BY P.L.134-2008,  
2 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2018]: Sec. 2. (a) This article may not be construed to limit  
4 the marriage and family therapy services performed by a person who  
5 does not use a title specified in this article and who is one (1) of the  
6 following:
- 7 (1) A licensed ~~or certified~~ health care professional acting within  
8 the scope of the person's license. ~~or certificate~~.
  - 9 (2) A student, an intern, or a trainee pursuing a course of study in  
10 medicine or psychology or a course of study to gain licensure  
11 under this article in an accredited eligible postsecondary  
12 educational institution or training institution if:
    - 13 (A) the activities are performed under qualified supervision  
14 and constitute a part of the person's supervised course of study  
15 or other level of supervision; and
    - 16 (B) the student uses a title that contains the term "intern" or  
17 "trainee".

HB 1059—LS 6506/DI 132



- 1 (3) Not a resident of Indiana if the person performed services in  
 2 Indiana for not more than five (5) days in any one (1) month and  
 3 not more than fifteen (15) days in any one (1) calendar year and  
 4 the person is authorized to perform such services under the laws  
 5 of the state or country in which the person resides.
- 6 (4) A rabbi, priest, Christian Science practitioner, minister, or  
 7 other member of the clergy.
- 8 (5) An employee of or a volunteer for a nonprofit corporation or  
 9 an organization performing charitable, religious, or educational  
 10 functions, providing pastoral counseling or other assistance.
- 11 (6) A person who provides school counseling or a person who is  
 12 certified by a state or national organization that is recognized by  
 13 the Indiana division of mental health and addiction and who  
 14 provides counseling in the areas of alcohol or drug abuse  
 15 addictions.
- 16 (b) Nothing in this section prohibits a person referred to in  
 17 subsection (a) from qualifying for licensure under this article.
- 18 SECTION 2. IC 25-23.6-4-2, AS AMENDED BY P.L.192-2017,  
 19 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2018]: Sec. 2. (a) This article may not be construed to limit  
 21 the social work or clinical social work services performed by a person  
 22 who does not use a title specified in this article and who is one (1) of  
 23 the following:
- 24 (1) A licensed ~~or certified~~ health care professional acting within  
 25 the scope of the person's license. ~~or certificate.~~
- 26 (2) A student, an intern, or a trainee pursuing a course of study in  
 27 medicine, psychology, or a course of study to gain licensure under  
 28 this article in an accredited eligible postsecondary educational  
 29 institution or training institution accredited by the Council on  
 30 Social Work Education, or a graduate accumulating experience  
 31 required for licensure if:
- 32 (A) the services are performed under qualified supervision and  
 33 constitute a part of the person's supervised course of study or  
 34 other level of supervision; and
- 35 (B) the student or graduate uses a title that contains the term  
 36 "intern", "student", or "trainee".
- 37 (3) Not a resident of Indiana if the person performed social work  
 38 in Indiana for not more than five (5) days in any one (1) month or  
 39 more than fifteen (15) days in any one (1) calendar year and the  
 40 person is authorized to perform such services under the laws of  
 41 the state or country in which the person resides.
- 42 (4) A rabbi, priest, Christian Science practitioner, minister, or



