

SECOND REGULAR SESSION

SENATE BILL NO. 1109

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCOTT.

Read 1st time February 7, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

4383S.02I

AN ACT

To repeal sections 337.500 and 337.510, RSMo, and to enact in lieu thereof two new sections relating to licensed professional counselors.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 337.500 and 337.510, RSMo, are repealed and two new
2 sections enacted in lieu thereof, to be known as sections 337.500 and 337.510, to
3 read as follows:

337.500. As used in sections 337.500 to 337.540, unless the context clearly
2 requires otherwise, the following words and phrases mean:

3 (1) "Assessment", **selecting, administering, scoring, and**
4 **interpreting instruments designed to evaluate an individual's attitudes,**
5 **abilities, achievements, interests, personal characteristics, disabilities,**
6 **and mental, emotional, and behavioral symptoms and using methods**
7 **and techniques for understanding human behavior in relation to coping**
8 **with adapting to, or changing life situations;**

9 (2) "Committee or board", the committee for professional counselors;

10 (3) "Consulting", **the application of scientific principles and**
11 **procedures in counseling and human development to provide assistance**
12 **and understanding and solving current or potential problems that the**
13 **client or patient may have in relation to a third party, whether an**
14 **individual, group, or organization;**

15 (4) "Counseling treatment interventions", the application of
16 **cognitive, affective, behavior, and systemic counseling strategies which**
17 **include principles of development, wellness, and pathology that reflect**
18 **a pluralistic society. Such interventions are specifically implemented**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 **in the context of a professional counseling relationship;**

20 [(2)] (5) "Department", the Missouri department of economic
21 development;

22 (6) "Diagnosis", identification of mental, emotional, and
23 behavioral disorders based upon assessment of the symptoms presented
24 and observed characteristics;

25 [(3)] (7) "Director", the director of the division of professional registration
26 in the department of economic development;

27 [(4)] (8) "Division", the division of professional registration;

28 [(5)] (9) "Licensed professional counselor", any person who offers to
29 render professional counseling services to individuals, groups, organizations,
30 institutions, corporations, government agencies or the general public for a fee,
31 monetary or otherwise, implying that the person is trained, experienced, and
32 licensed in counseling, and who holds a current, valid license to practice
33 counseling;

34 [(6)] "Practice of professional counseling", rendering, offering to render, or
35 supervising those who render to individuals, couples, groups, organizations,
36 institutions, corporations, schools, government agencies, or the general public any
37 counseling service involving the application of counseling procedures, and the
38 principles and methods thereof, to assist in achieving more effective intrapersonal
39 or interpersonal, marital, decisional, social, educational, vocational,
40 developmental, or rehabilitative adjustments;

41 (7)] (10) "Practice of professional counseling", includes, but is not
42 limited to:

43 (a) [The use of verbal or nonverbal counseling or both techniques,
44 methods, or procedures based on principles for assessing, understanding, or
45 influencing behavior (such as principles of learning, conditioning, perception,
46 motivation, thinking, emotions, or social systems);

47 (b) Appraisal or assessment, which means selecting, administering,
48 scoring, or interpreting instruments designed to assess a person's or group's
49 aptitudes, intelligence, attitudes, abilities, achievement, interests, and personal
50 characteristics;

51 (c) The use of referral or placement techniques or both which serve to
52 further the goals of counseling;

53 (d) Therapeutic vocational or personal or both rehabilitation in relation
54 to coping with or adapting to physical disability, emotional disability, or

55 intellectual disability or any combination of the three;

56 (e) Designing, conducting, and interpreting research;

57 (f) The use of group methods or techniques to promote the goals of
58 counseling;

59 (g) The use of informational and community resources for career, personal,
60 or social development;

61 (h) Consultation on any item in paragraphs (a) through (g) above; and

62 (i) **Individual, group, and marriage and family counseling and**
63 **psychotherapy;**

64 (b) **Assessment for the purpose of establishing diagnosis or**
65 **treatment goals and objectives;**

66 (c) **Crisis intervention;**

67 (d) **Diagnosis of persons with mental, emotional and behavioral**
68 **disorders;**

69 (e) **Planning, implementing, and evaluating treatment plans**
70 **using counseling treatment interventions;**

71 (f) **Facilitating the achievement of more effective intrapersonal,**
72 **marital, decisional, social, education, vocational, developmental, or**
73 **rehabilitative adjustments throughout the life span;**

74 (g) **Utilization of functional assessment and counseling for**
75 **persons requesting assistance in adjustment to a disability or**
76 **handicapping condition;**

77 (h) **Consulting;**

78 (i) **Research;**

79 (j) **Referral; and**

80 (k) **The use of specific methods, techniques, or modalities within**
81 **the practice of professional counseling is restricted to professional**
82 **counselors appropriately trained in the use of such methods,**
83 **techniques, or modalities, and licensed as a professional counselor or**
84 **under supervision for licensure as a professional counselor.**

85 (l) No provision of sections 337.500 to 337.540, or of chapter 354 or 375,
86 RSMo, shall be construed to mandate benefits or third-party reimbursement for
87 services of professional counselors in the policies or contracts of any insurance
88 company, health services corporation or other third-party payer;

