

House Bill 1050

By: Representatives Mathiak of the 74<sup>th</sup>, Hawkins of the 27<sup>th</sup>, Greene of the 154<sup>th</sup>, Powell of the 33<sup>rd</sup>, Hutchinson of the 106<sup>th</sup>, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 1 of Chapter 10A of Title 43 of the Official Code of Georgia Annotated,  
 2 relating to licensing provisions relative to professional counselors, social workers, and  
 3 marriage and family therapists, so as to provide for and change definitions; to change certain  
 4 education requirements for licensure as a professional counselor or associate professional  
 5 counselor; to provide for privileged communications with clients; to provide for statutory  
 6 construction; to provide for related matters; to repeal conflicting laws; and for other  
 7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 1 of Chapter 10A of Title 43 of the Official Code of Georgia Annotated, relating to  
 11 licensing provisions relative to professional counselors, social workers, and marriage and  
 12 family therapists, is amended by adding a new paragraph to and revising paragraphs (8) and  
 13 (20) of Code Section 43-10A-3, relating to definitions, to read as follows:

14 "(5.1) 'Council for Accreditation of Counseling and Related Educational Programs'  
 15 means the national accrediting agency for professional counseling education as  
 16 recognized by the Council for Higher Education Accreditation."

17 "(8) 'Diagnose' means the use, administration, or application of any criteria contained  
 18 within standard classification or diagnostic systems for mental disorders and that are  
 19 related to the scope of practice as provided pursuant to this article. ~~Such term shall not~~  
 20 ~~mean the diagnosis of any neuropsychological functioning or conditions."~~

21 "(20) 'Supervisor' means a person who meets the requirements established by the  
 22 standards committee for that specialty which is being supervised and who is either  
 23 licensed under this article ~~or is a psychiatrist or a psychologist."~~

## 24 SECTION 2.

25 Said article is further amended by revising of Code Section 43-10A-11, relating to  
 26 requirements for licensure as an associate professional counselor or professional counselor,  
 27 as follows:

28 "43-10A-11.

29 (a) The education, experience, and training requirements for licensure in professional  
 30 counseling are as follows:

31 (1) For licensure as an associate professional counselor:

32 (A) A minimum of an earned master's degree or higher from a regionally accredited  
 33 program in clinical counseling or counseling psychology that consists of at least 60  
 34 semester hours or ~~80~~ 90 quarter hours with an approved supervised internship or  
 35 practicum that is primarily counseling in content as a part of the degree program;  
 36 provided, however, that on and after May 31, 2026, any degrees must be from a  
 37 program accredited by the Council for Accreditation of Counseling and Related  
 38 Educational Programs; and

39 (B) Registration with the board of an acceptable contract for obtaining the post-degree  
 40 experience under direction and supervision that is required for licensure as a  
 41 professional counselor.

42 (2) For licensure as a professional counselor:

- 43 (A)(i) A minimum of an earned master's degree or higher from a regionally accredited  
 44 program in clinical counseling or counseling psychology that consists of at least 60  
 45 semester hours or ~~80~~ 90 quarter hours with an approved supervised internship or  
 46 practicum that is primarily counseling in content as a part of the degree program;  
 47 provided, however, that on and after May 31, 2026, any degrees must be from a  
 48 program accredited by the Council for Accreditation of Counseling and Related  
 49 Educational Programs; and
- 50 (ii)(B) Two years of post-degree experience under direction and supervision in a work  
 51 setting acceptable to the board; ~~or~~
- 52 ~~(B) A doctoral degree from a recognized educational institution in a program that is~~  
 53 ~~primarily counseling in content and requires at least one year of supervised internship~~  
 54 ~~in a work setting acceptable to the board.~~
- 55 (b) For purposes of subsection (a) of this Code section, work settings acceptable to the  
 56 board may include, but are not limited to, educational, rehabilitation, career development,  
 57 mental health, or community organizations.
- 58 (c) Only a person licensed as an associate professional counselor may use the title  
 59 'associate professional counselor' or 'licensed associate professional counselor.' Associate  
 60 professional counselors shall practice professional counseling only under direction and  
 61 supervision and only for a period not to exceed five years while obtaining the post-degree  
 62 experience required for licensure as a professional counselor."

### 63 SECTION 3.

64 Said article is further amended by adding a new Code section to read as follows:

65 "43-10A-16.1.

66 The confidential relations and communications between a client and a licensed professional  
 67 counselor, a licensed associate professional counselor, a master's social worker, a licensed  
 68 clinical social worker, a licensed marriage and family therapist, or a licensed associate

69 marriage and family therapist, are placed upon the same basis as those provided by law  
70 between attorney and client; and nothing in this article shall be construed to require any  
71 such privileged communications to be disclosed."

72 **SECTION 4.**

73 Said article is further amended by revising Code Section 43-10A-22, relating to restrictions  
74 on the scope of article, as follows:

75 "43-10A-22.

76 Nothing in this article shall be construed to authorize persons licensed under this article to  
77 practice nursing, occupational therapy, physical therapy, medicine, or psychology, as  
78 regulated under Chapters 26, 28, 33, 34, and 39, respectively, of this title nor shall anything  
79 in this article be construed to limit or regulate the practice of those licensed under Chapters  
80 26, 28, 33, 34, and 39 of this title, ~~nor shall anything in this article be construed to~~  
81 ~~authorize persons licensed under this article to perform psychological testing as defined in~~  
82 ~~Code Section 43-39-1."~~

83 **SECTION 5.**

84 All laws and parts of laws in conflict with this Act are repealed.