

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1590

H.P. 1048

House of Representatives, April 10, 2025

**An Act to Reduce the Counselor and Social Worker Shortage by
Amending Reciprocity Requirements for Those Professionals from
Other Jurisdictions**

Reference to the Committee on Health Coverage, Insurance and Financial Services
suggested and ordered printed.

A handwritten signature in cursive script, reading "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CRAFTS of Newcastle.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 10 MRSA §8003-H, first ¶**, as amended by PL 2021, c. 642, §3, is further
3 amended to read:

4 Notwithstanding any provision of chapter 951 or Title 32 to the contrary, except as
5 otherwise provided in section 7054-A and section 13857, subsection 2, paragraph C, that
6 pertains to the regulatory functions of the Office of Professional and Occupational
7 Regulation, referred to in this section as "the office," or that governs the licensing boards
8 and commissions within the office, the office, including the licensing boards and
9 commissions within the office, shall establish a process to issue a license by endorsement
10 to an applicant who presents proof of licensure by another jurisdiction of the United States
11 as long as the other jurisdiction maintains substantially equivalent license requirements for
12 the licensed profession or occupation and as long as:

13 **Sec. 2. 10 MRSA §8003-H, 2nd ¶**, as enacted by PL 2021, c. 167, §10 and c. 289,
14 §1, is amended to read:

15 The Except as otherwise provided in section 7054-A and section 13857, subsection 2,
16 paragraph C, the office, or a licensing board or commission within the office, may require
17 an applicant to pass a jurisprudence examination if such an examination is required to be
18 passed for licensure pursuant to law or rule of the office, licensing board or commission.

19 **Sec. 3. 32 MRSA §7054-A, first ¶**, as amended by PL 2007, c. 402, Pt. V, §9, is
20 further amended to read:

21 A person holding a certificate of registration or license under the laws of another
22 jurisdiction, including another state, territory or possession of the United States, the District
23 of Columbia or of any foreign country that is the equivalent of a license as a licensed
24 clinical, licensed master or licensed social worker under this chapter who meets the
25 requirements of this chapter, based upon verified evidence may, who has held for at least
26 2 years a license issued by a board in another jurisdiction for an occupation with a similar
27 scope of practice to the practice governed by this chapter and who does not have a
28 complaint, allegation or investigation pending before a board in another jurisdiction that
29 relates to unprofessional conduct or a crime or a violation of an applicable ethics code or
30 standard of practice must, upon application, be licensed without further examination. The
31 Department of Professional and Financial Regulation shall post the information in this
32 paragraph on its publicly accessible website. The words or similar words: "If you are
33 licensed in another state or country" must be included in the post.

34 **Sec. 4. 32 MRSA §7054-C**, as enacted by PL 2021, c. 642, §29, is amended to read:
35 **§7054-C. Licensure by endorsement**

36 Notwithstanding any provision of this chapter to the contrary, except as otherwise
37 provided in section 7054-A, the board, in accordance with Title 10, section 8003-H and
38 any applicable rules adopted pursuant to that section, shall establish a process to issue a
39 license by endorsement for each license authorized under this chapter that the board
40 determines is appropriate for licensure by endorsement. An applicant may submit an
41 application under the process established under this section or any other licensure process
42 authorized in this chapter.

Sec. 5. 32 MRSA §13857, sub-§2, ¶C, as enacted by PL 2003, c. 542, §1, is amended to read:

C. ~~An~~ Notwithstanding Title 10, section 8003-H, an applicant who is licensed in good standing at the time of application to the board under the laws of a jurisdiction that has not entered into a reciprocal agreement and who does not meet the requirements of paragraph B may qualify for licensure by submitting evidence satisfactory to the board that the ~~applicant's qualifications for licensure are substantially similar to those requirements in this chapter;~~ applicant:

(1) Has held for at least 2 years a license issued by a board in another jurisdiction for an occupation with a similar scope of practice to the practice governed by this chapter; and

(2) Does not have a complaint, allegation or investigation pending before a board in another jurisdiction that relates to unprofessional conduct or a crime or a violation of an applicable ethics code or standard of practice.

The department shall post the information in this paragraph on its publicly accessible website. The words or similar words: "If you are licensed in another state or country" must be included in the post.

Sec. 6. 32 MRSA §13858, first ¶, as amended by PL 2007, c. 402, Pt. EE, §5, is further amended to read:

To Except as otherwise provided in section 13857, subsection 2, paragraph C, to be eligible for a license to practice counseling at any level, an applicant must be at least 18 years of age and satisfactorily pass any examination as the board may prescribe by its rules. Each applicant must demonstrate trustworthiness and competence to engage in the practice of counseling in such a manner as to safeguard the interests of the public. Each applicant must submit an application and pay the fee as set under section 13859. The license categories "licensed clinical professional counselor," "licensed pastoral counselor" and "licensed marriage and family therapist" are of equivalent clinical status. Clinical status grants the ability to diagnose and treat mental health disorders.

Sec. 7. 32 MRSA §13858, 2nd ¶, as enacted by PL 1989, c. 465, §3, is amended to read:

The Except as otherwise provided in section 13857, subsection 2, paragraph C, the following shall must be considered as minimum evidence satisfactory to the board that an applicant is qualified for licensure under this chapter.

SUMMARY

This bill amends the laws governing the licensure of professional counselors, clinical professional counselors, marriage and family therapists and pastoral counselors to authorize licensure in this State for an applicant who has held for at least 2 years a license issued by another jurisdiction for an occupation with a similar scope of practice and who does not have a complaint, allegation or investigation pending before a board in another jurisdiction or a violation of an applicable ethics code or standard of practice.

The bill also makes the same changes to the law governing the licensure of social workers.