

# SENATE FLOOR AMENDMENT

FLOOR AMENDMENT NO. 5

MAR 06 2007

Date \_\_\_\_\_

TO: S.B. No. 667, S.D. 2

SECTION 1. Senate Bill No. 667, S.D. 2, is amended by adding a new Section 3 to read as follows:

"SECTION 3. Section 26H-4, Hawaii Revised Statutes, is amended to read as follows:

"§26H-4 Repeal dates for newly enacted professional and vocational regulatory programs. ~~[(a)]~~ Any professional or vocational regulatory program enacted after January 1, 1994, and listed in this section shall be repealed on December 31, 2008. The auditor shall perform an evaluation of the program, pursuant to section 26H-5, prior to its repeal date ~~[-~~

~~(b) Chapter]~~; provided that chapter 453D (mental health counselors) shall not be repealed ~~[on December 31, 2008]~~."

SECTION 2. Senate Bill No. 667, S.D. 2, is amended by renumbering Sections 3 and 4 as Sections 4 and 5, respectively.

Offered by: David J. Ige

☒ Carried

☐ Failed to Carry

☐ Withdrawn



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# A BILL FOR AN ACT

RELATING TO MENTAL HEALTH COUNSELORS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. Act 14, Session Laws of Hawaii 2006 (Act 14),  
2 was enacted to amend the definition of the "practice of mental  
3 health counseling" by clarifying that professional counseling  
4 services are determined by the specialized education, training,  
5 and experience that a practitioner has completed. In addition,  
6 Act 14 sets terms and conditions for interns and post-graduate  
7 work.

8       The purpose of this Act is to clarify the requirements for  
9 mental health counselor licensure by establishing that those  
10 persons who applied to the department after July 1, 2005, and  
11 graduated from an accredited program before July 1, 2007, may be  
12 eligible for licensure.

13       SECTION 2. Section 453D-7, Hawaii Revised Statutes, is  
14 amended to read as follows:

15       "**§453D-7 Application for licensure as a mental health**  
16 **counselor.** (a) ~~[Any person who applies to the department after~~  
17 ~~July 1, 2005,]~~ An applicant shall be issued a license by the



1 department if the applicant provides satisfactory evidence to  
2 the department that the applicant is qualified for licensure  
3 pursuant to the requirements of this chapter and meets the  
4 following qualifications:

5 (1) A master's degree or doctoral degree from an  
6 accredited educational institution in counseling or in  
7 an allied field related to the practice of mental  
8 health counseling that includes or is supplemented by  
9 graduate level course work in counseling comprising a  
10 minimum of forty-eight semester hours or seventy-two  
11 quarter hours in the following course areas, with a  
12 minimum of three semester hours or five quarter hours  
13 in each course area as indicated below:

14 (A) Human growth and development, including but not  
15 limited to the study of life span development,  
16 strategies to facilitate that development and  
17 transitions, theories of learning and personality  
18 development, and human behavior to include  
19 crisis, disabilities, addictive behavior, and  
20 environmental factors;

21 (B) Social and cultural foundations, including but  
22 not limited to the study of issues and trends in



1 a multicultural and diverse society, including  
2 characteristics of diverse groups that may  
3 include but are not limited to age, race,  
4 religious or sexual preference, physical  
5 disability, ethnicity and culture, gender,  
6 socioeconomics, intellectual ability, and  
7 individual, family, and group strategies with  
8 diverse populations;

9 (C) Counseling theories and applications, including  
10 but not limited to counseling and consultation,  
11 including both individual and systems  
12 perspectives, interviewing, assessment, and  
13 counseling skills, as well as applying  
14 principles, methods, and theories of counseling,  
15 treatment and counseling of mental and emotional  
16 disorders, and educational techniques aimed at  
17 preventing such disorders with individuals and  
18 families;

19 (D) Group theory and practice, including but not  
20 limited to principles of group dynamics, group  
21 process, group leadership styles, theories and



1 methods of group counseling, and the application  
2 of theory to the group processes;

3 (E) Career and lifestyle development, including but  
4 not limited to the study of vocational  
5 development theories and decisionmaking models,  
6 assessment instruments, and techniques, types,  
7 sources, and uses of occupational and educational  
8 information systems, career development  
9 applications, and career counseling processes,  
10 techniques, and resources;

11 (F) Appraisal of human behavior, including but not  
12 limited to assessment and diagnosis of disorders  
13 with an emphasis on DSM-IV categories, and an  
14 understanding of these disorders relative to the  
15 counseling context;

16 (G) Tests and measurements, including but not limited  
17 to theoretical and historical bases for  
18 assessment techniques, assessment methods,  
19 including analysis of various types of tests in  
20 order to select, administer, interpret, and use  
21 assessment and evaluation instruments and  
22 techniques in counseling;



1 (H) Research and program evaluation, including but  
2 not limited to research design and methods,  
3 statistical analysis, principles, practices, and  
4 application of needs assessment, and program  
5 evaluation; and

6 (I) Professional orientation and ethics, including  
7 but not limited to the history of the helping  
8 profession, professional roles and functions,  
9 ethical standards, confidentiality, professional  
10 organizations, and the public policy process,  
11 including advocacy on behalf of the profession  
12 and its clientele;

13 (2) At least two academic terms of supervised mental  
14 health practicum intern experience for graduate credit  
15 of at least three semester hours or five quarter hours  
16 per academic term in a mental health counseling  
17 setting with three hundred hours of supervised client  
18 contact; the practicum experience shall be completed  
19 under the clinical supervision of a person who is  
20 licensed as a mental health counselor, psychologist,  
21 clinical social worker, advanced practice registered  
22 nurse with a specialty in mental health, marriage and



1 family therapist, or physician with a specialty in  
2 psychiatry;

- 3 (3) Completion of at least three thousand hours of post-  
4 graduate experience in the practice of mental health  
5 counseling with one hundred hours of face-to-face  
6 clinical supervision [~~which~~] that shall be completed  
7 in no less than two years and in no more than four  
8 years, under the clinical supervision of a person who  
9 is a licensed mental health counselor, psychologist,  
10 clinical social worker, advanced practice registered  
11 nurse with a specialty in mental health, marriage and  
12 family therapist, or physician with a specialty in  
13 psychiatry; and

- 14 (4) Passed the National Counselor Examination for  
15 Licensure and Certification.

16 (b) An individual who:

- 17 (1) Holds current, unencumbered certification as a  
18 national certified counselor or a national certified  
19 rehabilitation counselor prior to the effective date  
20 of this chapter;

- 21 (2) Has passed the National Counselor Examination for  
22 Licensure and Certification, National Clinical Mental



1 Health Counselors Examination of the National Board  
2 for Certified Counselors, or Commission on  
3 Rehabilitation Counselor Certification examination  
4 after January 1, 2000, and before July 1, 2005; and

5 (3) Within one year of the effective date of this chapter,  
6 applies for licensure and pays the applicable license  
7 fee, shall be deemed to have met the requirements of  
8 this section.

9 (c) For an applicant who graduated from an accredited  
10 program as specified in subsection (a)(1) before July 1, 2007,  
11 the department shall also deem acceptable:

12 (1) For practicum intern experience, in lieu of subsection  
13 (a)(2), written certification from an official of the  
14 institution of higher education attesting that the  
15 applicant has completed the required academic terms,  
16 graduate credit hours, and supervised client contact  
17 hours of the counseling program of the accredited  
18 educational institution and that the applicant's  
19 completion of the practicum intern experience is  
20 equivalent to a mental health graduate level practicum  
21 program; and

