

JAN 23 2020

A BILL FOR AN ACT

RELATING TO MENTAL HEALTH COUNSELORS.

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

1 SECTION 1. Section 453D-7, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§453D-7 Application for licensure as a mental health**
4 **counselor.** (a) An applicant shall be issued a license by the
5 department if the applicant provides satisfactory evidence to
6 the department that the applicant is qualified for licensure
7 pursuant to the requirements of this chapter and meets the
8 following qualifications:

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

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- 1 (A) Human growth and development, including, but not
2 limited to, the study of life span development,
3 strategies to facilitate that development and
4 transitions, theories of learning and personality
5 development, and human behavior to include
6 crisis, disabilities, addictive behavior, and
7 environmental factors;
- 8 (B) Social and cultural foundations, including, but
9 not limited to, the study of issues and trends in
10 a multicultural and diverse society, including
11 characteristics of diverse groups that may
12 include, but are not limited to, age, race,
13 religious or sexual preference, physical
14 disability, ethnicity and culture, gender,
15 socioeconomics, intellectual ability, and
16 individual, family, and group strategies with
17 diverse populations;
- 18 (C) Counseling theories and applications, including,
19 but not limited to, counseling and consultation,
20 including both individual and systems
21 perspectives, interviewing, assessment, and
22 counseling skills, as well as applying
23 principles, methods, and theories of counseling,

1 treatment and counseling of mental and emotional
2 disorders, and educational techniques aimed at
3 preventing [~~such~~] these disorders with
4 individuals and families;

5 (D) Group theory and practice, including, but not
6 limited to, principles of group dynamics, group
7 process, group leadership styles, theories and
8 methods of group counseling, and the application
9 of theory to the group processes;

10 (E) Career and lifestyle development, including, but
11 not limited to, the study of vocational
12 development theories and decision-making models,
13 assessment instruments, and techniques, types,
14 sources, and uses of occupational and educational
15 information systems, career development
16 applications, and career counseling processes,
17 techniques, and resources;

18 (F) Appraisal of human behavior, including, but not
19 limited to, assessment and diagnosis of disorders
20 with an emphasis on DSM-IV categories[7] and an
21 understanding of these disorders relative to the
22 counseling context;

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- 1 (G) Tests and measurements, including, but not
2 limited to, theoretical and historical bases for
3 assessment techniques, as well as assessment
4 methods, including analysis of various types of
5 tests to select, administer, interpret, and use
6 assessment and evaluation instruments and
7 techniques in counseling;
- 8 (H) Research and program evaluation, including, but
9 not limited to, research design and methods,
10 statistical analysis, principles, practices, and
11 application of needs assessment, and program
12 evaluation; [~~and~~]
- 13 (I) Professional orientation and ethics, including,
14 but not limited to, the history of the helping
15 profession, professional roles and functions,
16 ethical standards, confidentiality, professional
17 organizations, and the public policy process,
18 including advocacy on behalf of the profession
19 and its clientele; and
- 20 (J) At least two academic terms of supervised mental
21 health practicum intern experience for graduate
22 credit of at least six semester hours or ten
23 quarter hours in a mental health counseling

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1 setting, with three hundred hours of supervised
2 client contact. The practicum experience shall
3 be completed under the clinical supervision of a
4 person who is licensed as a mental health
5 counselor, psychologist, clinical social worker,
6 advanced practice registered nurse with a
7 specialty in mental health, marriage and family
8 therapist, or physician with a specialty in
9 psychiatry;

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

22 ~~+(3)]~~ (2) Completion of not less than three thousand hours
23 of post-graduate experience in the practice of mental

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1 health counseling, with one hundred hours of face-to-
2 face clinical supervision that shall be completed in
3 no less than two years and in no more than four years,
4 under the clinical supervision of a person who is a
5 licensed mental health counselor, psychologist,
6 clinical social worker, advanced practice registered
7 nurse with a specialty in mental health, marriage and
8 family therapist, or physician with a specialty in
9 psychiatry[+]. In collaboration with the supervisor,
10 the applicant may elect to fulfill some or all of the
11 supervision requirements through face-to-face
12 supervision that is conducted electronically through a
13 videoconference service that complies with all federal
14 and state privacy, security, and confidentiality laws,
15 including the Health Insurance Portability and
16 Accountability Act of 1996. Prior to making this
17 election, it is incumbent upon the applicant to review
18 the laws and rules of other jurisdictions to determine
19 the impact, if any, that electronic supervision may
20 have on licensure by endorsement or reciprocity in
21 other states; and

22 [~~4~~] (3) Passage of the National Counselor
23 Examination for Licensure and Certification.

