
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 based on the specialized education, training, and
5 experience that a practitioner has completed. In addition, Act
6 14 sets terms and conditions for interns and post-graduate work.

7 The purpose of this Act is to:

- 8 (1) Clarify the requirements for mental health counselor
9 licensure by allowing certain substitutions the
10 practicum intern and post graduate experience
11 requirements for persons who graduated from an
12 accredited program before July 1, 2007; and
13 (2) Make the mental health counselor licensing law
14 permanent by repealing its sunset date.

15 SECTION 2. Section 26H-4, Hawaii Revised Statutes, is
16 amended to read as follows:



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4 listed in this section shall be repealed on December 31, 2008.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

7 ~~[(b) Chapter 453D (mental health counselors) shall be~~
8 ~~repealed on December 31, 2008]."~~

9 SECTION 3. Section 453D-7, Hawaii Revised Statutes, is
10 amended to read as follows:

11 **"§453D-7 Application for licensure as a mental health**
12 **counselor.** (a) [~~Any person who applies to the department after~~
13 ~~July 1, 2005,~~] An applicant shall be issued a license by the
14 department if the applicant provides satisfactory evidence to
15 the department that the applicant is qualified for licensure
16 pursuant to the requirements of this chapter and meets the
17 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
22 graduate level course work in counseling comprising a



1 minimum of forty-eight semester hours or seventy-two
2 quarter hours in the following course areas, with a
3 minimum of three semester hours or five quarter hours
4 in each course area as indicated below:

5 (A) Human growth and development, including but not
6 limited to the study of life span development,
7 strategies to facilitate that development and
8 transitions, theories of learning and personality
9 development, and human behavior to include
10 crisis, disabilities, addictive behavior, and
11 environmental factors;

12 (B) Social and cultural foundations, including but
13 not limited to the study of issues and trends in
14 a multicultural and diverse society, including
15 characteristics of diverse groups that may
16 include but are not limited to age, race,
17 religious or sexual preference, physical
18 disability, ethnicity and culture, gender,
19 socioeconomics, intellectual ability, and
20 individual, family, and group strategies with
21 diverse populations;



- 1 (C) Counseling theories and applications, including
2 but not limited to counseling and consultation,
3 including both individual and systems
4 perspectives, interviewing, assessment, and
5 counseling skills, as well as applying
6 principles, methods, and theories of counseling,
7 treatment and counseling of mental and emotional
8 disorders, and educational techniques aimed at
9 preventing such disorders with individuals and
10 families;
- 11 (D) Group theory and practice, including but not
12 limited to principles of group dynamics, group
13 process, group leadership styles, theories and
14 methods of group counseling, and the application
15 of theory to the group processes;
- 16 (E) Career and lifestyle development, including but
17 not limited to the study of vocational
18 development theories and decision-making models,
19 assessment instruments, and techniques, types,
20 sources, and uses of occupational and educational
21 information systems, career development



- 1 applications, and career counseling processes,
2 techniques, and resources;
- 3 (F) Appraisal of human behavior, including but not
4 limited to assessment and diagnosis of disorders
5 with an emphasis on DSM-IV categories, and an
6 understanding of these disorders relative to the
7 counseling context;
- 8 (G) Tests and measurements, including but not limited
9 to theoretical and historical bases for
10 assessment techniques, assessment methods,
11 including analysis of various types of tests [~~in~~
12 ~~order~~] to select, administer, interpret, and use
13 assessment and evaluation instruments and
14 techniques in counseling;
- 15 (H) Research and program evaluation, including but
16 not limited to research design and methods,
17 statistical analysis, principles, practices, and
18 application of needs assessment, and program
19 evaluation; and
- 20 (I) Professional orientation and ethics, including
21 but not limited to the history of the helping
22 profession, professional roles and functions,



1 ethical standards, confidentiality, professional
2 organizations, and the public policy process,
3 including advocacy on behalf of the profession
4 and its clientele;

5 (2) At least two academic terms of supervised mental
6 health practicum intern experience for graduate credit
7 of at least three semester hours or five quarter hours
8 per academic term in a mental health counseling
9 setting with three hundred hours of supervised client
10 contact; the practicum experience shall be completed
11 under the clinical supervision of a person who is
12 licensed as a mental health counselor, psychologist,
13 clinical social worker, advanced practice registered
14 nurse with a specialty in mental health, marriage and
15 family therapist, or physician with a specialty in
16 psychiatry;

17 (3) Completion of not less than three thousand hours of
18 post-graduate experience in the practice of mental
19 health counseling with one hundred hours of face-to-
20 face clinical supervision [~~which~~] that shall be
21 completed in no less than two years and in no more
22 than four years, under the clinical supervision of a



1 person who is a licensed mental health counselor,
2 psychologist, clinical social worker, advanced
3 practice registered nurse with a specialty in mental
4 health, marriage and family therapist, or physician
5 with a specialty in psychiatry; and

6 (4) Passed the National Counselor Examination for
7 Licensure and Certification.

8 (b) An individual who:

9 (1) Holds current, unencumbered certification as a
10 national certified counselor or a national certified
11 rehabilitation counselor prior to the effective date
12 of this chapter;

13 (2) Has passed the National Counselor Examination for
14 Licensure and Certification, National Clinical Mental
15 Health Counselors Examination of the National Board
16 for Certified Counselors, or Commission on
17 Rehabilitation Counselor Certification examination
18 after January 1, 2000, and before July 1, 2005; and

19 (3) Within one year of the effective date of this chapter,
20 applies for licensure and pays the applicable license
21 fee, shall be deemed to have met the requirements of
22 this section.



1 (c) For an applicant who graduated from an accredited
2 educational institution as specified in subsection (a)(1) before
3 July 1, 2007, the department shall also deem acceptable:

4 (1) For practicum intern experience, in lieu of subsection
5 (a)(2), written certification from an official of the
6 institution of higher education attesting that the
7 applicant has completed the required academic terms,
8 graduate credit hours, and supervised client contact
9 hours of the counseling program of the accredited
10 educational institution and that the applicant's
11 completion of the practicum intern experience is
12 equivalent to a mental health graduate level practicum
13 program; and

14 (2) For post-graduate experience, in lieu of subsection
15 (a)(3), written certification from an officer of the
16 employing agency or the clinical supervisor attesting
17 that the applicant has completed at least three
18 thousand hours of post-graduate experience in the
19 practice of mental health counseling with one hundred
20 hours of face-to-face clinical supervision that shall
21 be completed in no less than two years and in no more
22 than four years, and that the applicant's completion



1 of the post-graduate experience is equivalent to the
2 practice of mental health counseling."

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

5 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

Mental Health Counselors; Licensing

Description:

Amends the mental health counselor licensure law to allow certain practicum intern and post-graduate experience substitutions for licensure, for applicants who graduated from an accredited program prior to July 1, 2007. Makes the regulation of mental health counselors permanent by repealing its sunset date in section 26H-4, HRS. (SB667 HD1)

