

1 **MENTAL HEALTH PROFESSIONAL LICENSING**
2 **AMENDMENTS**

3 2022 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Norman K. Thurston**

6 Senate Sponsor: Todd D. Weiler

8 **LONG TITLE**

9 **General Description:**

10 This bill amends the Mental Health Professional Practice Act.

11 **Highlighted Provisions:**

12 This bill:

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

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 **AMENDS:**

23 **58-60-205**, as last amended by Laws of Utah 2020, Chapter 339

24 **58-60-305**, as last amended by Laws of Utah 2020, Chapter 339

25 **58-60-405**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 4

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

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

29 **58-60-205. Qualifications for licensure or certification as a clinical social worker,**
30 **certified social worker, and social service worker.**

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

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

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

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

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

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

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

44 (i) in not less than two years;

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

47 (A) clinical mental health counselor;

48 (B) psychiatrist;

49 (C) psychologist;

50 (D) registered psychiatric mental health nurse practitioner;

51 (E) marriage and family therapist; or

52 (F) clinical social worker; and

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

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

56 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)~~(d)~~(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).]~~