- 1 other member of the clergy.
- 2 (5) An employee or a volunteer for an organization performing
- 3 charitable, religious, or educational functions, providing pastoral
- 4 counseling, or other assistance.
- 5 (6) A person who provides school counseling.
- 6 (7) A governmental employee (as defined in IC 25-23.6-1-3.9).
- 7 (8) An individual providing services under a contract with the
- 8 department of child services who:
- 9 (A) is employed by an organization that is nationally
- 10 accredited and in good standing by the Joint Commission,
- 11 Council on Accreditation, or the Commission on Accreditation
- 12 of Rehabilitation Facilities;
- 13 (B) is directly supervised by a licensed individual who is:
- 14 (i) licensed under IC 25-23.6-2, as a social worker, clinical
- 15 social worker, mental health counselor, mental health
- 16 counselor associate, marriage and family therapist, or
- 17 marriage and family therapist associate, and acting within
- 18 the scope of the individual's license;
- 19 (ii) licensed as a psychologist under IC 25-33 and acting
- 20 within the scope of the individual's license; or
- 21 (iii) licensed as a physician under IC 25-22.5 who is actively
- 22 engaged in the practice of psychiatry and acting within the
- 23 scope of the individual's license; and
- 24 (C) meets any additional requirements established by the
- 25 department of child services.
- 26 (b) Nothing in this section prohibits a person referred to in
- 27 subsection (a) from qualifying for licensure under this article.
- 28 SECTION 3. IC 25-23.6-4.5-2, AS AMENDED BY P.L.2-2007,
- 29 SECTION 332, IS AMENDED TO READ AS FOLLOWS
- 30 [EFFECTIVE JULY 1, 2018]: Sec. 2. (a) This article may not be
- 31 construed to limit the mental health counseling services performed by
- 32 a person who does not use a title specified in this article and who is one
- 33 (1) of the following:
- 34 (1) A licensed ~~or certified~~ health care professional acting within
- 35 the scope of the person's license. ~~or certificate.~~
- 36 (2) A student, an intern, or a trainee pursuing a course of study in
- 37 medicine, psychology, or a course of study to gain licensure under
- 38 this article in an accredited eligible postsecondary educational
- 39 institution or training institution, or is a graduate accumulating
- 40 experience required for licensure if:
- 41 (A) the services are performed under qualified supervision and
- 42 constitute a part of the person's supervised course of study or



- 1 other level of supervision; and  
 2 (B) the student or graduate uses a title that contains the term  
 3 "intern" or "trainee".  
 4 (3) Not a resident of Indiana if the person performed the services  
 5 in Indiana for not more than five (5) days in any one (1) month or  
 6 fifteen (15) days within any one (1) calendar year and the person  
 7 is authorized to perform such services under the laws of the state  
 8 or country in which the person resides.  
 9 (4) A rabbi, priest, Christian Science practitioner, minister, or  
 10 other member of the clergy.  
 11 (5) An employee or a volunteer for an organization performing  
 12 charitable, religious, or educational functions, providing pastoral  
 13 counseling, or providing other assistance.  
 14 (6) A person who provides school counseling or a person who is  
 15 certified by a state or national organization that is recognized by  
 16 the Indiana division of mental health and addiction and who  
 17 provides counseling in the areas of alcohol or drug abuse  
 18 addictions.  
 19 (7) A governmental employee who remains in the same job  
 20 classification or job family of that job classification.  
 21 (b) Nothing in this section prohibits a person referred to in  
 22 subsection (a) from qualifying for licensure under this article.  
 23 SECTION 4. IC 25-23.6-10.1-2, AS ADDED BY P.L.122-2009,  
 24 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2018]: Sec. 2. (a) This article may not be construed to limit  
 26 addiction counselor or clinical addiction counselor services performed  
 27 by a person who does not use a title specified in this article and who is  
 28 any of the following:  
 29 (1) A licensed ~~or certified~~ health care professional acting within  
 30 the scope of the person's license, ~~or certificate~~; including a:  
 31 (A) social worker licensed under this article;  
 32 (B) clinical social worker licensed under this article;  
 33 (C) marriage and family therapist licensed under this article;  
 34 (D) mental health counselor licensed under this article;  
 35 (E) psychologist licensed under IC 25-33;  
 36 (F) physician licensed under IC 25-22.5; or  
 37 (G) nurse licensed under IC 25-23;  
 38 and who has training and experience in addiction counseling.  
 39 (2) A student, an intern, or a trainee pursuing a course of study in  
 40 medicine or psychology or a course of study to gain licensure  
 41 under this article **as follows**:  
 42 (A) In an accredited eligible postsecondary educational



1 institution or training institution ~~accredited~~ **recognized by the**  
 2 **Council for Higher Education Accreditation (CHEA) for**  
 3 **undergraduate and graduate institutions. Accreditation by**  
 4 the Council for Accreditation of Counseling and Related  
 5 Educational Programs **or a substantially equivalent**  
 6 **accreditation program approved by the board is required**  
 7 **for graduate institutions.**

8 (B) Through a National Association of Alcohol and Drug  
 9 Abuse Counselors approved academic education provider. ~~or~~

10 (C) By a graduate accumulating experience required for  
 11 licensure if:

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

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

17 (3) A nonresident of Indiana if the person performs addiction  
 18 counseling or therapy in Indiana for not more than:

19 (A) five (5) days in any one (1) month; or

20 (B) fifteen (15) days in any one (1) calendar year;

21 and the person is authorized to perform such services under the  
 22 laws of the state or country in which the person resides.

