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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1238

S.P. 432

In Senate, March 27, 2013

An Act To Improve Professional Training for Licensed Mental Health Clinicians

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CAIN of Penobscot.
Cosponsored by Representative FREDETTE of Newport and
Senators: CRAVEN of Androscoggin, HAMPER of Oxford, PATRICK of Oxford,
Representatives: HAMANN of South Portland, HERBIG of Belfast, ROCHELO of Biddeford.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 32 MRSA §3831, sub-§2**, as amended by PL 2007, c. 402, Pt. Q, §9, is
3 further amended to read:

4 **2. Psychologist.** A candidate for this license shall furnish the board with satisfactory
5 evidence that the candidate is trustworthy and competent to practice as a psychologist in
6 such manner as to safeguard the interest of the public; has received a doctorate degree
7 reflecting comprehensive training in psychology from an accredited institution
8 recognized by the board as maintaining satisfactory standards, at the time the degree was
9 granted; has had at least 2 years of experience in psychology of a type considered by the
10 board to be qualifying in nature; is competent in psychology, as shown by passing such
11 examinations as the board determines necessary; is not considered by the board to be
12 engaged in unethical practice; and has not within the preceding 6 months failed an
13 examination. The board shall recognize that valid comprehensive training in psychology
14 must be received in or accepted by a single program, but may be obtained through a
15 degree given by administrative units other than a department of psychology, including
16 programs approved by the National Association of School Psychologists or the American
17 Psychological Association designation program or their successors or other organizations
18 approved by the board. The board shall adopt a list of these programs. Individuals with
19 degrees from programs not on that list must be evaluated on a case-by-case basis.

20 Beginning January 1, 2020, a candidate for this license shall furnish the board with
21 satisfactory evidence that the candidate has successfully completed a minimum of 15
22 contact hours of course work in spousal or partner abuse screening and referral and
23 intervention strategies, including knowledge of community resources, cultural factors,
24 evidence-based risk assessment and same-gender abuse dynamics. A candidate may
25 fulfill this requirement through course work taken in fulfillment of other educational
26 requirements for licensure or through separate course work. The board shall accept
27 certification from the accredited educational institution from which the applicant is a
28 graduate that verifies the applicant's satisfaction of this requirement within the applicant's
29 completed course curriculum.

30 **Sec. 2. 32 MRSA §3835, first ¶**, as amended by PL 2007, c. 402, Pt. Q, §11, is
31 further amended to read:

32 Licenses issued under this chapter expire biennially or as established by the
33 Commissioner of Professional and Financial Regulation. A person licensed under this
34 chapter shall submit, on or before the established expiration date, an application for
35 license renewal together with the renewal fee as set under section 3833-A. Beginning
36 January 1, 2020, a person that submits an application for license renewal must
37 demonstrate to the satisfaction of the board successful completion of a minimum of 15
38 contact hours of course work in spousal or partner abuse screening and referral and
39 intervention strategies, including knowledge of community resources, cultural factors,
40 evidence-based risk assessment and same-gender abuse dynamics. The board may accept
41 equivalent courses in spousal or partner abuse screening and referral and intervention
42 strategies or equivalent teaching or practice experience completed prior to January 1,

1 2020 in satisfaction of this requirement. Continuing education courses taken pursuant to
2 this paragraph must be applied to the licensee's required hours of continuing education.

3 **Sec. 3. 32 MRSA §7053, sub-§1**, as amended by PL 1987, c. 735, §69, is further
4 amended to read:

5 **1. Licensed clinical social worker.** To be qualified as a licensed clinical social
6 worker, an applicant shall have demonstrated to the satisfaction of the board adherence to
7 the ethics of the social work profession; shall have successfully completed the
8 examination prescribed by the board; and shall have received either:

9 A. A masters or doctoral degree in social work or social welfare from an accredited
10 educational institution, in a clinical concentration:

11 (1) Shall have subsequently completed 2 years of social work experience with 96
12 hours of consultation in a clinical setting; or

13 (2) Shall have demonstrated 2 years of full-time clinical social work experience
14 or its equivalent and have completed the graduate degree prior to January 1,
15 1987, and have completed 2 years of subsequent social work experience with 96
16 hours of consultation in a private setting; or

17 B. A masters or doctoral degree in social work in a nonclinical concentration from
18 an accredited educational institution:

19 (1) Shall have subsequently completed 4 years of social work experience with
20 192 hours of consultation in a clinical setting; or

21 (2) Shall have demonstrated 2 years of full-time clinical social work experience
22 or its equivalent and have completed the graduate degree prior to January 1,
23 1987, and have completed 4 years of subsequent social work experience with 192
24 hours of consultation in a private setting.

25 The board may waive up to one year of the post-master of social work, clinical
26 experience requirement pursuant to this subsection for those candidates who demonstrate
27 to the satisfaction of the board equivalent clinical experience prior to receiving the
28 masters degree in social work.

29 The board shall issue rules, in accordance with the Maine Administrative Procedure Act,
30 Title 5, chapter 375, defining the clinical experience required for this level of licensure.

