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# A BILL FOR AN ACT

RELATING TO MENTAL HEALTH COUNSELORS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

- 1           SECTION 1. Section 453D-6, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:
- 3           "(a) This chapter shall not apply to:
- 4           (1) A person doing work within the duties of the person's  
5 profession that overlaps with the practice of mental  
6 health counseling; provided that no such person shall  
7 use a title stating or implying that the person is a  
8 "licensed mental health counselor" or "mental health  
9 counselor", or describe or refer to the person's  
10 services as mental health counseling;
- 11           (2) Any person who is a duly recognized member of the  
12 clergy; provided that the person functions only within  
13 the person's capacity as a member of the clergy; and  
14 provided further that the person does not represent  
15 the person to be a "licensed mental health counselor"  
16 or "mental health counselor", or describe or refer to  
17 the person's services as mental health counseling;



- 1           (3) Any student enrolled in an accredited educational  
2           institution in a recognized program of study leading  
3           towards attainment of a graduate degree in mental  
4           health counseling or other professional field;  
5           provided that the student's activities and services  
6           are part of a prescribed course of study supervised by  
7           the accredited educational institution and the student  
8           is identified by an appropriate title, including but  
9           not limited to "mental health counseling student" or  
10          "trainee", "clinical psychology student" or "trainee",  
11          "social work student" or "trainee", "marriage and  
12          family counseling student" or "trainee", or any title  
13          that clearly indicates training status;
- 14          (4) Any individual who uses the title of "mental health  
15          counselor intern" for the purpose of obtaining  
16          clinical experience in accordance with [~~section~~  
17          ~~453D-7(a)(3);~~] section 453D-7(a)(2);
- 18          (5) Any person employed by a federal, state, or county  
19          government agency in a counseling position, but only  
20          at those times when the employee is carrying out the



1 duties and responsibilities as a counselor in  
2 governmental employment; or  
3 (6) Any person who is obtaining supervised clinical  
4 experience for licensure as a psychologist, social  
5 worker, marriage and family therapist, or as another  
6 licensed professional; provided that the person's  
7 title indicates a trainee or intern status; and  
8 provided further that the person does not purport to  
9 be a "licensed mental health counselor" or "mental  
10 health counselor".

11 SECTION 2. Section 453D-7, Hawaii Revised Statutes, is  
12 amended to read as follows:

13 **"§453D-7 Application for licensure as a mental health**  
14 **counselor.** (a) An applicant shall be issued a license by the  
15 department if the applicant provides satisfactory evidence to  
16 the department that the applicant is qualified for licensure  
17 pursuant to the requirements of this chapter and meets the  
18 following qualifications:

19 (1) [A] Receipt of a master's degree or doctoral degree  
20 from an accredited educational institution in  
21 counseling or in an allied field related to the



1 practice of mental health counseling that includes, or  
2 is supplemented by, graduate level course work in  
3 counseling comprising a minimum of forty-eight  
4 semester hours or seventy-two quarter hours in the  
5 following course areas, with a minimum of three  
6 semester hours or five quarter hours in each course  
7 area as indicated below:

8 (A) Human growth and development, including but not  
9 limited to the study of life span development,  
10 strategies to facilitate that development and  
11 transitions, theories of learning and personality  
12 development, and human behavior to include  
13 crisis, disabilities, addictive behavior, and  
14 environmental factors;

15 (B) Social and cultural foundations, including but  
16 not limited to the study of issues and trends in  
17 a multicultural and diverse society, including  
18 characteristics of diverse groups that may  
19 include but are not limited to age, race,  
20 religious or sexual preference, physical  
21 disability, ethnicity and culture, gender,



- 1                   socioeconomics, intellectual ability, and  
2                   individual, family, and group strategies with  
3                   diverse populations;
- 4           (C)   Counseling theories and applications, including  
5                   but not limited to counseling and consultation,  
6                   including both individual and systems  
7                   perspectives, interviewing, assessment, and  
8                   counseling skills, as well as applying  
9                   principles, methods, and theories of counseling,  
10                  treatment and counseling of mental and emotional  
11                  disorders, and educational techniques aimed at  
12                  preventing [~~such~~] these disorders with  
13                  individuals and families;
- 14           (D)   Group theory and practice, including but not  
15                  limited to principles of group dynamics, group  
16                  process, group leadership styles, theories and  
17                  methods of group counseling, and the application  
18                  of theory to the group processes;
- 19           (E)   Career and lifestyle development, including but  
20                  not limited to the study of vocational  
21                  development theories and decision-making models,



- 1 assessment instruments, and techniques, types,  
2 sources, and uses of occupational and educational  
3 information systems, career development  
4 applications, and career counseling processes,  
5 techniques, and resources;
- 6 (F) Appraisal of human behavior, including but not  
7 limited to assessment and diagnosis of disorders  
8 with an emphasis on [~~DSM-IV~~] DSM categories[~~r~~]  
9 and an understanding of these disorders relative  
10 to the counseling context;
- 11 (G) Tests and measurements, including but not limited  
12 to theoretical and historical bases for  
13 assessment techniques, and assessment methods,  
14 including analysis of various types of tests to  
15 select, administer, interpret, and use assessment  
16 and evaluation instruments and techniques in  
17 counseling;
- 18 (H) Research and program evaluation, including but  
19 not limited to research design and methods,  
20 statistical analysis, principles, practices, and