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

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

28 (6) A person who provides school counseling.

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

31 (8) An employee of a court alcohol and drug program, a drug  
 32 court, or a reentry court certified by the Indiana Judicial Center  
 33 when performing assigned job duties.

34 (9) A probation officer when performing assigned job duties.

35 (b) This section does not prohibit a person referred to in subsection  
 36 (a) from qualifying for licensure under this article.

37 SECTION 5. IC 25-23.6-10.1-4.5 IS ADDED TO THE INDIANA  
 38 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 39 [EFFECTIVE JULY 1, 2018]: **Sec. 4.5. An individual who is licensed**  
 40 **as an addiction counselor or a clinical addiction counselor shall:**

41 (1) **display the license or a clear copy of the license at each**  
 42 **location where the addiction counselor or clinical addiction**



1 **counselor regularly practices; and**

2 **(2) include the words "licensed addiction counselor" or**  
 3 **"licensed clinical addiction counselor" or the letters "LAC"**  
 4 **or "LCAC" on all promotional materials, including business**  
 5 **cards, brochures, stationery, advertisements, and signs that**  
 6 **name the individual.**

7 SECTION 6. IC 25-23.6-10.5-4, AS ADDED BY P.L.122-2009,  
 8 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 JULY 1, 2018]: Sec. 4. (a) An applicant under section 2 of this chapter  
 10 must have a master's or doctor's degree in addiction counseling,  
 11 addiction therapy, or a related area as determined by the board from an  
 12 eligible postsecondary educational institution that meets the following  
 13 requirements:

14 (1) If the institution is located in the United States or a territory of  
 15 the United States, at the time of the applicant's graduation the  
 16 institution was accredited by a regional accrediting body  
 17 recognized by the ~~Commission on Recognition of Postsecondary~~  
 18 ~~Accreditation~~ **Council for Higher Education Accreditation**  
 19 **(CHEA).**

20 (2) If the institution is located in Canada, at the time of the  
 21 applicant's graduation the institution was a member in good  
 22 standing with the Association of Universities and Colleges of  
 23 Canada.

24 (3) If the institution is located in a foreign country other than  
 25 Canada, at the time of the applicant's graduation the institution:

26 (A) was recognized by the government of the country where  
 27 the school was located as a program to train in the practice of  
 28 addiction counseling; and

29 (B) maintained a standard of training substantially equivalent  
 30 to the standards of institutions accredited by a regional  
 31 accrediting body recognized by the Commission on  
 32 Recognition of Postsecondary Accreditation.

33 (b) An applicant under section 2 of this chapter who has a master's  
 34 or doctor's degree from a program that did not emphasize addiction  
 35 counseling may complete the course work requirement from an  
 36 institution that is:

37 (1) accredited by the Council for Accreditation of Counseling and  
 38 Related Educational Programs;

39 (2) recognized by the National Association of Alcohol and Drug  
 40 Abuse Counselors;

41 (3) recognized by the International Certification and Reciprocity  
 42 Consortium;





- 1 (4) accredited by the Commission on Accreditation of Marriage  
 2 and Family Therapy Education;  
 3 (5) accredited by the American Psychological Association's  
 4 Commission on Accreditation; ~~or~~  
 5 (6) accredited by the Council on Social Work Education;  
 6 **(7) accredited by the National Addiction Studies Accreditation**  
 7 **Commission; or**  
 8 **(8) approved by the board as a substantially equivalent**  
 9 **program.**

10 SECTION 7. IC 25-23.6-10.5-5, AS ADDED BY P.L.122-2009,  
 11 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2018]: Sec. 5. (a) An applicant under section 1 of this chapter  
 13 must complete the following educational requirements:

14 (1) Forty (40) semester hours or sixty (60) quarter hours of course  
 15 work from an eligible postsecondary educational institution that  
 16 includes the following content areas:

- 17 (A) Addictions theory.  
 18 (B) Psychoactive drugs.  
 19 (C) Addictions counseling skills.  
 20 (D) Theories of personality.  
 21 (E) Developmental psychology.  
 22 (F) Abnormal psychology.  
 23 (G) ~~Treatment planning.~~ **Group work.**  
 24 (H) Cultural competency.  
 25 (I) Ethics and professional development.  
 26 (J) Family education.  
 27 (K) Areas of content as approved by the board.

