

# 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 electronic originals  
(may include minor formatting differences from printed original)

**CORRECTED COPY**  
**March 27, 2013**  
(Please Destroy any copy of  
L.D. 1238 that does not have  
the notation "Corrected Copy")



# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

---

**Legislative Document**

**No. 1238**

S.P. 432

In Senate, March 27, 2013

### **An Act To Improve Professional Training for Licensed Mental Health Clinicians**

---

Reference to the Committee on Labor, Commerce, Research and Economic Development  
suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator CAIN of Penobscot.  
Cosponsored by Representative FREDETTE of Newport and  
Senators: CRAVEN of Androscoggin, HAMPER of Oxford, PATRICK of Oxford,  
Representatives: HAMANN of South Portland, HERBIG of Belfast, ROCHELO of Biddeford.

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

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

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

20 Beginning January 1, 2020, a candidate for this license shall furnish the board with  
21 satisfactory evidence that the candidate has successfully completed a minimum of 15  
22 contact hours of course work in spousal or partner abuse screening and referral and  
23 intervention strategies, including knowledge of community resources, cultural factors,  
24 evidence-based risk assessment and same-gender abuse dynamics. A candidate may  
25 fulfill this requirement through course work taken in fulfillment of other educational  
26 requirements for licensure or through separate course work. The board shall accept  
27 certification from the accredited educational institution from which the applicant is a  
28 graduate that verifies the applicant's satisfaction of this requirement within the applicant's  
29 completed course curriculum.

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

32 Licenses issued under this chapter expire biennially or as established by the  
33 Commissioner of Professional and Financial Regulation. A person licensed under this  
34 chapter shall submit, on or before the established expiration date, an application for  
35 license renewal together with the renewal fee as set under section 3833-A. Beginning  
36 January 1, 2020, a person that submits an application for license renewal must  
37 demonstrate to the satisfaction of the board successful completion of a minimum of 15  
38 contact hours of course work in spousal or partner abuse screening and referral and  
39 intervention strategies, including knowledge of community resources, cultural factors,  
40 evidence-based risk assessment and same-gender abuse dynamics. The board may accept  
41 equivalent courses in spousal or partner abuse screening and referral and intervention  
42 strategies or equivalent teaching or practice experience completed prior to January 1,

1 2020 in satisfaction of this requirement. Continuing education courses taken pursuant to  
2 this paragraph must be applied to the licensee's required hours of continuing education.

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

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

9 A. A masters or doctoral degree in social work or social welfare from an accredited  
10 educational institution, in a clinical concentration:

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

13 (2) Shall have demonstrated 2 years of full-time clinical social work experience  
14 or its equivalent and have completed the graduate degree prior to January 1,  
15 1987, and have completed 2 years of subsequent social work experience with 96  
16 hours of consultation in a private setting; or

17 B. A masters or doctoral degree in social work in a nonclinical concentration from  
18 an accredited educational institution:

19 (1) Shall have subsequently completed 4 years of social work experience with  
20 192 hours of consultation in a clinical setting; or

21 (2) Shall have demonstrated 2 years of full-time clinical social work experience  
22 or its equivalent and have completed the graduate degree prior to January 1,  
23 1987, and have completed 4 years of subsequent social work experience with 192  
24 hours of consultation in a private setting.

25 The board may waive up to one year of the post-master of social work, clinical  
26 experience requirement pursuant to this subsection for those candidates who demonstrate  
27 to the satisfaction of the board equivalent clinical experience prior to receiving the  
28 masters degree in social work.

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

31 Beginning January 1, 2020, an applicant shall have demonstrated to the satisfaction of the  
32 board successful completion of a minimum of 15 contact hours of course work in spousal  
33 or partner abuse screening and referral and intervention strategies, including knowledge  
34 of community resources, cultural factors, evidence-based risk assessment and same-  
35 gender abuse dynamics. A candidate may fulfill this requirement through course work  
36 taken in fulfillment of other educational requirements for licensure or through separate  
37 course work. The board shall accept certification from the accredited educational  
38 institution from which the applicant is a graduate that verifies the applicant's satisfaction  
39 of this requirement within the applicant's completed course curriculum.

