

**Representative Joel Ferry** proposes the following substitute bill:

**MENTAL HEALTH PROFESSIONAL LICENSING**

**AMENDMENTS**

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Norman K. Thurston**

Senate Sponsor: Todd D. Weiler

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**LONG TITLE**

**General Description:**

This bill amends the Mental Health Professional Practice Act.

**Highlighted Provisions:**

This bill:

- ▶ reduces the number of clinical hours required for licensure as:
  - a social worker;
  - a marriage and family therapist; or
  - a clinical mental health counselor.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**58-60-205**, as last amended by Laws of Utah 2020, Chapter 339

**58-60-305**, as last amended by Laws of Utah 2020, Chapter 339

**58-60-405**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 4



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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **58-60-205** is amended to read:

**58-60-205. Qualifications for licensure or certification as a clinical social worker, certified social worker, and social service worker.**

(1) An applicant for licensure as a clinical social worker shall:

(a) submit an application on a form provided by the division;

(b) pay a fee determined by the department under Section [63J-1-504](#);

(c) produce certified transcripts from an accredited institution of higher education recognized by the division in collaboration with the board verifying satisfactory completion of an education and an earned degree as follows:

(i) a master's degree in a social work program accredited by the Council on Social Work Education or by the Canadian Association of Schools of Social Work; or

(ii) a doctoral degree that contains a clinical social work concentration and practicum approved by the division, by rule, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that is consistent with Section [58-1-203](#);

(d) have completed a minimum of ~~[4,000]~~ 3,000 hours of clinical social work training as defined by division rule under Section [58-1-203](#):

(i) in not less than two years;

(ii) under the supervision of a supervisor approved by the division in collaboration with the board who is a:

(A) clinical mental health counselor;

(B) psychiatrist;

(C) psychologist;

(D) registered psychiatric mental health nurse practitioner;

(E) marriage and family therapist; or

(F) clinical social worker; and

(iii) including a minimum of two hours of training in suicide prevention via a course that the division designates as approved;

(e) document successful completion of not less than 1,000 hours of supervised training in mental health therapy obtained after completion of the education requirement in Subsection

57 (1)(c), which training may be included as part of the [~~4,000~~] 3,000 hours of training in  
58 Subsection (1)(d), and of which documented evidence demonstrates not less than 100 of the  
59 hours were obtained under the direct supervision, as defined by rule, of a supervisor described  
60 in Subsection (1)(d)(ii);

61 (f) have completed a case work, group work, or family treatment course sequence with  
62 a clinical practicum in content as defined by rule under Section 58-1-203; and

63 (g) pass the examination requirement established by rule under Section 58-1-203.

64 (2) An applicant for licensure as a certified social worker shall:

65 (a) submit an application on a form provided by the division;

66 (b) pay a fee determined by the department under Section 63J-1-504;

67 (c) produce certified transcripts from an accredited institution of higher education  
68 recognized by the division in collaboration with the board verifying satisfactory completion of  
69 an education and an earned degree as follows:

70 (i) a master's degree in a social work program accredited by the Council on Social  
71 Work Education or by the Canadian Association of Schools of Social Work; or

72 (ii) a doctoral degree that contains a clinical social work concentration and practicum  
73 approved by the division, by rule, in accordance with Title 63G, Chapter 3, Utah  
74 Administrative Rulemaking Act, that is consistent with Section 58-1-203; and

75 (d) pass the examination requirement established by rule under Section 58-1-203.

76 (3) (a) An applicant for certification as a certified social worker intern shall meet the  
77 requirements of Subsections (2)(a), (b), and (c).

78 (b) Certification under Subsection (3)(a) is limited to the time necessary to pass the  
79 examination required under Subsection (2)(d) or six months, whichever occurs first.

80 (c) A certified social worker intern may provide mental health therapy under the  
81 general supervision, as defined by rule, of a supervisor described in Subsection (1)(d)(ii).

