

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

5116
ROPS

Date: 6/10/2013

(Filing No. S-254)

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE
SENATE
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 432, L.D. 1238, Bill, "An Act To Improve Professional Training for Licensed Mental Health Clinicians"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 32 MRSA §3831, sub-§2, as amended by PL 2007, c. 402, Pt. Q, §9, is further amended to read:

2. Psychologist. A candidate for this license shall furnish the board with satisfactory evidence that the candidate is trustworthy and competent to practice as a psychologist in such manner as to safeguard the interest of the public; has received a doctorate degree reflecting comprehensive training in psychology from an accredited institution recognized by the board as maintaining satisfactory standards, at the time the degree was granted; has had at least 2 years of experience in psychology of a type considered by the board to be qualifying in nature; is competent in psychology, as shown by passing such examinations as the board determines necessary; is not considered by the board to be engaged in unethical practice; and has not within the preceding 6 months failed an examination. The board shall recognize that valid comprehensive training in psychology must be received in or accepted by a single program, but may be obtained through a degree given by administrative units other than a department of psychology, including programs approved by the National Association of School Psychologists or the American Psychological Association designation program or their successors or other organizations approved by the board. The board shall adopt a list of these programs. Individuals with degrees from programs not on that list must be evaluated on a case-by-case basis.

Beginning January 1, 2020, a candidate for initial licensure shall furnish the board with satisfactory evidence that the candidate has successfully completed a minimum of 3 hours of course work in family or intimate partner violence screening and referral and intervention strategies, including knowledge of community resources, cultural factors, evidence-based risk assessment and same-gender abuse dynamics. A candidate may fulfill this requirement through course work taken in fulfillment of other educational requirements for licensure or through separate course work provided through any

COMMITTEE AMENDMENT

1 combination of contact hours, Internet hours and distance learning programs, as
2 evidenced by certification from an accredited educational institution. The board shall
3 accept certification from the accredited educational institution from which the applicant is
4 a graduate that verifies the applicant's satisfaction of this requirement within the
5 applicant's completed course curriculum. A candidate for initial licensure that is unable
6 to demonstrate completion of the requirement of 3 hours of course work at the time the
7 initial application is submitted shall demonstrate to the board that this requirement has
8 been fulfilled upon the candidate's first application for license renewal.

9 **Sec. 2. 32 MRSA §3835, first ¶**, as amended by PL 2007, c. 402, Pt. Q, §11, is
10 further amended to read:

11 Licenses issued under this chapter expire biennially or as established by the
12 Commissioner of Professional and Financial Regulation. A person licensed under this
13 chapter shall submit, on or before the established expiration date, an application for
14 license renewal together with the renewal fee as set under section 3833-A. Beginning
15 January 1, 2020, a person that submits an application for license renewal shall
16 demonstrate to the satisfaction of the board a one-time successful completion of a
17 minimum of 3 contact hours of course work in family or intimate partner violence
18 screening and referral and intervention strategies, including knowledge of community
19 resources, cultural factors, evidence-based risk assessment and same-gender abuse
20 dynamics. The board may accept equivalent courses in spousal or partner abuse
21 screening and referral and intervention strategies or equivalent teaching or practice
22 experience completed prior to January 1, 2020 in satisfaction of this requirement.
23 Continuing education courses taken pursuant to this paragraph may be used to satisfy the
24 licensee's required hours of continuing education.

25 **Sec. 3. 32 MRSA §7053, sub-§1**, as amended by PL 1987, c. 735, §69, is further
26 amended to read:

27 **1. Licensed clinical social worker.** To be qualified as a licensed clinical social
28 worker, an applicant shall have demonstrated to the satisfaction of the board adherence to
29 the ethics of the social work profession; shall have successfully completed the
30 examination prescribed by the board; and shall have received either:

31 A. A ~~masters~~ master's or doctoral degree in social work or social welfare from an
32 accredited educational institution; in a clinical concentration and:

33 (1) Shall have subsequently completed 2 years of social work experience with 96
34 hours of consultation in a clinical setting; or