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

1 Beginning January 1, 2020, a person that submits an application for license renewal  
2 must demonstrate to the satisfaction of the board successful completion of a minimum of  
3 15 contact hours of course work in spousal or partner abuse screening and referral and  
4 intervention strategies, including knowledge of community resources, cultural factors,  
5 evidence-based risk assessment and same-gender abuse dynamics. The board may accept  
6 equivalent courses in spousal or partner abuse screening and referral and intervention  
7 strategies or equivalent teaching or practice experience completed prior to January 1,  
8 2020 in satisfaction of this requirement. Continuing education courses taken pursuant to  
9 this paragraph must be applied to the licensee's required hours of continuing education.

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

12 **2. Licensed clinical professional counselor.** To be qualified as a licensed clinical  
13 professional counselor, an applicant must demonstrate to the satisfaction of the board  
14 adherence to the ethics of the counseling profession, successfully complete the  
15 examination prescribed by the board and have:

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

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

23 C. Beginning January 1, 2020, demonstrated to the satisfaction of the board  
24 successful completion of a minimum of 15 contact hours of course work in spousal or  
25 partner abuse screening and referral and intervention strategies, including knowledge  
26 of community resources, cultural factors, evidence-based risk assessment and same-  
27 gender abuse dynamics. A candidate may fulfill this requirement through course  
28 work taken in fulfillment of other educational requirements for licensure or through  
29 separate course work. The board shall accept certification from the accredited  
30 educational institution from which the applicant is a graduate that verifies the  
31 applicant's satisfaction of this requirement within the applicant's completed course  
32 curriculum.

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

35 **2. Continuing education and supervision.** The board, by rule, may establish  
36 continuing education and supervision requirements. Applicants for renewal of license  
37 must show proof of satisfying the continuing education requirements set forth by the  
38 board. If a license lapses due to failure of the licensee to meet continuing education  
39 requirements, the licensee may renew the license upon completion of the required  
40 continuing education. Beginning January 1, 2020, applicants for renewal of license must  
41 demonstrate to the satisfaction of the board successful completion of a minimum of 15  
42 contact hours of course work in spousal or partner abuse screening and referral and  
43 intervention strategies, including knowledge of community resources, cultural factors,

1 evidence-based risk assessment and same-gender abuse dynamics. The board may accept  
2 equivalent courses in spousal or partner abuse screening and referral and intervention  
3 strategies or equivalent teaching or practice experience completed prior to January 1,  
4 2020 in satisfaction of this requirement. Continuing education courses taken pursuant to  
5 this subsection must be applied to the licensee's required hours of continuing education.

## 6 **SUMMARY**

7 This bill makes changes to the laws governing the licensure requirements for  
8 psychologists, clinical professional counselors and clinical social workers. It requires  
9 that, beginning January 1, 2020, applicants for licensure demonstrate to the satisfaction of  
10 their respective licensing boards that they have successfully completed a minimum of 15  
11 contact hours of course work in spousal or partner abuse screening and referral and  
12 intervention strategies, including knowledge of community resources, cultural factors,  
13 evidence-based risk assessment and same-gender abuse dynamics. Applicants may fulfill  
14 this requirement through course work taken in fulfillment of other educational  
15 requirements for licensure or through separate course work. The bill requires that the  
16 boards accept certification from the accredited educational institution from which the  
17 applicant is a graduate that verifies the applicant's satisfaction of this requirement within  
18 the applicant's completed course curriculum.

19 The bill also makes changes to the licensure renewal requirements for psychologists,  
20 clinical professional counselors and clinical social workers to require that, beginning  
21 January 1, 2020, applicants for licensure renewal in these categories demonstrate to the  
22 satisfaction of their respective licensing boards successful completion of a minimum of  
23 15 contact hours of course work in spousal or partner abuse screening and referral and  
24 intervention strategies, including knowledge of community resources, cultural factors,  
25 evidence-based risk assessment and same-gender abuse dynamics. The bill allows the  
26 boards to accept equivalent courses in spousal or partner abuse screening and referral and  
27 intervention strategies or equivalent teaching or practice experience completed prior to  
28 January 1, 2020 in satisfaction of this requirement. The bill requires that continuing  
29 education courses taken for this purpose must be applied to the licensee's required hours  
30 of continuing education.