28 (2) At least one (1) supervised practicum, internship, or field  
 29 experience in an addiction counseling setting that requires the  
 30 applicant to provide at least three hundred fifty (350) hours of  
 31 addiction counseling services.

32 (b) The content areas under subsection (a)(1) may be combined into  
 33 any one (1) college level course if the applicant can prove that the  
 34 course work was devoted to each content area listed in subsection  
 35 (a)(1).

36 SECTION 8. IC 25-23.6-10.5-6, AS ADDED BY P.L.122-2009,  
 37 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2018]: Sec. 6. (a) An applicant under section 2 of this chapter  
 39 must complete the following educational requirements:

40 (1) Twenty-seven (27) semester hours or forty-one (41) quarter  
 41 hours of graduate course work that must include graduate level  
 42 course credits with material in at least the following content areas:



- 1 (A) Addiction counseling theories and techniques.  
 2 (B) ~~Clinical problems.~~ **Foundations of addiction counseling.**  
 3 (C) Psychopharmacology.  
 4 (D) Psychopathology.  
 5 (E) Clinical appraisal and assessment.  
 6 (F) Theory and practice of group addiction counseling.  
 7 (G) Counseling addicted family systems.  
 8 (H) Multicultural counseling.  
 9 (I) Research methods in addictions.  
 10 (J) Areas of content as approved by the board.
- 11 (2) At least one (1) graduate level course of two (2) semester  
 12 hours or three (3) quarter hours in the following areas:  
 13 (A) Legal, ethical, and professional standards issues in the  
 14 practice of addiction counseling and therapy or an equivalent  
 15 course approved by the board.  
 16 (B) Appraisal and assessment for individual or interpersonal  
 17 disorder or dysfunction.
- 18 (3) At least one (1) supervised clinical practicum, internship, or  
 19 field experience in an addiction counseling setting that requires  
 20 the applicant to provide seven hundred (700) hours of clinical  
 21 addiction counseling services and that must include the following:  
 22 (A) Two hundred eighty (280) face to face client contact hours  
 23 of addiction counseling services under the supervision of a  
 24 licensed clinical addiction counselor who has at least five (5)  
 25 years of experience or a qualified supervisor approved by the  
 26 board.  
 27 (B) One hundred ~~five (105)~~ **(100)** hours of supervision from a  
 28 licensed clinical addiction counselor who has at least five (5)  
 29 years experience as a qualified supervisor approved by the  
 30 board.
- 31 (4) Any qualifications established by the board under subsection  
 32 (c).
- 33 (b) The content areas under subsection (a)(1) may be combined into  
 34 any one (1) graduate level course if the applicant can prove that the  
 35 course work was devoted to each content area.
- 36 (c) The board shall adopt rules to establish any additional  
 37 educational or clinical qualifications as specified by the Council for  
 38 Accreditation of Counseling and Related Educational Programs or a  
 39 successor organization.



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1059, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1059 as introduced.)

KIRCHHOFER

Committee Vote: Yeas 11, Nays 0

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 HOUSE MOTION

Mr. Speaker: I move that House Bill 1059 be amended to read as follows:

Page 4, line 41, delete ":" and insert "**as follows:**".

Page 4, line 42, delete "in" and insert "In".

Page 5, line 1, strike "accredited" and insert "**recognized by the Council for Higher Education Accreditation (CHEA) for undergraduate and graduate institutions. Accreditation**".

Page 5, line 4, delete "board;" and insert "**board is required for graduate institutions.**".

Page 5, line 5, delete "through" and insert "Through".

Page 5, line 6, delete ";" and insert ".".

Page 5, line 6, strike "or".

Page 5, line 7, delete "by" and insert "By".

Page 6, line 14, strike "Commission on Recognition of Postsecondary".

Page 6, line 15, strike "Accreditation".

Page 6, line 15, delete "or the National Addiction Studies Accreditation" and insert "**Council for Higher Education Accreditation (CHEA).**".

Page 6, delete line 16.

Page 7, line 2, delete "or".

Page 7, between lines 2 and 3, begin a new line block indented and insert:



**"(7) accredited by the National Addiction Studies  
Accreditation Commission; or"**

Page 7, line 3, delete "(7)" and insert "**(8)**".

(Reference is to HB 1059 as printed January 12, 2018.)

BACON

