

This Document can be made available
in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. 2105

March 14, 2007

Authored by Abeler and Thao

The bill was read for the first time and referred to the Committee on Health and Human Services

1.1 A bill for an act
1.2 relating to health-related licensing; establishing licensure requirements for
1.3 foreign trained professional counselors; adding professional counselors as a
1.4 professional service; amending Minnesota Statutes 2006, section 319B.02,
1.5 subdivision 19; proposing coding for new law in Minnesota Statutes, chapters
1.6 148; 148B.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. **[148.5301] REQUIREMENTS FOR LICENSURE AS A LICENSED**
1.9 **PROFESSIONAL CLINICAL COUNSELOR.**

1.10 Subdivision 1. **General requirements.** (a) To be licensed as a licensed professional
1.11 clinical counselor (LPCC), an applicant must provide satisfactory evidence to the board
1.12 that the applicant:

1.13 (1) is at least 18 years of age;

1.14 (2) is of good moral character;

1.15 (3) has completed a master's or doctoral degree program in counseling or a
1.16 related field, as determined by the board based on the criteria in items (i) to (x), that
1.17 includes a minimum of 48 semester hours or 72 quarter hours and a supervised field
1.18 experience in counseling that is not fewer than 700 hours. The degree must be from
1.19 a counseling program recognized by the Council for Accreditation of Counseling and
1.20 Related Education Programs (CACREP) or from an institution of higher education that is
1.21 accredited by a regional accrediting organization recognized by the Council for Higher
1.22 Education Accreditation (CHEA). Specific academic course content and training must
1.23 include course work in each of the following subject areas:

1.24 (i) helping relationship, including counseling theory and practice;

1.25 (ii) human growth and development;

- 2.1 (iii) lifestyle and career development;
- 2.2 (iv) group dynamics, processes, counseling, and consulting;
- 2.3 (v) assessment and appraisal;
- 2.4 (vi) social and cultural foundations, including multicultural issues;
- 2.5 (vii) principles of etiology, treatment planning, and prevention of mental and
- 2.6 emotional disorders and dysfunctional behavior;
- 2.7 (viii) family counseling and therapy;
- 2.8 (ix) research and evaluation; and
- 2.9 (x) professional counseling orientation and ethics;
- 2.10 (4) has demonstrated competence in professional counseling by passing the National
- 2.11 Clinical Mental Health Counseling Examination (NCMHCE), administered by the
- 2.12 National Board for Certified Counselors, Inc. (NBCC) and ethical, oral, and situational
- 2.13 examinations as prescribed by the board. In lieu of the NCMHCE, applicants who have
- 2.14 taken and passed the National Counselor Examination (NCE) administered by the NBCC,
- 2.15 or another board-approved examination, need only take and pass the Examination of
- 2.16 Clinical Counseling Practice (ECCP) administered by the NBCC;
- 2.17 (5) has earned graduate-level semester credits or quarter-credit equivalents in the
- 2.18 following clinical content areas as follows:
- 2.19 (i) six credits in diagnostic assessment for child or adult mental disorders; normative
- 2.20 development; and psychopathology, including developmental psychopathology;
- 2.21 (ii) three credits in clinical treatment planning, with measurable goals;
- 2.22 (iii) six credits in clinical intervention methods informed by research evidence and
- 2.23 community standards of practice;
- 2.24 (iv) three credits in evaluation methodologies regarding the effectiveness of
- 2.25 interventions;
- 2.26 (v) three credits in professional ethics applied to clinical practice; and
- 2.27 (vi) three credits in cultural diversity; and
- 2.28 (6) has demonstrated successful completion of 4,000 hours of supervised,
- 2.29 postmaster's degree professional practice in the delivery of clinical services in the
- 2.30 diagnosis and treatment of child and adult mental illnesses and disorders, conducted
- 2.31 according to subdivision 2.
- 2.32 (b) If course work in paragraph (a) was not completed as part of the degree program
- 2.33 required by paragraph (a), clause (3), the course work must be taken and passed for credit,
- 2.34 and must be earned from a counseling program or institution that meets the requirements
- 2.35 of paragraph (a), clause (3).

