

FIRST REGULAR SESSION

# HOUSE BILL NO. 599

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES COOPER (155) (Sponsor) AND WETER (Co-sponsor).

Read 1<sup>st</sup> time February 21, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1622L.011

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### AN ACT

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

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Section A. Sections 337.500 and 337.510, RSMo, are repealed and two new sections  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

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

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

8 (2) "Committee", the committee for professional counselors;

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

13 (4) "Counseling treatment interventions", the application of cognitive, affective,  
14 behavioral, and systemic counseling strategies which include principles of development,  
15 wellness, and pathology that reflect a pluralistic society. Such interventions are specifically  
16 implemented in the context of a professional counseling relationship;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 17        [(2)] (5) "Department", the Missouri department of economic development;
- 18        [(3)] (6) **"Diagnosis", identification of mental, emotional, and behavioral disorders**
- 19 **based upon assessment of the symptoms presented and observed characteristics;**
- 20        (7) "Director", the director of the division of professional registration in the department
- 21 of economic development;
- 22        [(4)] (8) "Division", the division of professional registration;
- 23        [(5)] (9) "Licensed professional counselor", any person who offers to render professional
- 24 counseling services to individuals, groups, organizations, institutions, corporations, government
- 25 agencies or the general public for a fee, monetary or otherwise, implying that the person is
- 26 trained, experienced, and licensed in counseling, and who holds a current, valid license to
- 27 practice counseling;
- 28        [(6) "Practice of professional counseling", rendering, offering to render, or supervising
- 29 those who render to individuals, couples, groups, organizations, institutions, corporations,
- 30 schools, government agencies, or the general public any counseling service involving the
- 31 application of counseling procedures, and the principles and methods thereof, to assist in
- 32 achieving more effective intrapersonal or interpersonal, marital, decisional, social, educational,
- 33 vocational, developmental, or rehabilitative adjustments;
- 34        (7)] (10) **"Practice of professional counseling"**, includes, but is not limited to:
- 35        (a) [The use of verbal or nonverbal counseling or both techniques, methods, or
- 36 procedures based on principles for assessing, understanding, or influencing behavior (such as
- 37 principles of learning, conditioning, perception, motivation, thinking, emotions, or social
- 38 systems);
- 39        (b) Appraisal or assessment, which means selecting, administering, scoring, or
- 40 interpreting instruments designed to assess a person's or group's aptitudes, intelligence, attitudes,
- 41 abilities, achievement, interests, and personal characteristics;
- 42        (c) The use of referral or placement techniques or both which serve to further the goals
- 43 of counseling;
- 44        (d) Therapeutic vocational or personal or both rehabilitation in relation to coping with
- 45 or adapting to physical disability, emotional disability, or intellectual disability or any
- 46 combination of the three;
- 47        (e) Designing, conducting, and interpreting research;
- 48        (f) The use of group methods or techniques to promote the goals of counseling;
- 49        (g) The use of informational and community resources for career, personal, or social
- 50 development;
- 51        (h) Consultation on any item in paragraphs (a) through (g) above; and
- 52        (i)] **Individual, group, and marriage and family counseling and psychotherapy;**

- 53           (b) **Assessment for the purpose of establishing diagnosis or treatment goals and**  
54 **objectives;**
- 55           (c) **Crisis intervention;**
- 56           (d) **Diagnosis of persons with mental, emotional, and behavioral disorders;**
- 57           (e) **Planning, implementing, evaluating treatment plans using counseling treatment**  
58 **interventions;**
- 59           (f) **Facilitating the achievement of more effective intrapersonal, marital, decisional,**  
60 **social, educational, vocational, developmental, or rehabilitative adjustments throughout**  
61 **the life span;**
- 62           (g) **Utilization of functional assessment and counseling for persons requesting**  
63 **assistance in adjustment to a disability or handicapping condition;**
- 64           (h) **Counseling;**
- 65           (i) **Research;**
- 66           (j) **Referral; and**
- 67           (k) **The use of specific methods, techniques, or modalities within the practice of**  
68 **professional counseling is restricted to professional counselors appropriately trained in the**  
69 **use of such methods, techniques, or modalities, and licensed as a professional counselor**  
70 **under supervision for licensure as a professional counselor.**

71

72 No provision of sections 337.500 to 337.540, or of chapter 354 or 375, RSMo, shall be construed  
73 to mandate benefits or third-party reimbursement for services of professional counselors in the  
74 policies or contracts of any insurance company, health services corporation or other third-party  
75 payer;

