

HCS HB 555 -- COMPLAINTS BY INMATES AGAINST PROFESSIONAL
COUNSELORS AND LICENSED CLINICAL SOCIAL WORKERS

SPONSOR: Cooper (155)

COMMITTEE ACTION: Voted "do pass" by the Committee on Health
Care Policy by a vote of 10 to 0.

This substitute revises the complaint procedure and document retention requirements when an inmate files a complaint against a licensed professional counselor or licensed clinical social worker. When a complaint by an inmate is found to be lacking merit, no further disciplinary action will take place, no documentation will appear on file, and no notification will be given to the Committee for Professional Counselors or the State Committee for Social Workers within the Department of Insurance, Financial Institutions, and Professional Registration unless there are grounds for disciplinary action to be taken against a counselor's license. Licensees subject to claims without merit prior to the effective date of the substitute may request the committees to destroy documents pertaining to the claim, to notify other state licensing boards that the claim was unsubstantiated, and to supply him or her with a letter stating that the claim was unsubstantiated. Licensees will not be required to disclose the existence of unsubstantiated claims.

FISCAL NOTE: No impact on state funds in FY 2008, FY 2009, and FY 2010.

PROPOSERS: Supporters say that the bill removes complaints without merit from a licensed professional counselor's license and makes sure those complaints won't be held against the licensee.

Testifying for the bill were Representative Cooper (155); Missouri Mental Health Counselors Association; Correctional Medical Services; National Association of Social Workers; and Missouri Psychological Association.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that the bill removes frivolous claims from a licensee's record.

Testifying on the bill was Lorree Kessler, Committee for Professional Counselors.