82 (4) An applicant for licensure as a social service worker shall:

83 (a) submit an application on a form provided by the division;

84 (b) pay a fee determined by the department under Section 63J-1-504;

85 (c) produce certified transcripts from an accredited institution of higher education  
86 recognized by the division in collaboration with the board verifying satisfactory completion of  
87 an education and an earned degree as follows:

88 (i) a bachelor's degree in a social work program accredited by the Council on Social  
89 Work Education or by the Canadian Association of Schools of Social Work;

90 (ii) a master's degree in a field approved by the division in collaboration with the  
91 board;

92 (iii) a bachelor's degree in any field if the applicant:

93 (A) has completed at least three semester hours, or the equivalent, in each of the  
94 following areas:

95 (I) social welfare policy;

96 (II) human growth and development; and

97 (III) social work practice methods, as defined by rule; and

98 (B) provides documentation that the applicant has completed at least 2,000 hours of  
99 qualifying experience under the supervision of a mental health therapist, which experience is  
100 approved by the division in collaboration with the board, and which is performed after  
101 completion of the requirements to obtain the bachelor's degree required under this Subsection  
102 (4); or

103 (iv) successful completion of the first academic year of a Council on Social Work  
104 Education approved master's of social work curriculum and practicum; and

105 (d) pass the examination requirement established by rule under Section 58-1-203.

106 (5) The division shall ensure that the rules for an examination described under  
107 Subsections (1)(g), (2)(d), and (4)(d) allow additional time to complete the examination if  
108 requested by an applicant who is:

109 (a) a foreign born legal resident of the United States for whom English is a second  
110 language; or

111 (b) an enrolled member of a federally recognized Native American tribe.

112 Section 2. Section 58-60-305 is amended to read:

113 **58-60-305. Qualifications for licensure.**

114 (1) All applicants for licensure as marriage and family therapists shall:

115 (a) submit an application on a form provided by the division;

116 (b) pay a fee determined by the department under Section 63J-1-504;

117 (c) produce certified transcripts evidencing completion of a masters or doctorate degree  
118 in marriage and family therapy from:

119 (i) a program accredited by the Commission on Accreditation for Marriage and Family  
120 Therapy Education; or

121 (ii) an accredited institution meeting criteria for approval established by rule under  
122 Section 58-1-203;

123 (d) have completed a minimum of [~~4,000~~] 3,000 hours of marriage and family therapy  
124 training as defined by division rule under Section 58-1-203:

125 (i) in not less than two years;

126 (ii) under the supervision of a mental health therapist supervisor who meets the  
127 requirements of Section 58-60-307;

128 (iii) obtained after completion of the education requirement in Subsection (1)(c); and

129 (iv) including a minimum of two hours of training in suicide prevention via a course  
130 that the division designates as approved;

131 (e) document successful completion of not less than 1,000 hours of supervised training  
132 in mental health therapy obtained after completion of the education requirement described in  
133 Subsection (1)(c)(i) or (1)(c)(ii), which training may be included as part of the [~~4,000~~] 3,000  
134 hours of training described in Subsection (1)(d), and of which documented evidence  
135 demonstrates not less than 100 of the supervised hours were obtained during direct, personal  
136 supervision, as defined by rule, by a mental health therapist supervisor qualified under Section  
137 58-60-307; and

138 (f) pass the examination requirement established by division rule under Section  
139 58-1-203.

140 (2) (a) All applicants for licensure as an associate marriage and family therapist shall  
141 comply with the provisions of Subsections (1)(a), (b), and (c).

142 (b) An individual's license as an associate marriage and family therapist is limited to  
143 the period of time necessary to complete clinical training as described in Subsections (1)(d) and  
144 (e) and extends not more than one year from the date the minimum requirement for training is  
145 completed, unless the individual presents satisfactory evidence to the division and the  
146 appropriate board that the individual is making reasonable progress toward passing of the  
147 qualifying examination for that profession or is otherwise on a course reasonably expected to  
148 lead to licensure, but the period of time under this Subsection (2)(b) may not exceed two years  
149 past the date the minimum supervised clinical training requirement has been completed.