3.1 Subd. 2. **Supervision.** (a) To qualify as a LPCC, an applicant must have completed
3.2 4,000 hours of post-master's degree supervised professional practice in the delivery
3.3 of clinical services in the diagnosis and treatment of mental illnesses and disorders in
3.4 both children and adults. The supervised practice shall be conducted according to the
3.5 requirements in paragraphs (b) to (e).

3.6 (b) The supervision must have been received under a contract that defines clinical
3.7 practice and supervision from a mental health professional as defined in section 245.462,
3.8 subdivision 18, clauses (1) to (6), or section 245.4871, subdivision 27, clauses (1) to (6),
3.9 or by a board-approved supervisor, who has at least two years of postlicensure experience
3.10 in the delivery of clinical services in the diagnosis and treatment of mental illnesses and
3.11 disorders.

3.12 (c) The supervision must be obtained at the rate of two hours of supervision per 40
3.13 hours of professional practice. The supervision must be evenly distributed over the course
3.14 of the supervised professional practice. At least 75 percent of the required supervision
3.15 hours must be received in person. The remaining 25 percent of the required hours may be
3.16 received by telephone or by audio or audiovisual electronic device. At least 50 percent of
3.17 the required hours of supervision must be received on an individual basis. The remaining
3.18 50 percent may be received in a group setting.

3.19 (d) The supervised practice must include at least 1,800 hours of clinical client
3.20 contact.

3.21 (e) The supervised practice must be clinical practice. Supervision includes the
3.22 observation by the supervisor of the successful application of professional counseling
3.23 knowledge, skills, and values in the differential diagnosis and treatment of psychosocial
3.24 function, disability, or impairment, including addictions and emotional, mental, and
3.25 behavioral disorders.

3.26 Subd. 3. **Conversion from licensed professional counselor to licensed clinical**
3.27 **counselor.** (a) Until August 1, 2011, an individual currently licensed in the state of
3.28 Minnesota as a licensed professional counselor may convert to a LPCC by providing
3.29 evidence satisfactory to the board that the applicant has met the following requirements:

3.30 (1) is at least 18 years of age;

3.31 (2) is of good moral character;

3.32 (3) has a license that is active and in good standing;

3.33 (4) has no complaints pending, uncompleted disciplinary orders, or corrective
3.34 action agreements;

3.35 (5) has completed a master's or doctoral degree program in counseling or a related
3.36 field, as determined by the board, and whose degree was from a counseling program

4.1 recognized by CACREP or from an institution of higher education that is accredited by a
4.2 regional accrediting organization recognized by CHEA;

4.3 (6) has earned 24 graduate-level semester credits or quarter-credit equivalents in
4.4 clinical course work which includes content in the following clinical areas:

4.5 (i) diagnostic assessment for child and adult mental disorders; normative
4.6 development; and psychopathology, including developmental psychopathology;

4.7 (ii) clinical treatment planning, with measurable goals;

4.8 (iii) clinical intervention methods informed by research evidence and community
4.9 standards of practice;

4.10 (iv) evaluation methodologies regarding the effectiveness of interventions;

4.11 (v) professional ethics applied to clinical practice; and

4.12 (vi) cultural diversity;

4.13 (7) has demonstrated, to the satisfaction of the board, successful completion of
4.14 4,000 hours of supervised, post-master's degree professional practice in the delivery of
4.15 clinical services in the diagnosis and treatment of child and adult mental illnesses and
4.16 disorders; and

4.17 (8) has paid the LPCC application and licensure fees required in section 148.53,
4.18 subdivision 3.

4.19 (b) If the course work in paragraph (a) was not completed as part of the degree
4.20 program required by paragraph (a), clause (5), the course work must be taken and passed
4.21 for credit, and must be earned from a counseling program or institution that meets the
4.22 requirements in paragraph (a), clause (5).

4.23 (c) This subdivision expires August 1, 2011.

