

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 3543

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DATE
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Introduction and first reading
 Referred to Health and Human Services Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act

1.2 relating to health occupations; modifying supervision requirements for

1.3 psychologists, licensed professional clinical counselors, marriage and family

1.4 therapists, and social workers; amending Minnesota Statutes 2020, sections 148.925,

1.5 subdivision 5; 148B.33, by adding a subdivision; 148E.100, subdivision 3;

1.6 148E.105, subdivision 3; 148E.106, subdivision 3; 148E.110, subdivision 7;

1.7 Minnesota Statutes 2021 Supplement, section 148B.5301, subdivision 2.

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. Minnesota Statutes 2020, section 148.925, subdivision 5, is amended to read:

1.10 Subd. 5. **Supervisory consultation for an applicant for licensure as a licensed**

1.11 **psychologist.** Supervision of an applicant for licensure as a licensed psychologist must total

1.12 100 hours and must include two hours per week of regularly scheduled in-person

1.13 consultations or consultations provided through telesupervision. For full-time experience,

1.14 one hour must be with the primary supervisor on an individual basis. The remaining hour

1.15 may be with a designated supervisor. The board may approve an exception to the weekly

1.16 supervision requirement for a week when the supervisor was ill or otherwise unable to

1.17 provide supervision. The board may prorate the two hours per week of supervision for

1.18 individuals preparing for licensure on a part-time basis. The board must allow an applicant

1.19 to satisfy the requirement for postdegree supervised psychological employment with all

1.20 required hours of supervision provided through telesupervision. Supervised psychological

1.21 employment does not qualify for licensure when the supervisory consultation is not adequate

1.22 as described in subdivision 1, or in the board rules. The board shall not require a supervisee

1.23 to have more than two hours of supervision per week for the purpose of obtaining a license,

1.24 unless the supervisee is making up missed hours as permitted by the board.

2.1 **EFFECTIVE DATE.** This section is effective the day following final enactment and
2.2 applies to supervision requirements in effect on or after that date.

2.3 Sec. 2. Minnesota Statutes 2020, section 148B.33, is amended by adding a subdivision to
2.4 read:

2.5 Subd. 1a. **Supervision requirement; postgraduate experience.** The board must allow
2.6 an applicant to satisfy the requirement for supervised postgraduate experience in marriage
2.7 and family therapy with all required hours of supervision provided through real-time,
2.8 two-way interactive audio and visual communication.

2.9 **EFFECTIVE DATE.** This section is effective the day following final enactment and
2.10 applies to supervision requirements in effect on or after that date.

2.11 Sec. 3. Minnesota Statutes 2021 Supplement, section 148B.5301, subdivision 2, is amended
2.12 to read:

2.13 Subd. 2. **Supervision.** (a) To qualify as a LPCC, an applicant must have completed
2.14 4,000 hours of post-master's degree supervised professional practice in the delivery of
2.15 clinical services in the diagnosis and treatment of mental illnesses and disorders in both
2.16 children and adults. The supervised practice shall be conducted according to the requirements
2.17 in paragraphs (b) to (e).

2.18 (b) The supervision must have been received under a contract that defines clinical practice
2.19 and supervision from a mental health professional who is qualified according to section
2.20 245I.04, subdivision 2, or by a board-approved supervisor, who has at least two years of
2.21 postlicensure experience in the delivery of clinical services in the diagnosis and treatment
2.22 of mental illnesses and disorders. All supervisors must meet the supervisor requirements in
2.23 Minnesota Rules, part 2150.5010.

2.24 (c) The supervision must be obtained at the rate of two hours of supervision per 40 hours
2.25 of professional practice. The supervision must be evenly distributed over the course of the
2.26 supervised professional practice. At least 75 percent of the required supervision hours must
2.27 be received in person or through real-time, two-way interactive audio and visual
2.28 communication, and the board must allow an applicant to satisfy this supervision requirement
2.29 with all required hours of supervision received through real-time, two-way interactive audio
2.30 and visual communication. The remaining 25 percent of the required hours may be received
2.31 by telephone or by audio or audiovisual electronic device. At least 50 percent of the required
2.32 hours of supervision must be received on an individual basis. The remaining 50 percent
2.33 may be received in a group setting.

3.1 (d) The supervised practice must include at least 1,800 hours of clinical client contact.

3.2 (e) The supervised practice must be clinical practice. Supervision includes the observation
3.3 by the supervisor of the successful application of professional counseling knowledge, skills,
3.4 and values in the differential diagnosis and treatment of psychosocial function, disability,
3.5 or impairment, including addictions and emotional, mental, and behavioral disorders.

3.6 **EFFECTIVE DATE.** This section is effective the day following final enactment and
3.7 applies to supervision requirements in effect on or after that date.