89 [(8)] (11) "Provisional licensed professional counselor", any person who
90 is a graduate of an acceptable educational institution, as defined by division

91 rules, with at least a master's degree with a major in counseling, or its
92 equivalent, and meets all requirements of a licensed professional counselor, other
93 than the supervised counseling experience prescribed by subdivision (1) of section
94 337.510, and who is supervised by a person who is qualified for the practice of
95 professional counseling;

96 **(12) "Referral", evaluating and identifying needs of a client or**
97 **patient to determine the advisability of referral to other specialists,**
98 **informing the client or patient of such judgement, and communicating**
99 **as requested or deemed appropriate to such referral sources;**

100 **(13) "Research", a systemic effort to collect, analyze, and**
101 **interpret quantitative and qualitative data that describes how social**
102 **characteristics, behavior, emotion, cognitions, disabilities, mental**
103 **disorders, and interpersonal transactions among individuals and**
104 **organizations interact.**

337.510. 1. Each applicant for licensure as a professional counselor shall
2 furnish evidence to the committee that the applicant is at least eighteen years of
3 age, is of good moral character, is a United States citizen or is legally present in
4 the United States; and

5 (1) The applicant has completed a course of study as defined by the board
6 rule leading to a master's, specialist's, or doctoral degree with a major in
7 counseling; and

8 (2) The applicant has completed acceptable supervised counseling as
9 defined by board rule. If the applicant has a master's degree with a major in
10 counseling as defined by board rule, the applicant shall complete at least two
11 years of acceptable supervised counseling experience subsequent to the receipt of
12 the master's degree. The composition and number of hours comprising the
13 acceptable supervised counseling experience shall be defined by board rule. An
14 applicant may substitute thirty semester hours of post master's graduate study
15 for one of the two required years of acceptable supervised counseling experience
16 if such hours are clearly related to counseling;

17 (3) After August 28, 2007, each applicant shall have completed a
18 minimum of three hours of graduate level coursework in diagnostic systems either
19 in the curriculum leading to a degree or as post master's graduate level course
20 work;

21 (4) Upon examination, the applicant is possessed of requisite knowledge
22 of the profession, including techniques and applications, research and its

23 interpretation, and professional affairs and ethics.

24 2. Any person who previously held a valid unrevoked, unsuspended license
25 as a professional counselor in this state and who held a valid license as a
26 professional counselor in another state at the time of application to the committee
27 shall be granted a license to engage in professional counseling in this state upon
28 application to the committee accompanied by the appropriate fee as established
29 by the committee pursuant to section 337.507.

30 3. Any person holding a current license, certificate of registration, or
31 permit from another state or territory of the United States to practice as a
32 professional counselor who is at least eighteen years of age, is of good moral
33 character, and is a United States citizen or is legally present in the United States
34 may be granted a license without examination to engage in the practice of
35 professional counseling in this state upon the application to the board, payment
36 of the required fee as established by the board, and satisfying one of the following
37 requirements:

38 (1) Approval by the American Association of State Counseling Boards
39 (AASCB) or its successor organization according to the eligibility criteria
40 established by AASCB. The successor organization shall be defined by board
41 rule; or

42 (2) In good standing and currently certified by the National Board for
43 Certified Counselors or its successor organization and has completed acceptable
44 supervised counseling experience as defined by board rule. The successor
45 organization shall be defined by board rule; or

46 (3) Determination by the board that the requirements of the other state
47 or territory are substantially the same as Missouri and certified by the
48 applicant's current licensing entity that the applicant has a current license. The
49 applicant shall also consent to examination of any disciplinary history.

50 4. The committee shall issue a license to each person who files an
51 application and fee and who furnishes evidence satisfactory to the committee that
52 the applicant has complied with the provisions of this act and has taken and
53 passed a written, open-book examination on Missouri laws and regulations
54 governing the practice of professional counseling as defined in section
55 337.500. The division shall issue a provisional professional counselor license to
56 any applicant who meets all requirements of this section, but who has not
57 completed the required acceptable supervised counseling experience and such
58 applicant may reapply for licensure as a professional counselor upon completion

59 of such acceptable supervised counseling experience.

60 5. All persons licensed to practice professional counseling in this state
61 shall pay on or before the license renewal date a renewal license fee and shall
62 furnish to the committee satisfactory evidence of the completion of the requisite
63 number of hours of continuing education as required by rule, which shall be no
64 more than forty hours biennially. The continuing education requirements may
65 be waived by the committee upon presentation to the committee of satisfactory
66 evidence of the illness of the licensee or for other good cause.

67 **6. Any person licensed, applying for licensure, or under**
68 **supervision approved by the committee to engage in the practice of**
69 **professional counseling prior to August 28, 2008, shall have acceptable**
70 **education or training in the assessment and diagnosis of persons with**
71 **mental or emotional disorders. The composition of acceptable**
72 **education or training shall be defined by committee rule in the**
73 **following areas:**

74 **(1) Successful completion of a national clinical mental health**
75 **examination or similar statistically valid examination;**

76 **(2) Continuing education;**

77 **(3) Evidence of equivalent training or experience attested by a**
78 **licensee, supervisor, or person trained in assessment and diagnosis;**

79 **(4) Graduate course work; and**

80 **(5) Other education or training the committee deems sufficient.**

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