4.24 **Subd. 4. Conversion to licensed professional clinical counselor after August 1,**
4.25 **2011. An individual licensed in the state of Minnesota as a licensed professional counselor**
4.26 **may convert to a LPCC by providing evidence satisfactory to the board that the applicant**
4.27 **has met the requirements of subdivisions 2 and 3, subject to the following:**

4.28 (1) the individual's license must be active and in good standing;

4.29 (2) the individual must not have any complaints pending, uncompleted disciplinary
4.30 orders, or corrective action agreements; and

4.31 (3) the individual has paid the LPCC application and licensure fees required in
4.32 section 148B.53, subdivision 3.

4.33 **Subd. 5. Scope of practice.** The scope of practice of a LPCC shall include all
4.34 those services provided by mental health professionals as defined in section 245.462,
4.35 subdivision 18, and section 245.4871, subdivision 27.

5.1 Subd. 6. **Jurisdiction.** LPCC's are subject to the board's statutes and rules to the
5.2 same extent as licensed professional counselors.

5.3 **Sec. 2. [148B.532] DEGREES FROM FOREIGN INSTITUTIONS.**

5.4 Subdivision 1. **Scope and documentation.** In addition to meeting all other licensure
5.5 requirements, an applicant for licensure whose degree was received from a foreign degree
5.6 program that is not recognized by the Council for Accreditation of Counseling and Related
5.7 Education Programs (CACREP) or from a foreign institution of higher education that is
5.8 not accredited by a regional accrediting organization recognized by the Council for Higher
5.9 Education Accreditation (CHEA) must fulfill the requirements of this section, providing
5.10 certified English translations of board-required relevant documentation.

5.11 Subd. 2. **Education evaluation.** An applicant for licensure as a licensed
5.12 professional counselor must present evidence of completion of a degree equivalent to
5.13 that required in section 148B.53, subdivision 1, paragraph (a), clause (3), and paragraph
5.14 (b). An applicant for licensure as licensed professional clinical counselor must present
5.15 evidence of completion of a degree equivalent to that required in section 148B.5301,
5.16 subdivision 1, clause (3). This evidence will be evaluated by the board with the assistance
5.17 of a credentials evaluation service familiar with educational standards and professional
5.18 qualification. The evaluation must be sent directly to the board from the evaluating
5.19 agency. Agencies providing evaluation services must be accepted by the National Board
5.20 for Certified Counselors, Inc. The applicant shall be responsible for the expenses incurred
5.21 as a result of the evaluation.

5.22 **Sec. 3.** Minnesota Statutes 2006, section 319B.02, subdivision 19, is amended to read:

5.23 **Subd. 19. **Professional services.**** "Professional services" means services of the type
5.24 required or permitted to be furnished by a professional under a license, registration, or
5.25 certificate issued by the state of Minnesota to practice medicine and surgery under sections
5.26 147.01 to 147.22, as a physician assistant pursuant to sections 147A.01 to 147A.27,
5.27 chiropractic under sections 148.01 to 148.105, registered nursing under sections 148.171
5.28 to 148.285, optometry under sections 148.52 to 148.62, psychology under sections 148.88
5.29 to 148.98, social work under chapter 148D, marriage and family therapy under sections
5.30 148B.29 to 148B.39, professional counseling under sections 148B.50 to 148B.593,
5.31 dentistry and dental hygiene under sections 150A.01 to 150A.12, pharmacy under sections
5.32 151.01 to 151.40, podiatric medicine under sections 153.01 to 153.25, veterinary medicine
5.33 under sections 156.001 to 156.14, architecture, engineering, surveying, landscape
5.34 architecture, geoscience, and certified interior design under sections 326.02 to 326.15,

6.1 accountancy under chapter 326A, or law under sections 481.01 to 481.17, or under a
6.2 license or certificate issued by another state under similar laws. Professional services
6.3 includes services of the type required to be furnished by a professional pursuant to a
6.4 license or other authority to practice law under the laws of a foreign nation.