31 Beginning January 1, 2020, an applicant shall have demonstrated to the satisfaction of the
32 board successful completion of a minimum of 15 contact hours of course work in spousal
33 or partner abuse screening and referral and intervention strategies, including knowledge
34 of community resources, cultural factors, evidence-based risk assessment and same-
35 gender abuse dynamics. A candidate may fulfill this requirement through course work
36 taken in fulfillment of other educational requirements for licensure or through separate
37 course work. The board shall accept certification from the accredited educational
38 institution from which the applicant is a graduate that verifies the applicant's satisfaction
39 of this requirement within the applicant's completed course curriculum.

40 **Sec. 4. 32 MRSA §7060**, as amended by PL 2007, c. 402, Pt. V, §15, is further
41 amended by adding after the first paragraph a new paragraph to read:

1 Beginning January 1, 2020, a person that submits an application for license renewal
2 must demonstrate to the satisfaction of the board successful completion of a minimum of
3 15 contact hours of course work in spousal or partner abuse screening and referral and
4 intervention strategies, including knowledge of community resources, cultural factors,
5 evidence-based risk assessment and same-gender abuse dynamics. The board may accept
6 equivalent courses in spousal or partner abuse screening and referral and intervention
7 strategies or equivalent teaching or practice experience completed prior to January 1,
8 2020 in satisfaction of this requirement. Continuing education courses taken pursuant to
9 this paragraph must be applied to the licensee's required hours of continuing education.

10 **Sec. 5. 32 MRSA §13858, sub-§2**, as amended by PL 2003, c. 542, §2, is further
11 amended to read:

12 **2. Licensed clinical professional counselor.** To be qualified as a licensed clinical
13 professional counselor, an applicant must demonstrate to the satisfaction of the board
14 adherence to the ethics of the counseling profession, successfully complete the
15 examination prescribed by the board and have:

16 A. A master's degree or a doctoral degree in counseling or an allied mental health
17 field from an accredited institution or a program approved by the board. Such
18 schooling must include a minimum core curriculum and total credit hours as adopted
19 by the board; ~~and~~

20 B. Two years of experience after obtainment of a master's degree or a doctoral
21 degree to include at least 3,000 hours of supervised clinical experience with a
22 minimum of 100 hours of personal supervision; and

23 C. Beginning January 1, 2020, demonstrated to the satisfaction of the board
24 successful completion of a minimum of 15 contact hours of course work in spousal or
25 partner abuse screening and referral and intervention strategies, including knowledge
26 of community resources, cultural factors, evidence-based risk assessment and same-
27 gender abuse dynamics. A candidate may fulfill this requirement through course
28 work taken in fulfillment of other educational requirements for licensure or through
29 separate course work. The board shall accept certification from the accredited
30 educational institution from which the applicant is a graduate that verifies the
31 applicant's satisfaction of this requirement within the applicant's completed course
32 curriculum.

33 **Sec. 6. 32 MRSA §13860, sub-§2**, as amended by PL 1997, c. 128, §1, is further
34 amended to read:

35 **2. Continuing education and supervision.** The board, by rule, may establish
36 continuing education and supervision requirements. Applicants for renewal of license
37 must show proof of satisfying the continuing education requirements set forth by the
38 board. If a license lapses due to failure of the licensee to meet continuing education
39 requirements, the licensee may renew the license upon completion of the required
40 continuing education. Beginning January 1, 2020, applicants for renewal of license must
41 demonstrate to the satisfaction of the board successful completion of a minimum of 15
42 contact hours of course work in spousal or partner abuse screening and referral and
43 intervention strategies, including knowledge of community resources, cultural factors,

1 evidence-based risk assessment and same-gender abuse dynamics. The board may accept
2 equivalent courses in spousal or partner abuse screening and referral and intervention
3 strategies or equivalent teaching or practice experience completed prior to January 1,
4 2020 in satisfaction of this requirement. Continuing education courses taken pursuant to
5 this subsection must be applied to the licensee's required hours of continuing education.

6 **SUMMARY**

7 This bill makes changes to the laws governing the licensure requirements for
8 psychologists, clinical professional counselors and clinical social workers. It requires
9 that, beginning January 1, 2020, applicants for licensure demonstrate to the satisfaction of
10 their respective licensing boards that they have successfully completed a minimum of 15
11 contact hours of course work in spousal or partner abuse screening and referral and
12 intervention strategies, including knowledge of community resources, cultural factors,
13 evidence-based risk assessment and same-gender abuse dynamics. Applicants may fulfill
14 this requirement through course work taken in fulfillment of other educational
15 requirements for licensure or through separate course work. The bill requires that the
16 boards accept certification from the accredited educational institution from which the
17 applicant is a graduate that verifies the applicant's satisfaction of this requirement within
18 the applicant's completed course curriculum.

19 The bill also makes changes to the licensure renewal requirements for psychologists,
20 clinical professional counselors and clinical social workers to require that, beginning
21 January 1, 2020, applicants for licensure renewal in these categories demonstrate to the
22 satisfaction of their respective licensing boards successful completion of a minimum of
23 15 contact hours of course work in spousal or partner abuse screening and referral and
24 intervention strategies, including knowledge of community resources, cultural factors,
25 evidence-based risk assessment and same-gender abuse dynamics. The bill allows the
26 boards to accept equivalent courses in spousal or partner abuse screening and referral and
27 intervention strategies or equivalent teaching or practice experience completed prior to
28 January 1, 2020 in satisfaction of this requirement. The bill requires that continuing
29 education courses taken for this purpose must be applied to the licensee's required hours
30 of continuing education.