

SENATE BILL 1

By Johnson

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 49 and Title 63, relative to standards of
practice for counselors and therapists.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-22-102(1), is amended by deleting the subdivision in its entirety and substituting instead the following:

(A) Promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, as are necessary to carry out and make effective this part; and

(B) In addition to the rules promulgated pursuant to subdivision (1)(A), promulgate rules in accordance with title 4, chapter 5, and § 63-22-110(d) that adopt ethical standards or a code of ethics; provided, however, such rules shall not require a counselor or therapist to counsel or serve a client as to goals, outcomes, or behaviors that conflict with the sincerely held beliefs of the counselor or therapist; provided, that the counselor or therapist coordinates a referral of the client to another counselor or therapist who will provide the counseling or therapy, and the individual seeking or undergoing counseling or therapy is not in imminent danger of harming themselves or others;

SECTION 2. Tennessee Code Annotated, Section 63-22-110(b)(3), is amended by deleting the subdivision in its entirety and substituting instead the following:

(3) Violating a rule adopted by the board if the rule is consistent with the requirements set out in subsection (d); or

SECTION 3. Tennessee Code Annotated, Section 63-22-110, is amended by adding the following new subsection:

(d) The board shall not promulgate any rule that incorporates by reference a national association's code of ethics, including, but not limited to, the American Counseling Association Code of Ethics.

SECTION 4. Tennessee Code Annotated, Section 63-22-302(a), is amended by deleting the language "principles" and substituting instead the language "beliefs".

SECTION 5. For purposes of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2018, the public welfare requiring it, and shall apply to actions taken by the board on or after that date.