

2022 -- H 7872 SUBSTITUTE A

=====
LC005069/SUB A
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

**RELATING TO BUSINESSES AND PROFESSIONS -- MENTAL HEALTH COUNSELORS
AND MARRIAGE AND FAMILY THERAPISTS**

Introduced By: Representatives Fogarty, Carson, Hull, J Lombardi, Shallcross Smith,
Ajello, Donovan, Ruggiero, McEntee, and Ranglin-Vassell

Date Introduced: March 04, 2022

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 5-63.2-2, 5-63.2-4, 5-63.2-9 and 5-63.2-10 of the General Laws in
2 Chapter 5-63.2 entitled "Mental Health Counselors and Marriage and Family Therapists" are
3 hereby amended to read as follows:

4 **5-63.2-2. Definitions.**

5 As used in this chapter:

6 (1) "Advertise" means, but is not limited to, the issuing or causing to be distributed any
7 card, sign, or device to any person; or the causing, permitting, or allowing any sign or marking on
8 or in any building, radio, or television; or by advertising by any other means designed to secure
9 public attention.

10 (2) "Board" means the board of mental health counselors and marriage and family
11 therapists.

12 (3) "Clinical counselor in mental health" means a person who is licensed pursuant to § 5-
13 63.2-9, which license is in force and not suspended or revoked as of the particular time in question.

14 (4) "Internship" means a part of an organized graduate program in counseling therapy and
15 constitutes a supervised experience within a mental health and/or marriage and family setting.

16 (5) "Marriage and family therapist" means a person who is licensed pursuant to § 5-63.2-
17 10 which license is in force and not suspended or revoked as of the particular time in question.

18 (6) "Person" means any individual, firm, corporation, partnership, organization, or body

1 politic.

2 (7) "Practice of clinical mental health counseling" means the rendering of professional
3 services to individuals, families, or groups for monetary compensation. These professional services
4 include:

5 (i) Applying the principles, methods, and theories of counseling and/or psychotherapeutic
6 techniques to define goals and develop a treatment plan of action aimed toward the prevention,
7 treatment, and resolution of social, mental, and emotional dysfunction and intra or interpersonal
8 disorders in persons diagnosed at intake as non-psychotic and not presenting medical problems;
9 and

10 (ii) Engaging in psychotherapy of a nonmedical nature, utilizing supervision when
11 appropriate, and making referrals to other psychiatric, psychological, or medical resources when
12 the person is diagnosed as psychotic or presenting a medical problem.

13 (8) "Practice of marriage and family therapy" means the rendering of professional services
14 to individuals, family groups, couples, or organizations for monetary compensation. These
15 professional services include applying principles, methods, and therapeutic techniques for the
16 purpose of resolving emotional conflicts; modifying perceptions and behavior; enhancing
17 communications and understanding among all family members; and the prevention of family and
18 individual crisis. Individual marriage and family therapists shall also engage in psychotherapy of a
19 nonmedical and non-psychotic nature with appropriate referrals to psychiatric resources.

20 (9) "Practicum" means a part of an organized graduate program in counseling therapy and
21 constitutes a supervised experience within the graduate counseling program.

22 (10) "Qualified supervision" means the supervision of clinical services in accordance with
23 standards established by the board under the supervision of an individual who has been recognized
24 by the board as an approved supervisor.

25 (11) "Recognized educational institution" means any educational institution that grants a
26 bachelor's, master's, or doctoral degree and is recognized by the board of mental health counselors
27 and marriage and family therapists or a recognized postgraduate clinical training program as
28 specified in §§ ~~5-63.2-9(2)~~ [5-63.2-9](#) and ~~5-63.2-10(2)~~ [5-63.2-10](#).

29 (12) "Use a title or description of" means to hold oneself out to the public as having a
30 particular status by means of stating on signs, mailboxes, address plates, stationery,
31 announcements, calling cards, or other instruments of professional identification.

32 **5-63.2-4. Composition of board -- Appointment, terms, and removal of members.**

33 The director of the department of health, with the approval of the governor, shall appoint
34 nine (9) electors as members of the board. Three (3) shall be clinical mental health counselors, at

1 least two (2) of whom shall meet the qualifications of § ~~5-63.2-9~~ [5-63.2-9\(b\)](#) and have at least five
2 (5) years of private practice experience in mental health counseling; three (3) shall be marriage and
3 family therapists, who shall be clinical marriage and family therapists who meet the qualifications
4 of § ~~5-63.2-10~~ [5-63.2-10\(b\)](#) and have at least five (5) years of private practice experience in
5 marriage and family therapy; three (3) shall be members of the public. Commencing September
6 1996, the director of the department of health shall appoint one clinical mental health counselor for
7 one year; one clinical mental health counselor for two (2) years; one clinical mental health
8 counselor for three (3) years; one marriage and family therapist for one year; one marriage and
9 family therapist for two (2) years; one marriage and family therapist for three (3) years; one public
10 member for two (2) years; and two (2) public members for three (3) years. After this, all terms of
11 appointments shall be for three (3) years. In no instance shall a person serve more than six (6)
12 consecutive years on the board.

