

Honolulu, Hawaii

FEB 09 2007

RE: S.B. No. 667  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam:

Your Committee on Health, to which was referred S.B. No. 667  
entitled:

"A BILL FOR AN ACT RELATING TO MENTAL HEALTH COUNSELORS,"

begs leave to report as follows:

The purpose of this measure is to allow students who graduated from an accredited mental health counselor program prior to July 1, 2007, to be licensed under the original licensure standard and to make licensure of mental health counselors permanent.

Your Committee received testimony in support of this measure from Kaiser Permanente regarding making mental health licensure permanent, Chaminade University, the Alliance for Professional Counselor Licensure, Hawaii Rehabilitation Counseling Association, Sestak Rehabilitation Services, Lokahi Treatment Centers, and ten individuals. Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that Act 14, Session Laws of Hawaii 2006 (Act 14), raised the requirements for licensure of mental health counselors. Your Committee further finds that Act 14 resulted in the unintended consequence of prohibiting individuals from licensure who had pursued licensure under the original standard that existed prior to the enactment of Act 14.

In addition, your Committee finds that this measure, while having the effect of grandfathering in students who graduated



prior to the enactment of Act 14, also sets aside the requirement specific to mental health studies and experience, an integral part of the new qualifications for licensure and consumer protection.

It is the intent of your Committee to accomplish the purpose of this measure by permitting individuals that have graduated from an accredited mental health counselors program before July 1, 2007, to apply for licensure. However, your Committee believes that the current requirements that focus on experience in the mental health setting are important for consumer protection. It is the further intent of your Committee to allow the Auditor to conduct a review of the program prior to December 2008, in order to evaluate the effectiveness of the licensure requirements and the implementing agency.

Accordingly, your Committee amended this measure by removing the language that permits licensure for applicants who:

- (1) Have a degree in counseling or a field related to the practice of mental health counseling;
- (2) Completed the required hours of intern and post-graduate experience in counseling with supervision by a person who holds an advanced degree in counseling; and
- (3) Have passed the National Counselor Examination for Licensure and Certification.

Your Committee further amended this measure by requiring an applicant who graduated from the specified program before July 1, 2007, to have experience that is specific to mental health counseling or the equivalent by requiring that:

- (1) The required academic terms, graduate credit hours, supervised client contact, and certification shall be verified by written certification by an official of the institution of higher education attesting that the practicum intern experience has been completed and is equivalent to a mental health graduate level program; and
- (2) The required three thousand hours of post-graduate experience in the practice of mental health counseling with one hundred hours of face-to-face clinical supervision shall be verified through written



certification by an officer of the employing agency and the clinical supervisor attesting to the completion of the post-graduate experience.

Your Committee further amended this measure by deleting the language that would repeal the sunset date; thereby, preserving the sunset date in section 26H-2, Hawaii Revised Statutes, to ensure an Auditor's review of the licensure program.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 667, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 667, S.D. 1, and be referred to the Committee on Commerce, Consumer Protection, and Affordable Housing.

Respectfully submitted on  
behalf of the members of the  
Committee on Health,



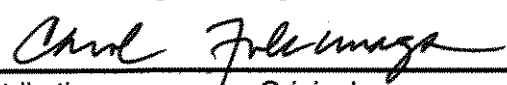
---

DAVID Y. IGE, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Health**  
**HTH**

|  |                                 |                 |
|--|---------------------------------|-----------------|
| Bill / Resolution No.:*<br>SB 667  | Committee Referral:<br>HTH, CPH | Date:<br>2/2/07 |
| <input type="checkbox"/> The committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____  |                                 |                 |
| The Recommendation is:<br><input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 |                                 |                 |
| Members  | Aye                             | Aye (WR)        |
| Nay  | Excused                         |                 |
| IGE, David Y. (C)  | ✓                               |                 |
| FUKUNAGA, Carol (VC)   | ✓                               |                 |
| BAKER, Rosalyn H.  | ✓                               |                 |
| MENOR, Ron   | ✓                               |                 |
| WHALEN, Paul   |                                 | ✓               |
|  |                                 |                 |
|  |                                 |                 |
|  |                                 |                 |
|  |                                 |                 |
|  |                                 |                 |
|  |                                 |                 |
|  |                                 |                 |
|  |                                 |                 |
|  |                                 |                 |
|  |                                 |                 |
|  |                                 |                 |
|  |                                 |                 |
|  |                                 |                 |
|  |                                 |                 |
|  |                                 |                 |
|  |                                 |                 |
| <b>TOTAL</b>   | <b>4</b>                        | <b>1</b>        |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted   |                                 |                 |
| Chair's or Designee's Signature:<br>  |                                 |                 |
| Distribution:             Original             Yellow             Pink<br>File with Committee Report             Clerk's Office             Drafting Agency  |                                 |                 |

\*Only one measure per Record of Votes