

SECOND REGULAR SESSION

HOUSE BILL NO. 1792

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES COOPER (155) (Sponsor), BURNETT, HODGES,
STEVENSON AND RUZICKA (Co-sponsors).

Read 1st time January 23, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

42631.011

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Section A. Sections 337.500 and 337.510, RSMo, are repealed and two new sections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

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] **insurance,**
18 **financial institutions and professional registration;**

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

21 [(3)] (7) "Director", the director of the division of professional registration in the
22 department of [economic development] **insurance, financial institutions and professional**
23 **registration;**

24 [(4)] (8) "Division", the division of professional registration;

25 [(5)] (9) "Licensed professional counselor", any person who offers to render professional
26 counseling services to individuals, groups, organizations, institutions, corporations, government
27 agencies or the general public for a fee, monetary or otherwise, implying that the person is
28 trained, experienced, and licensed in counseling, and who holds a current, valid license to
29 practice counseling;

30 [(6)] (10) "Practice of professional counseling", [rendering, offering to render, or
31 supervising those who render to individuals, couples, groups, organizations, institutions,
32 corporations, schools, government agencies, or the general public any counseling service
33 involving the application of counseling procedures, and the principles and methods thereof, to
34 assist in achieving more effective intrapersonal or interpersonal, marital, decisional, social,
35 educational, vocational, developmental, or rehabilitative adjustments;

36 (7) "Professional counseling",] includes, but is not limited to:

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

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

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

46 (d) Therapeutic vocational or personal or both rehabilitation in relation to coping with
47 or adapting to physical disability, emotional disability, or intellectual disability or any
48 combination of the three;

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

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

- 51 (g) The use of informational and community resources for career, personal, or social
52 development;
- 53 (h) Consultation on any item in paragraphs (a) through (g) above; and
- 54 (i)] **Individual, group, and marriage and family counseling and psychotherapy;**
- 55 **(b) Assessment for the purpose of establishing diagnosis or treatment goals and**
56 **objectives;**
- 57 **(c) Crisis intervention;**
- 58 **(d) Diagnosis of persons with mental, emotional, and behavioral disorders;**
- 59 **(e) Planning, implementing, and evaluating treatment plans using counseling**
60 **treatment interventions;**
- 61 **(f) Facilitating the achievement of more effective intrapersonal, marital, decisional,**
62 **social, educational, vocational, developmental, or rehabilitative adjustments throughout**
63 **the life span;**
- 64 **(g) Utilization of functional assessment and counseling for persons requesting**
65 **assistance in adjustment to a disability or handicapping condition;**
- 66 **(h) Consulting;**
- 67 **(i) Research; and**
- 68 **(j) Referral.**
- 69
- 70 **The use of specific methods, techniques, or modalities within the practice of professional**
71 **counseling is restricted to professional counselors appropriately trained in the use of such**
72 **methods, techniques, or modalities who are licensed as professional counselors or under**
73 **supervision for licensure as a professional counselor.** No provision of sections 337.500 to
74 337.540, or of chapter 354 or 375, RSMo, shall be construed to mandate benefits or third-party
75 reimbursement for services of professional counselors in the policies or contracts of any
76 insurance company, health services corporation or other third-party payer;
- 77 [(8)] **(11) "Provisional licensed professional counselor",** any person who is a graduate
78 of an acceptable educational institution, as defined by division rules, with at least a master's
79 degree with a major in counseling, or its equivalent, and meets all requirements of a licensed
80 professional counselor, other than the supervised counseling experience prescribed by
81 subdivision (1) of **subsection 1 of** section 337.510, and who is supervised by a person who is
82 qualified for the practice of professional counseling;
- 83 **(12) "Referral", evaluating and identifying needs of a client or patient to determine**
84 **the advisability of referral to other specialists, informing the client or patient of such**
85 **judgment, and communicating as requested or deemed appropriate to such referral**
86 **sources;**

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

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

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

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

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

17 (4) Upon examination, the applicant is possessed of requisite knowledge of the
18 profession, including techniques and applications, research and its interpretation, and
19 professional affairs and ethics.

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

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

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

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

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

42 4. The committee shall issue a license to each person who files an application and fee
43 and who furnishes evidence satisfactory to the committee that the applicant has complied with
44 the provisions of [this act] **sections 337.500 to 337.540** and has taken and passed a written,
45 open-book examination on Missouri laws and regulations governing the practice of professional
46 counseling as defined in section 337.500. The division shall issue a provisional professional
47 counselor license to any applicant who meets all requirements of this section, but who has not
48 completed the required acceptable supervised counseling experience and such applicant may
49 reapply for licensure as a professional counselor upon completion of such acceptable supervised
50 counseling experience.

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

57 **6. Any person licensed, applying for licensure, or under supervision approved by**
58 **the board to engage in the practice of professional counseling prior to August 28, 2008,**
59 **shall have acceptable education and training in the assessment and diagnosis of persons**
60 **with mental and emotional disorders. The composition of acceptable education and**
61 **training shall be defined by committee rule in the following areas:**

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

64 (2) **Continuing education;**

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

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

68 **(5) Other education and training the committee deems sufficient.**

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