35 (2) Shall have demonstrated 2 years of full-time clinical social work experience
36 or its equivalent and have completed the graduate degree prior to January 1,
37 1987; and have completed 2 years of subsequent social work experience with 96
38 hours of consultation in a private setting; or

39 B. A ~~masters~~ master's or doctoral degree in social work in a nonclinical
40 concentration from an accredited educational institution and:

41 (1) Shall have subsequently completed 4 years of social work experience with
42 192 hours of consultation in a clinical setting; or

1 (2) Shall have demonstrated 2 years of full-time clinical social work experience
 2 or its equivalent and have completed the graduate degree prior to January 1,
 3 1987; and have completed 4 years of subsequent social work experience with 192
 4 hours of consultation in a private setting.

5 The board may waive up to one year of the post-master of social work, clinical
 6 experience requirement pursuant to this subsection for those candidates who demonstrate
 7 to the satisfaction of the board equivalent clinical experience prior to receiving the
 8 ~~masters~~ master's degree in social work.

9 The board shall issue rules; in accordance with ~~the Maine Administrative Procedure Act,~~
 10 Title 5, chapter 375; defining the clinical experience required for this level of licensure.

11 Beginning January 1, 2020, an applicant for initial licensure shall demonstrate to the
 12 satisfaction of the board successful completion of a minimum of 12 hours of course work
 13 in family or intimate partner violence, including course work in spousal or partner abuse
 14 that addresses screening, referral and intervention strategies, including knowledge of
 15 community resources, cultural factors, evidence-based risk assessment and same-gender
 16 abuse dynamics. An applicant may fulfill this requirement through course work taken in
 17 fulfillment of other educational requirements for licensure or through separate course
 18 work provided through contact hours, Internet hours or distance learning programs, as
 19 evidenced by certification from an accredited educational institution. The board shall
 20 accept certification from the accredited educational institution from which the applicant is
 21 a graduate that verifies the applicant's satisfaction of this requirement within the
 22 applicant's completed course curriculum. An applicant for initial licensure that is unable
 23 to demonstrate completion of the requirement of 12 hours of course work at the time the
 24 initial application is submitted shall demonstrate to the board that this requirement has
 25 been fulfilled upon the applicant's first application for license renewal.

26 **Sec. 4. 32 MRSA §7060**, as amended by PL 2007, c. 402, Pt. V, §15, is further
 27 amended by adding after the first paragraph a new paragraph to read:

28 Beginning January 1, 2020, an applicant for license renewal shall demonstrate to the
 29 satisfaction of the board a one-time successful completion of a minimum of 12 hours of
 30 course work in family or intimate partner violence, including course work in spousal or
 31 partner abuse that addresses screening, referral and intervention strategies, including
 32 knowledge of community resources, cultural factors, evidence-based risk assessment and
 33 same-gender abuse dynamics. An applicant may fulfill this requirement through course
 34 work provided through contact hours, Internet hours or distance learning programs, as
 35 evidenced by certification from an accredited educational institution or equivalent
 36 teaching or practice experience. The board may accept equivalent courses in family or
 37 intimate partner violence screening and referral and intervention strategies or equivalent
 38 teaching or practice experience completed prior to January 1, 2020 in satisfaction of this
 39 requirement. Continuing education courses taken pursuant to this paragraph may be used
 40 to satisfy the licensee's required hours of continuing education.

41 **Sec. 5. 32 MRSA §13858, sub-§2**, as amended by PL 2003, c. 542, §2, is further
 42 amended to read:

43 **2. Licensed clinical professional counselor.** To be qualified as a licensed clinical
 44 professional counselor, an applicant must demonstrate to the satisfaction of the board

1 adherence to the ethics of the counseling profession, successfully complete the
2 examination prescribed by the board and have:

3 A. A master's degree or a doctoral degree in counseling or an allied mental health
4 field from an accredited institution or a program approved by the board. Such
5 schooling must include a minimum core curriculum and total credit hours as adopted
6 by the board; and

