

SECOND REGULAR SESSION

# HOUSE BILL NO. 1452

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES COOPER (155) (Sponsor),  
BURNETT AND WETER (Co-sponsors).

Read 1st time January 19, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

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### AN ACT

To repeal section 337.500, RSMo, and to enact in lieu thereof one new section relating to the licensing of professional counselors.

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

Section A. Section 337.500, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 337.500, to read as follows:

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

- (1) **"Assessment", selecting, administering, scoring, and interpreting instruments designed to evaluate an individual's attitudes, abilities, achievements, interests, personal characteristics, disabilities, and mental, emotional, and behavioral symptoms and using methods and techniques for understanding human behavior in relation to coping with, adapting to, or changing life situations;**
- (2) **"Committee", the committee for professional counselors;**
- (3) **"Consulting", the application of scientific principles and procedures in counseling and human development to provide assistance and understanding and solving current or potential problems that the client or patient may have in relation to a third party, whether an individual, group, or organization;**
- (4) **"Counseling treatment intervention", the application of cognitive, affective, behavioral, and systemic counseling strategies which include principles of development,**

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.

15 **wellness, and pathology that reflect a pluralistic society. Such interventions are specifically**  
16 **implemented in the context of a professional counseling relationship;**

17 [(2)] (5) "Department", the Missouri department of economic development;

18 (6) **"Diagnosis", identification of mental, emotional, and behavioral disorders based**  
19 **upon assessment of the symptoms presented and observed characteristics;**

20 [(3)] (7) "Director", the director of the division of professional registration in the  
21 department 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, and evaluating treatment plans using counseling**  
58 **treatment 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) **Consulting;**  
65 (i) **Research;**  
66 (j) **Referral;**  
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 or**  
70 **under supervision for licensure as a professional counselor; and**  
71 (l) No provision of sections 337.500 to 337.540, or of chapter 354 or 375, RSMo, shall  
72 be construed to mandate benefits or third-party reimbursement for services of professional  
73 counselors in the policies or contracts of any insurance company, health services corporation or  
74 other third-party payer;  
75 [(8)] (11) "Provisional licensed professional counselor", any person who is a graduate  
76 of an acceptable educational institution, as defined by division rules, with at least a master's  
77 degree with a major in counseling, or its equivalent, and meets all requirements of a licensed  
78 professional counselor, other than the supervised counseling experience prescribed by  
79 subdivision (1) of section 337.510, and who is supervised by a person who is qualified for the  
80 practice of professional counseling;  
81 (12) "Referral", **evaluating and identifying needs of a client or patient to determine**  
82 **the advisability of referral to other specialists, informing the client or patient of such**  
83 **judgment, and communicating as requested or deemed appropriate to such referral**  
84 **sources;**  
85 (13) "Research", **a systemic effort to collect, analyze, and interpret quantitative and**  
86 **qualitative data that describes how social characteristics, behavior, emotion, cognitions,**

87 **disabilities, mental disorders, and interpersonal transactions among individuals and**  
88 **organizations interact.**

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