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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, and who graduated after July 1, 2007, from an



1 accredited program as specified in paragraph (1), shall be  
2 issued a license by the department if the applicant provides  
3 satisfactory evidence to the department that the applicant is  
4 qualified for licensure pursuant to the requirements of this  
5 chapter and meets the following qualifications:

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

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



1 (B) Social and cultural foundations, including but  
2 not limited to the study of issues and trends in  
3 a multicultural and diverse society, including  
4 characteristics of diverse groups that may  
5 include but are not limited to age, race,  
6 religious or sexual preference, physical  
7 disability, ethnicity and culture, gender,  
8 socioeconomics, intellectual ability, and  
9 individual, family, and group strategies with  
10 diverse populations;

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

21 (D) Group theory and practice, including but not  
22 limited to principles of group dynamics, group

- 1 process, group leadership styles, theories and  
2 methods of group counseling, and the application  
3 of theory to the group processes;
- 4 (E) Career and lifestyle development, including but  
5 not limited to the study of vocational  
6 development theories and decisionmaking models,  
7 assessment instruments, and techniques, types,  
8 sources, and uses of occupational and educational  
9 information systems, career development  
10 applications, and career counseling processes,  
11 techniques, and resources;
- 12 (F) Appraisal of human behavior, including but not  
13 limited to assessment and diagnosis of disorders  
14 with an emphasis on DSM-IV categories, and an  
15 understanding of these disorders relative to the  
16 counseling context;
- 17 (G) Tests and measurements, including but not limited  
18 to theoretical and historical bases for  
19 assessment techniques, assessment methods,  
20 including analysis of various types of tests in  
21 order to select, administer, interpret, and use



- 1                   assessment and evaluation instruments and
- 2                   techniques in counseling;
- 3           (H)    Research and program evaluation, including but
- 4                   not limited to research design and methods,
- 5                   statistical analysis, principles, practices, and
- 6                   application of needs assessment, and program
- 7                   evaluation; and
- 8           (I)    Professional orientation and ethics, including
- 9                   but not limited to the history of the helping
- 10                  profession, professional roles and functions,
- 11                  ethical standards, confidentiality, professional
- 12                  organizations, and the public policy process,
- 13                  including advocacy on behalf of the profession
- 14                  and its clientele;
- 15       (2)    At least two academic terms of supervised mental
- 16                  health practicum intern experience for graduate credit
- 17                  of at least three semester hours or five quarter hours
- 18                  per academic term in a mental health counseling
- 19                  setting with three hundred hours of supervised client
- 20                  contact; the practicum experience shall be completed
- 21                  under the clinical supervision of a person who is
- 22                  licensed as a mental health counselor, psychologist,



- 1 clinical social worker, advanced practice registered  
2 nurse with a specialty in mental health, marriage and  
3 family therapist, or physician with a specialty in  
4 psychiatry;
- 5 (3) Completion of three thousand hours of post-graduate  
6 experience in the practice of mental health counseling  
7 with one hundred hours of face-to-face clinical  
8 supervision [~~which~~] that shall be completed in no less  
9 than two years and in no more than four years, under  
10 the clinical supervision of a person who is a licensed  
11 mental health counselor, psychologist, clinical social  
12 worker, advanced practice registered nurse with a  
13 specialty in mental health, marriage and family  
14 therapist, or physician with a specialty in  
15 psychiatry; and
- 16 (4) Passed the National Counselor Examination for  
17 Licensure and Certification.
- 18 (b) An individual who:
- 19 (1) Holds current, unencumbered certification as a  
20 national certified counselor or a national certified  
21 rehabilitation counselor prior to [~~the effective date~~  
22 ~~of this chapter,~~] July 1, 2005;



- 1           (2) Has passed the National Counselor Examination for  
2           Licensure and Certification, National Clinical Mental  
3           Health Counselors Examination of the National Board  
4           for Certified Counselors, or Commission on  
5           Rehabilitation Counselor Certification examination  
6           after January 1, 2000, and before July 1, 2005; and
- 7           (3) Within one year of [~~the effective date of this~~  
8           ~~chapter,~~] July 1, 2005, applies for licensure and pays  
9           the applicable license fee, shall be deemed to have  
10          met the requirements of this section.
- 11          (c) Any person who applies to the department after July 1,  
12          2005, and who graduated before July 1, 2007, from an accredited  
13          program as specified in paragraph (1), shall be issued a license  
14          by the department if the applicant provides satisfactory  
15          evidence to the department that the applicant is qualified for  
16          licensure pursuant to the requirements of this chapter and meets  
17          the following qualifications:
- 18                (1) A master's degree or doctoral degree from an  
19                accredited educational institution in counseling or in  
20                an allied field related to the practice of mental  
21                health counseling that includes or is supplemented by



- 1           graduate level course work in counseling consistent
- 2           with the requirements of subsection (a) (1);
- 3           (2) At least two academic terms of supervised practicum
- 4           intern experience for graduate credit of at least
- 5           three semester hours or five quarter hours per
- 6           academic term in a counseling setting with at least
- 7           three hundred hours of supervised client contact;
- 8           (3) Completion of at least three thousand hours of post-
- 9           graduate experience in counseling with one hundred
- 10           hours of face-to-face clinical supervision over a
- 11           period of at least two years, and under the clinical
- 12           supervision of a person who holds an advanced degree
- 13           in counseling or a closely related field, including
- 14           social work, psychology, psychiatry, psychiatric
- 15           nursing, or marriage and family therapy; and
- 16           (4) Passed the National Counselor Examination for
- 17           Licensure and Certification."

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

20           "**§26H-4 Repeal dates for newly enacted professional and**  
 21 **vocational regulatory programs.** [~~a~~] Any professional or  
 22 vocational regulatory program enacted after January 1, 1994, and





1 listed in this section shall be repealed on December 31, 2008.  
 2 The auditor shall perform an evaluation of the program, pursuant  
 3 to section 26H-5, prior to its repeal date[-

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

6 SECTION 4. Statutory material to be repealed is bracketed  
 7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

*John Bueens*  
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*MW*  
*Ray Lambert*  
*[Signature]*  
*Cindy Evans*  
*John M. [Signature]*

JAN 18 2007



**Report Title:**

Mental Health Counselors; Licensing

**Description:**

Amends the mental health counselor licensure application date to include counselors who have completed or are in the process of completing the requirements for licensure before July 1, 2007. Repeals the sunset date on mental health counselor licensure.