1 (b) An individual [~~who~~] shall be deemed to have met the
2 requirements of this section if the individual:

3 (1) Holds current, unencumbered certification as a
4 national certified counselor or a national certified
5 rehabilitation counselor prior to the effective date
6 of this chapter;

7 (2) Has passed the National Counselor Examination for
8 Licensure and Certification, National Clinical Mental
9 Health Counselors Examination of the National Board
10 for Certified Counselors, or Commission on
11 Rehabilitation Counselor Certification examination
12 after January 1, 2000, and before July 1, 2005; and

13 (3) Within one year of the effective date of this chapter,
14 applies for licensure and pays the applicable license
15 fee [~~, shall be deemed to have met the requirements of~~
16 ~~this section~~].

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

20 (1) For practicum intern experience, written certification
21 from an official of the institution of higher
22 education attesting that the applicant has completed
23 the academic terms, graduate credit hours, and

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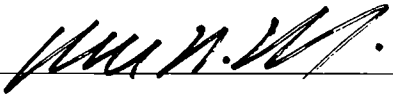
1 supervised client contact hours in subsection [~~(a)(2)~~]
2 (a)(1)(J) and that the applicant's practicum intern
3 experience is equivalent to a mental health graduate
4 level practicum program; and

5 (2) For post-graduate experience, written certification
6 from an officer and the clinical supervisor of the
7 agency at which the applicant has earned experience
8 attesting that the applicant has completed the hours
9 of experience and supervision in subsection [~~(a)(3)~~]
10 (a)(2), within the time frame set forth in that
11 subsection, and that the applicant's post-graduate
12 experience is equivalent to the practice of mental
13 health counseling.

14 The license requirements for clinical supervisors under
15 subsections [~~(a)(2)~~] (a)(1)(J) and [~~(a)(3)~~] (a)(2) shall not
16 apply to this subsection."

17 SECTION 2. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 3. This Act shall take effect upon its approval.

20
21 INTRODUCED BY: 
22 BY REQUEST

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Report Title:

Mental Health Counselor; License Requirement; Practicum
Internship Experience; Post-graduate Experience Supervision;
Chapter 453D

Description:

Clarifies that the practicum internship experience requirement shall be included with the course work in counseling requirement for mental health counselors. Clarifies the supervision requirements of licensure for mental health counselors by permitting applicants to fulfill all or part of their face-to-face clinical supervision requirement by a videoconference service.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Commerce and Consumer Affairs

TITLE: A BILL FOR AN ACT RELATING TO MENTAL HEALTH COUNSELORS.

PURPOSE: To clarify that the practicum internship experience requirement shall be included with the course work in counseling requirement for mental health counselors. To clarify the supervision requirements of licensure for mental health counselors by permitting applicants to fulfill all or part of their face-to-face clinical supervision requirement by a videoconference service.

MEANS: Amend section 453D-7, Hawaii Revised Statutes.

JUSTIFICATION: The Hawaii Mental Health Counselors Licensing Program (Program) is the only jurisdiction that includes the practicum internship requirement as a separate, standalone requirement rather than include it with the course work in counseling requirement. As such, all applicants for a Hawaii mental health counselor license must provide 54 semester hours or 82 quarter hours of course work training, versus the national standard of 48 semester hours or 72 quarter hours in course work in counseling.

Impact on the public: This bill would positively impact prospective applicants who are applying for a mental health counselor license in Hawaii by standardizing the Program's license requirements to the national license standards of 48 semester hours or 72 quarter hours of course work in counseling.

Impact on the department and other agencies: None.

GENERAL FUNDS: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: CCA-105.

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: Upon approval.