1 application of needs assessment, and program  
2 evaluation; [~~and~~]

3 (I) Professional orientation and ethics, including  
4 but not limited to the history of the helping  
5 profession, professional roles and functions,  
6 ethical standards, confidentiality, professional  
7 organizations, and the public policy process,  
8 including advocacy on behalf of the profession  
9 and its clientele; and

10 (J) At least two academic terms of supervised mental  
11 health practicum intern experience for graduate  
12 credit of at least six semester hours or ten  
13 quarter hours in a mental health counseling  
14 setting, with a total of three hundred hours of  
15 supervised client contact. The practicum  
16 experience shall be completed under the clinical  
17 supervision of a person who is licensed as a  
18 mental health counselor, psychologist, clinical  
19 social worker, advanced practice registered nurse  
20 with a specialty in mental health, marriage and



1                   family therapist, or physician with a specialty  
2                   in psychiatry;

3       ~~[(2) At least two academic terms of supervised mental~~  
4       ~~health practicum intern experience for graduate credit~~  
5       ~~of at least six semester hours or ten quarter hours a~~  
6       ~~mental health counseling setting with three hundred~~  
7       ~~hours of supervised client contact; the practicum~~  
8       ~~experience shall be completed under the clinical~~  
9       ~~supervision of a person who is licensed as a mental~~  
10       ~~health counselor, psychologist, clinical social~~  
11       ~~worker, advanced practice registered nurse with a~~  
12       ~~specialty in mental health, marriage and family~~  
13       ~~therapist, or physician with a specialty in~~  
14       ~~psychiatry;~~

15       ~~(3)]~~ (2) Completion of not less than three thousand hours  
16       of post-graduate experience in the practice of mental  
17       health counseling, with one hundred hours of face-to-  
18       face clinical supervision that shall be completed in  
19       no less than two years and in no more than four years,  
20       under the clinical supervision of a person who is a  
21       licensed mental health counselor, psychologist,





1 clinical social worker, advanced practice registered  
2 nurse with a specialty in mental health, marriage and  
3 family therapist, or physician with a specialty in  
4 psychiatry[; and]. In collaboration with the  
5 supervisor, the applicant may elect to fulfill some or  
6 all of the supervision requirements through face-to-  
7 face supervision that is conducted electronically  
8 through a videoconference service that complies with  
9 all federal and state privacy, security, and  
10 confidentiality laws, including the Health Insurance  
11 Portability and Accountability Act of 1996; provided  
12 that the applicant shall review the laws and rules of  
13 other jurisdictions to determine the impact, if any,  
14 that electronic supervision may have on licensure by  
15 endorsement or reciprocity in other states prior to  
16 electing electronic supervision; and  
17 [~~4~~] Passed] (3) Passage of the National Counselor  
18 Examination for Licensure and Certification.  
19 (b) An individual [~~who~~] shall be deemed to have met the  
20 requirements of this section if the individual:



- 1 (1) Holds current, unencumbered certification as a  
2 national certified counselor or a national certified  
3 rehabilitation counselor prior to the effective date  
4 of this chapter;
- 5 (2) Has passed the National Counselor Examination for  
6 Licensure and Certification, National Clinical Mental  
7 Health Counselors Examination of the National Board  
8 for Certified Counselors, or Commission on  
9 Rehabilitation Counselor Certification examination  
10 after January 1, 2000, and before July 1, 2005; and
- 11 (3) Within one year of the effective date of this chapter,  
12 applies for licensure and pays the applicable license  
13 fee[, shall be deemed to have met the requirements of  
14 this section].
- 15 (c) For an applicant who graduated from an accredited  
16 educational institution as specified in subsection (a) (1) before  
17 July 1, 2007, the department shall also deem acceptable:
- 18 (1) For practicum intern experience, written certification  
19 from an official of the institution of higher  
20 education attesting that the applicant has completed  
21 the academic terms, graduate credit hours, and



1 supervised client contact hours in subsection [~~(a)(2)~~]  
2 (a)(1)(J) and that the applicant's practicum intern  
3 experience is equivalent to a mental health graduate  
4 level practicum program; and

5 (2) For post-graduate experience, written certification  
6 from an officer and the clinical supervisor of the  
7 agency at which the applicant has earned experience  
8 attesting that the applicant has completed the hours  
9 of experience and supervision in subsection [~~(a)(3)~~]  
10 (a)(2), within the time frame set forth in that  
11 subsection, and that the applicant's post-graduate  
12 experience is equivalent to the practice of mental  
13 health counseling.

14 The license requirements for clinical supervisors under  
15 subsections [~~(a)(2)~~] (a)(1)(J) and [~~(a)(3)~~] (a)(2) shall not  
16 apply to this subsection."

17 SECTION 3. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Mental Health Counselor; License Requirement; Practicum  
Internship Experience; Post-graduate Experience Supervision

**Description:**

Clarifies that the practicum internship experience requirement is to be included with the course work in counseling requirement for mental health counselors. Clarifies that the supervised mental health practicum intern experience requirement is a total of 300 hours of supervised client contact across two academic terms. Permits applicants to fulfill all or part of their face-to-face clinical supervision requirement by a videoconference service. (HD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