13 **5-63.2-9. Qualifications of licensed clinical mental health counselors** **Qualifications of**
14 **licensed clinical mental health counselor associates and licensed clinical mental health**
15 **counselors.**

16 (a) ~~An applicant for licensure shall submit to the board written evidence on forms furnished~~
17 ~~by the division of professional regulation that the applicant:~~ [The department shall issue the](#)
18 [appropriate license to applicants who meet the qualifications in this section.](#)

19 [\(1\) Prerequisites of a licensed clinical mental health counselor associate. A license as a](#)
20 ["clinical mental health counselor associate" shall be issued to an applicant who meets the following](#)
21 [qualifications:](#)

22 ~~(1)~~[\(i\)](#) Is of good character; ~~and~~

23 ~~(2)~~[\(ii\)](#) Has received a graduate degree specializing in counseling/therapy from a college or
24 university accredited by the New England Association of Schools and Colleges, or an equivalent
25 regional accrediting agency, and that has the approval by a cognizable national or regional
26 certifying authority; ~~and~~

27 ~~(3)~~[\(iii\)](#) Has completed sixty (60) semester hours or ninety (90) quarter hours within his or
28 her graduate counseling/therapy program; and

29 ~~(4)~~[\(iv\)](#) Has completed a minimum of twelve (12) semester hours or eighteen (18) quarter
30 hours of supervised practicum and a minimum of one calendar year of supervised internship
31 consisting of twenty (20) hours per week, or its equivalent, with emphasis in mental health
32 counseling supervised by the department within the college or university granting the requisite
33 degree or by an accredited postgraduate clinical training program recognized by the United States
34 Department of Education, or education and/or experience that is deemed equivalent by the board;

1 ~~and~~.

2 (2) Prerequisites of clinical mental health counselor: A license as a "clinical mental health
3 counselor" shall be issued to an applicant who meets the following qualifications:

4 (i) Is licensed under this chapter as a licensed mental health counselor associate;

5 ~~(5)~~(ii) Has completed a minimum of two (2) years of relevant postgraduate experience,
6 including at least two thousand (2,000) hours of direct client contact offering clinical or counseling
7 or therapy services with emphasis in mental health counseling subsequent to being awarded a
8 master's degree, certificate of advanced graduate study, or doctorate; ~~and~~

9 ~~(6)~~(iii) Has a minimum of one hundred (100) hours of post-degree supervised case work
10 spread over a two-year (2) period; provided, that the supervision was provided by a person who, at
11 the time of rendering the supervision, was recognized by the board as an approved supervisor; and

12 ~~(7)~~(iv) Has passed, to the satisfaction of the board, an examination conducted by it to
13 determine the applicant's qualification for licensure as a clinical mental health counselor or is
14 applying for licensure under the provisions of § 5-63.2-15.

15 (b) A candidate shall be held to have qualified for licensure as a clinical mental health
16 counselor associate, or a clinical mental health counselor upon the affirmative vote of at least four
17 (4) members of the board, two (2) of whom must be mental health counselors on the board.

18 **5-63.2-10. Qualifications of licensed marriage and family therapists** **Qualifications of**
19 **licensed marriage and family therapist associates and licensed marriage and family**
20 **therapists.**

21 (a) ~~An applicant for licensure shall submit to the board written evidence on forms furnished~~
22 ~~by the division of professional regulation that the applicant:~~ The department shall issue the
23 appropriate license to applicants who meet the qualifications of this section.

24 (1) Prerequisites of a licensed marriage and family therapist associate. A license as a
25 "marriage and family therapist associate" shall be issued to an applicant who meets the following
26 qualifications:

27 ~~(1)~~(i) Is of good character; ~~and~~

28 ~~(2)~~(ii) Has completed a graduate degree program specializing in marital and family therapy
29 from a college or university accredited by the New England Association of Schools and Colleges,
30 or an equivalent regional accreditation agency; ~~and~~

31 ~~(3)~~(iii) Has completed sixty (60) semester hours or ninety (90) quarter hours within his or
32 her graduate degree program specializing in marital and family therapy; and

33 ~~(4)~~(iv) Has completed a minimum of twelve (12) semester hours or eighteen (18) quarter
34 hours of supervised practicum and a one-calendar year of supervised internship consisting of twenty

1 (20) hours per week, or its equivalent, with emphasis in marriage and family therapy supervised by
2 the department within the college or university granting the requisite degree or by an accredited
3 postgraduate clinical training program, approved by the commission on accreditation for marriage
4 and family therapy education recognized by the United States department of education, or
5 education and/or experience that is deemed equivalent by the board; ~~and~~ .

6 (2) Prerequisites of a marriage and family therapist. A license as a "marriage and family
7 therapist" shall be issued to an applicant who meets the following qualifications:

8 ~~(5)~~(i) Has had a minimum of two (2) years of relevant postgraduate experience, including
9 at least two thousand (2,000) hours of direct client contact offering clinical or counseling or therapy
10 services with emphasis in marriage and family therapy subsequent to being awarded a master's
11 degree or doctorate; ~~and~~

12 ~~(6)~~(ii) Has had a minimum of one hundred (100) hours of post-degree supervised case work
13 spread over two years (2); provided, that the supervision was provided by a person who, at the time
14 of rendering the supervision, was recognized by the board as an approved supervisor; and

15 ~~(7)~~(iii) Has passed to the satisfaction of the board an examination conducted by it to
16 determine the applicant's qualifications for licensure as a marriage and family therapist or is
17 applying for licensure under the provisions of § 5-63.2-15.

18 (b) A candidate shall be qualified for licensure as a marriage and family therapist associate,
19 or a marriage and family therapist upon the affirmative vote of at least four (4) members of the
20 board, two (2) of whom must be marriage and family therapists on the board.

21 SECTION 2. This act shall take effect upon passage.

=====
LC005069/SUB A
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- MENTAL HEALTH COUNSELORS
AND MARRIAGE AND FAMILY THERAPISTS

1 This act would create an entry-level licensing program to allow applicants as a mental
2 health counselor associate or a marriage and family therapist associate to practice under supervision
3 prior to becoming a licensed mental health counselor or a licensed marriage and family therapist.

4 This act would take effect upon passage.

=====
LC005069/SUB A
=====