150 Section 3. Section ~~58-60-405~~ is amended to read:

151 **58-60-405. Qualifications for licensure.**

152 (1) An applicant for licensure as a clinical mental health counselor shall:

153 (a) submit an application on a form provided by the division;

154 (b) pay a fee determined by the department under Section [63J-1-504](#);

155 (c) produce certified transcripts evidencing completion of:

156 (i) a master's or doctorate degree conferred to the applicant in:

157 (A) clinical mental health counseling, clinical rehabilitation counseling, counselor

158 education and supervision from a program accredited by the Council for Accreditation of

159 Counseling and Related Educational Programs; or

160 (B) clinical mental health counseling or an equivalent field from a program affiliated

161 with an institution that has accreditation that is recognized by the Council for Higher Education

162 Accreditation; and

163 (ii) at least 60 semester credit hours or 90 quarter credit hours of coursework related to

164 an educational program described in Subsection (1)(~~c~~)(c)(i);

165 (d) have completed a minimum of [~~4,000~~] 3,000 hours of clinical mental health

166 counselor training as defined by division rule under Section [58-1-203](#):

167 (i) in not less than two years;

168 (ii) under the supervision of a clinical mental health counselor, psychiatrist,

169 psychologist, clinical social worker, registered psychiatric mental health nurse specialist, or

170 marriage and family therapist supervisor approved by the division in collaboration with the

171 board;

172 (iii) obtained after completion of the education requirement in Subsection (1)(c); and

173 (iv) including a minimum of two hours of training in suicide prevention via a course

174 that the division designates as approved;

175 (e) document successful completion of not less than 1,000 hours of supervised training

176 in mental health therapy obtained after completion of the education requirement in Subsection

177 (1)(c), which training may be included as part of the [~~4,000~~] 3,000 hours of training in

178 Subsection (1)(d), and of which documented evidence demonstrates not less than 100 of the

179 hours were obtained under the direct supervision of a mental health therapist, as defined by

180 rule; and

181 (f) pass the examination requirement established by division rule under Section  
182 58-1-203.

183 (2) (a) An applicant for licensure as an associate clinical mental health counselor shall  
184 comply with the provisions of Subsections (1)(a), (b), and (c).

185 (b) Except as provided under Subsection (2)(c), an individual's licensure as an  
186 associate clinical mental health counselor is limited to the period of time necessary to complete  
187 clinical training as described in Subsections (1)(d) and (e) and extends not more than one year  
188 from the date the minimum requirement for training is completed.

189 (c) The time period under Subsection (2)(b) may be extended to a maximum of two  
190 years past the date the minimum supervised clinical training requirement has been completed,  
191 if the applicant presents satisfactory evidence to the division and the appropriate board that the  
192 individual is:

193 (i) making reasonable progress toward passing of the qualifying examination for that  
194 profession; or

195 (ii) otherwise on a course reasonably expected to lead to licensure.

196 (3) ~~[(a)]~~ Notwithstanding Subsection (1)(c), an applicant satisfies the education  
197 requirement described in Subsection (1)(c) if the applicant submits documentation verifying:

198 ~~[(i)]~~ (a) satisfactory completion of a doctoral or master's degree from an educational  
199 program in rehabilitation counseling accredited by the Council for Accreditation of Counseling  
200 and Related Educational Programs;

201 ~~[(ii)]~~ (b) satisfactory completion of at least 60 semester credit hours or 90 quarter credit  
202 hours of coursework related to an educational program described in Subsection (1)(c)(i); and

203 ~~[(iii)]~~ (c) that the applicant received a passing score that is valid and in good standing  
204 on:

205 ~~[(A)]~~ (i) the National Counselor Examination; and

206 ~~[(B)]~~ (ii) the National Clinical Mental Health Counseling Examination.

207 ~~[(b) During the 2021 interim, the division shall report to the Occupational and  
208 Professional Licensure Review Committee created in Section 36-23-102 on:]~~

209 ~~[(i) the number of applicants who applied for licensure under this Subsection (3);]~~

210 ~~[(ii) the number of applicants who were approved for licensure under this Subsection  
211 (3);]~~

212            [~~(iii) any changes to division rule after May 12, 2020, regarding the qualifications for~~  
213    licensure under this section; and]

214            [~~(iv) recommendations for legislation or other action that the division considers~~  
215    necessary to carry out the provisions of this Subsection (3).]