

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

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Legislative Document

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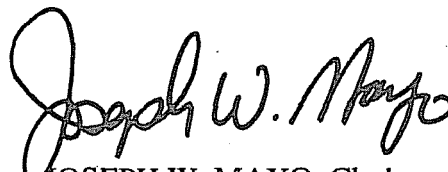
H.P. 906

House of Representatives, April 8, 1993

**An Act Concerning Certain Counseling Services.**

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Reference to the Committee on Human Resources suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative GEAN of Alfred.

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

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4       Sec. 1. 32 MRSA §§3819-A and 3820 are enacted to read:

6       §3819-A. Sliding scale required

8       A person licensed under this chapter must offer a sliding  
10 scale of fees for services for private clients based on a  
12 client's income. The State Board of Examiners of Psychologists  
14 may establish by rule standards for meeting this requirement.

16       §3820. Withholding information

18       A person licensed under this chapter may not withhold  
20 information from another counselor, social worker, psychologist,  
22 psychiatrist or state agency on a client who is on probation,  
24 regardless of whether or not that client has paid for services  
26 provided by the licensee. For purposes of this section,  
28 "probation" means a procedure under which a person found guilty  
30 of an offense is released by the court, without being committed  
32 to a correctional facility or with or without commitment to jail  
34 or fine, subject to conditions imposed by the court.

36       Sec. 2. 32 MRSA §3835, last ¶ is enacted to read:

38       Every renewal is contingent on a showing that the applicant  
40 has provided at least 50 hours of service annually on a pro bono  
42 basis. The State Board of Examiners of Psychologists may  
44 establish by rule criteria for this showing.

46       Sec. 3. 32 MRSA §6219, 2nd ¶ is enacted to read:

48       The applicant also must present evidence that the applicant  
50 has provided at least 50 hours of service annually on a pro bono  
52 basis. The board may establish by rule standards for meeting  
54 this requirement.

56       Sec. 4. 32 MRSA §§6221-A and 6223 are enacted to read:

58       §6221-A. Withholding information

60       A person licensed under this chapter may not withhold  
62 information from another counselor, social worker, psychologist,  
64 psychiatrist or state agency on a client who is on probation,  
66 regardless of whether or not that client has paid for services  
68 provided by the licensee. For purposes of this section,  
70 "probation" means a procedure under which a person found guilty  
72 of an offense is released by the court, without being committed  
74 to a correctional facility or with or without commitment to jail  
76 or fine, subject to conditions imposed by the court.

78       §6223. Sliding scale required

2           A person licensed under this chapter must offer a sliding  
4           scale of fees for services for private clients based on a  
            client's income. The board may establish by rule standards for  
            meeting this requirement.

6           **Sec. 5. 32 MRSA §§7006 and 7007** are enacted to read:

8           **§7006. Withholding information**

10           A person licensed under this chapter may not withhold  
12           information from another counselor, social worker, psychologist,  
14           psychiatrist or state agency on a client who is on probation,  
16           regardless of whether or not that client has paid for services  
18           provided by the licensee. For purposes of this section,  
            "probation" means a procedure under which a person found guilty  
            of an offense is released by the court, without being committed  
            to a correctional facility or with or without commitment to jail  
            or fine, subject to conditions imposed by the court.

20           **§7007. Sliding scale required**

22           A person licensed under this chapter must offer a sliding  
24           scale of fees for services for private clients based on a  
            client's income. The board may establish by rule standards for  
26           meeting this requirement.

28           **Sec. 6. 32 MRSA §7060, first ¶,** as repealed and replaced by PL  
30           1987, c. 769, Pt. A, §122, is amended to read:

32           Licenses shall expire biennially on December 31st or at such  
34           other times as the Commissioner of Professional and Financial  
            Regulation may designate. Biennial fees for renewal of license  
36           shall must be set by the board in an amount not to exceed those  
            amounts specified in section 7056 and ~~shall--be~~ are due and  
38           payable biennially on or before the first day of January. License renewal fees for certified social workers ~~shall--be~~ are  
40           the same as those for licensed master social workers. Every 2nd  
            renewal ~~shall--be~~ is contingent upon evidence of participation in  
42           a continuing professional education course or program as approved  
            by the board. Every renewal is contingent upon a showing that  
44           the applicant has provided at least 50 hours of service annually  
            on a pro bono basis. The board may establish by rule standards  
46           for meeting this requirement. A license may be renewed up to 90  
            days after the date of expiration upon payment of a late fee of  
48           \$10 in addition to the renewal fee. Any person who submits an  
            application for renewal more than 90 days after the renewal date  
50           ~~shall--be~~ is subject to all requirements governing new applicants  
            under this chapter, except that the board may in its discretion,  
52           giving due consideration to the protection of the public, waive  
            examination if the renewal application is made within 2 years  
            from the date of the expiration.