7 B. Two years of experience after obtainment of a master's degree or a doctoral
8 degree to include at least 3,000 hours of supervised clinical experience with a
9 minimum of 100 hours of personal supervision; and

10 C. Beginning January 1, 2020, demonstrated to the satisfaction of the board
11 successful completion of a minimum of 12 hours of course work in family or intimate
12 partner violence, including course work in spousal or partner abuse that addresses
13 screening, referral and intervention strategies, including knowledge of community
14 resources, cultural factors, evidence-based risk assessment and same-gender abuse
15 dynamics. An applicant may fulfill this requirement through course work taken in
16 fulfillment of other educational requirements for licensure or through separate course
17 work provided through contact hours, Internet hours or distance learning programs, as
18 evidenced by certification from an accredited educational institution. The board shall
19 accept certification from the accredited educational institution from which the
20 applicant is a graduate that verifies the applicant's satisfaction of this requirement
21 within the applicant's completed course curriculum. An applicant for initial licensure
22 that is unable to demonstrate completion of the requirements of this paragraph at the
23 time the initial application is submitted shall demonstrate to the board that these
24 requirements have been fulfilled upon the applicant's first application for license
25 renewal.

26 **Sec. 6. 32 MRSA §13860, sub-§2**, as amended by PL 1997, c. 128, §1, is further
27 amended to read:

28 **2. Continuing education and supervision.** The board, by rule, may establish
29 continuing education and supervision requirements. Applicants for license renewal of
30 license must show proof of satisfying the continuing education requirements set forth by
31 the board. If a license lapses due to failure of the licensee to meet continuing education
32 requirements, the licensee may renew the license upon completion of the required
33 continuing education. Beginning January 1, 2020, applicants for license renewal shall
34 demonstrate to the satisfaction of the board a one-time successful completion of a
35 minimum of 12 hours of course work in family or intimate partner violence, including
36 course work in spousal or partner abuse that addresses screening, referral and intervention
37 strategies, including knowledge of community resources, cultural factors, evidence-based
38 risk assessment and same-gender abuse dynamics. An applicant may fulfill this
39 requirement through course work provided through contact hours, Internet hours or
40 distance learning programs, as evidenced by certification from an accredited educational
41 institution or equivalent teaching or practice experience. The board may accept
42 equivalent courses in family or intimate partner violence screening and referral and
43 intervention strategies or equivalent teaching or practice experience completed prior to
44 January 1, 2020 in satisfaction of this requirement. Continuing education courses taken

1 pursuant to this subsection must be applied to the licensee's required hours of continuing
2 education.'

3 **SUMMARY**

4 This amendment changes the description of the course work that must be completed
5 by mental health clinicians from spousal or partner abuse screening and referral strategies
6 to family or intimate partner violence screening and referral and intervention strategies
7 and changes the licensure requirements and license renewal requirements for
8 psychologists, clinical professional counselors and clinical social workers by reducing the
9 number of contact hours of course work that must be completed in family or intimate
10 partner violence that address screening, referral and intervention strategies. It also adds a
11 provision to allow an applicant for initial licensure that is unable to demonstrate
12 completion of the family or intimate partner violence course work at the time the initial
13 application is submitted to demonstrate to the board that this requirement has been
14 fulfilled upon the candidate's first application for license renewal. It also clarifies that the
15 course work requirements that must be demonstrated at the time of license renewal are to
16 be completed only once.

17 **FISCAL NOTE REQUIRED**

18 **(See attached)**



126th MAINE LEGISLATURE

LD 1238

LR 1174(02)

An Act To Improve Professional Training for Licensed Mental Health Clinicians

Fiscal Note for Bill as Amended by Committee Amendment 'A' (S-254)
Committee: Labor, Commerce, Research and Economic Development
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Additional costs to the State Board of Examiners of Psychologists, the State Board of Social Worker Licensure and the Board of Counseling Professionals Licensure within the Office of Professional and Occupational Regulation, Department of Professional and Financial Regulation, to implement the requirements of this legislation can be absorbed within existing budgeted resources.