3.8 Sec. 4. Minnesota Statutes 2020, section 148E.100, subdivision 3, is amended to read:

3.9 Subd. 3. **Types of supervision.** Of the 100 hours of supervision required under
3.10 subdivision 1:

3.11 (1) 50 hours must be provided through one-on-one supervision, ~~including: (i) a minimum~~
3.12 ~~of 25 hours of in-person supervision, and (ii) no more than 25 hours of supervision.~~ The
3.13 supervision must be provided either in person or via eye-to-eye electronic media, while
3.14 maintaining visual contact. The board must allow a licensed social worker to satisfy the
3.15 supervision requirement of this clause with all required hours of supervision provided via
3.16 eye-to-eye electronic media, while maintaining visual contact; and

3.17 (2) 50 hours must be provided through: (i) one-on-one supervision, or (ii) group
3.18 supervision. The supervision may be in person, by telephone, or via eye-to-eye electronic
3.19 media, while maintaining visual contact. The supervision must not be provided by e-mail.
3.20 Group supervision is limited to six supervisees.

3.21 **EFFECTIVE DATE.** This section is effective the day following final enactment and
3.22 applies to supervision requirements in effect on or after that date.

3.23 Sec. 5. Minnesota Statutes 2020, section 148E.105, subdivision 3, is amended to read:

3.24 Subd. 3. **Types of supervision.** Of the 100 hours of supervision required under
3.25 subdivision 1:

3.26 (1) 50 hours must be provided ~~though~~ through one-on-one supervision, ~~including: (i) a~~
3.27 ~~minimum of 25 hours of in-person supervision, and (ii) no more than 25 hours of supervision.~~
3.28 The supervision must be provided either in person or via eye-to-eye electronic media, while
3.29 maintaining visual contact. The board must allow a licensed graduate social worker to satisfy
3.30 the supervision requirement of this clause with all required hours of supervision provided
3.31 via eye-to-eye electronic media, while maintaining visual contact; and

4.1 (2) 50 hours must be provided through: (i) one-on-one supervision, or (ii) group
 4.2 supervision. The supervision may be in person, by telephone, or via eye-to-eye electronic
 4.3 media, while maintaining visual contact. The supervision must not be provided by e-mail.
 4.4 Group supervision is limited to six supervisees.

4.5 EFFECTIVE DATE. This section is effective the day following final enactment and
 4.6 applies to supervision requirements in effect on or after that date.

4.7 Sec. 6. Minnesota Statutes 2020, section 148E.106, subdivision 3, is amended to read:

4.8 Subd. 3. **Types of supervision.** Of the 200 hours of supervision required under
 4.9 subdivision 1:

4.10 (1) 100 hours must be provided through one-on-one supervision, ~~including: (i) a minimum~~
 4.11 ~~of 50 hours of in-person supervision, and (ii) no more than 50 hours of supervision.~~ The
 4.12 supervision must be provided either in person or via eye-to-eye electronic media, while
 4.13 maintaining visual contact. The board must allow a licensed graduate social worker to satisfy
 4.14 the supervision requirement of this clause with all required hours of supervision provided
 4.15 via eye-to-eye electronic media, while maintaining visual contact; and

4.16 (2) 100 hours must be provided through: (i) one-on-one supervision, or (ii) group
 4.17 supervision. The supervision may be in person, by telephone, or via eye-to-eye electronic
 4.18 media, while maintaining visual contact. The supervision must not be provided by e-mail.
 4.19 Group supervision is limited to six supervisees.

4.20 EFFECTIVE DATE. This section is effective the day following final enactment and
 4.21 applies to supervision requirements in effect on or after that date.

4.22 Sec. 7. Minnesota Statutes 2020, section 148E.110, subdivision 7, is amended to read:

4.23 Subd. 7. **Supervision; clinical social work practice after licensure as licensed**
 4.24 **independent social worker.** Of the 200 hours of supervision required under subdivision
 4.25 5:

4.26 (1) 100 hours must be provided through one-on-one supervision, ~~including:~~ The
 4.27 supervision must be provided either in person or via eye-to-eye electronic media, while
 4.28 maintaining visual contact. The board must allow a licensed independent social worker to
 4.29 satisfy the supervision requirement of this clause with all required hours of supervision
 4.30 provided via eye-to-eye electronic media, while maintaining visual contact; and

4.31 ~~(i) a minimum of 50 hours of in-person supervision; and~~

5.1 ~~(ii) no more than 50 hours of supervision via eye-to-eye electronic media, while~~
5.2 ~~maintaining visual contact; and~~

5.3 (2) 100 hours must be provided through:

5.4 (i) one-on-one supervision; or

5.5 (ii) group supervision.

5.6 The supervision may be in person, by telephone, or via eye-to-eye electronic media, while
5.7 maintaining visual contact. The supervision must not be provided by e-mail. Group
5.8 supervision is limited to six supervisees.

5.9 **EFFECTIVE DATE.** This section is effective the day following final enactment and
5.10 applies to supervision requirements in effect on or after that date.