76           [(8)] (11) "Provisional licensed professional counselor", any person who is a graduate  
77 of an acceptable educational institution, as defined by division rules, with at least a master's  
78 degree with a major in counseling, or its equivalent, and meets all requirements of a licensed  
79 professional counselor, other than the supervised counseling experience prescribed by  
80 subdivision (1) of **subsection 1 of** section 337.510, and who is supervised by a person who is  
81 qualified for the practice of professional counseling[.];

82           (12) **"Referral", evaluating and identifying needs of a client or patient to determine**  
83 **the advisability of referral to other specialists informing the client or patient of such**  
84 **judgment and communicating as requested or deemed appropriate to such referral**  
85 **sources;**

86           (13) **"Research", a systemic effort to collect, analyze, and interpret quantitative,**  
87 **and qualitative data that describes how social characteristics, behavior, emotion,**  
88 **cognitions, disabilities, mental disorders, and interpersonal transactions among individuals**

89 **and organizations interact.**

2 337.510. 1. Each applicant for licensure as a professional counselor shall furnish  
3 evidence to the committee that:

4 (1) The applicant has met any one of the three following education-experience  
5 requirements:

6 (a) The applicant has received a doctoral degree with a major in counseling, or its  
7 equivalent, from an acceptable educational institution, as defined by division rules, and has  
8 completed at least one year of acceptable supervised counseling experience subsequent to receipt  
9 of the doctoral degree; or

10 (b) The applicant has received a specialist's degree with a major in counseling, or its  
11 equivalent, from an acceptable educational institution, as defined by division rules, and has  
12 completed at least one year of acceptable supervised counseling experience subsequent to receipt  
13 of the specialist's degree; or

14 (c) The applicant has received at least a master's degree with a major in counseling, or  
15 its equivalent, from an acceptable educational institution as defined by division rules, and has  
16 completed two years of acceptable supervised counseling experience subsequent to receipt of the  
17 master's degree. An applicant may substitute thirty semester hours of post-master's graduate  
18 study, or their equivalent, for one of the two required years of acceptable supervised counseling  
19 experience, if such hours are clearly related to the field of professional counseling and are earned  
20 from an acceptable educational institution.

21 (2) **After August 28, 2007, each applicant shall have completed a minimum of three**  
22 **hours of graduate level course work in diagnostic systems in the curriculum leading to his**  
23 **or her degree.**

24 (3) Upon examination, the applicant is possessed of requisite knowledge of the  
25 profession, including techniques and applications, research and its interpretation, and  
26 professional affairs and ethics.

27 2. A licensed professional counselor who has had no violations and no suspensions and  
28 no revocation of a license to practice professional counseling in any jurisdiction may receive a  
29 license in Missouri provided said licensed professional counselor passes a written examination  
30 on Missouri laws and regulations governing the practice of professional counseling as defined  
31 in section 337.500, and meets one of the following criteria:

32 (1) Is a member in good standing and holds a certification from the National Board for  
33 Certified Counselors;

34 (2) Is currently licensed or certified as a licensed professional counselor in another state,  
35 territory of the United States, or the District of Columbia; and

(a) Meets one of the educational standards set forth in paragraphs (a) and (b) of

36 subdivision (1) of subsection 1 of this section;

37 (b) Has been licensed for the preceding five years; and

38 (c) Has had no disciplinary action taken against the license for the preceding five years;

39 or

40 (3) Is currently licensed or certified as a professional counselor in another state, territory  
41 of the United States, or the District of Columbia that extends like privileges for reciprocal  
42 licensing or certification to persons licensed by this state with similar qualifications.

43 3. Any person who previously held a valid unrevoked, unsuspended license as a  
44 professional counselor in this state and who held a valid license in another state at the time of  
45 application to the committee shall be granted a license to engage in professional counseling in  
46 this state upon application to the committee accompanied by the appropriate fee as established  
47 by the committee pursuant to section 337.507.

48 4. The committee shall issue a license to each person who files an application and fee  
49 as required by the provisions of sections 337.500 to 337.540 and who furnishes evidence  
50 satisfactory to the committee that the applicant has complied with the provisions of subdivisions  
51 (1) and (2) of subsection 1 of this section or with the provisions of subsection 2 or 3 of this  
52 section. The division shall issue a provisional professional counselor license to any applicant  
53 who meets all requirements of subdivisions (1) and (2) of subsection 1 of this section, but who  
54 has not completed the required one or two years of acceptable supervised counseling experience  
55 required by paragraphs (a) to (c) of subdivision (1) of subsection 1 of this section, and such  
56 applicant may reapply for licensure as a professional counselor upon completion of such  
57 acceptable supervised counseling experience.

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