



March 22, 2019

ENGROSSED HOUSE BILL No. 1199

DIGEST OF HB 1199 (Updated March 20, 2019 11:26 am - DI 133)

Citations Affected: IC 25-23.6.

Synopsis: Mental health professionals. Makes changes to the contact hours required for licensure in marriage and family therapy services. Removes references in behavioral health and human services licensing law to certified health care professionals. Specifies that the statutes concerning behavioral health and human services professionals may not be construed to limit addiction counseling performed by certain students, interns, and trainees studying in certain institutions. Requires an individual who is licensed as an addiction counselor or a clinical addiction counselor to: (1) display a counselor license or a clear copy of a counselor license at each location where the addiction counselor or clinical addiction counselor regularly practices; and (2) include certain information on the individual's professional marketing material. Changes certain educational and clinical experience requirements for a licensed addiction counselor and a licensed clinical addiction counselor.

Effective: July 1, 2019.

Frizzell, Bacon

(SENATE SPONSORS — HEAD, BREAUX)

January 10, 2019, read first time and referred to Committee on Public Health.
January 31, 2019, amended, reported — Do Pass.
February 4, 2019, read second time, ordered engrossed.
February 5, 2019, engrossed. Read third time, passed. Yeas 93, nays 1.

SENATE ACTION

February 27, 2019, read first time and referred to Committee on Health and Provider Services.
March 21, 2019, reported favorably — Do Pass.

EH 1199—LS 7239/DI 109



March 22, 2019

First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1199

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-23.6-1-9.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2019]: **Sec. 9.5. "Relational" means services**
4 **that a marriage and family therapist or marriage and family**
5 **therapist associate delivers at the same time and in the same**
6 **location to at least two (2) individuals who share a relationship**
7 **beyond the therapy session.**

8 SECTION 2. IC 25-23.6-3-2, AS AMENDED BY P.L.134-2008,
9 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2019]: Sec. 2. (a) This article may not be construed to limit
11 the marriage and family therapy services performed by a person who
12 does not use a title specified in this article and who is one (1) of the
13 following:

- 14 (1) A licensed ~~or certified~~ health care professional acting within
15 the scope of the person's license. ~~or certificate~~;
16 (2) A student, an intern, or a trainee pursuing a course of study in
17 medicine or psychology or a course of study to gain licensure

EH 1199—LS 7239/DI 109



1 under this article in an accredited eligible postsecondary
2 educational institution or training institution if:

3 (A) the activities are performed under qualified supervision
4 and constitute a part of the person's supervised course of study
5 or other level of supervision; and

6 (B) the student uses a title that contains the term "intern" or
7 "trainee".

8 (3) Not a resident of Indiana if the person performed services in
9 Indiana for not more than five (5) days in any one (1) month and
10 not more than fifteen (15) days in any one (1) calendar year and
11 the person is authorized to perform such services under the laws
12 of the state or country in which the person resides.

13 (4) A rabbi, priest, Christian Science practitioner, minister, or
14 other member of the clergy.

15 (5) An employee of or a volunteer for a nonprofit corporation or
16 an organization performing charitable, religious, or educational
17 functions, providing pastoral counseling or other assistance.

18 (6) A person who provides school counseling or a person who is
19 certified by a state or national organization that is recognized by
20 the Indiana division of mental health and addiction and who
21 provides counseling in the areas of alcohol or drug abuse
22 addictions.

23 (b) Nothing in this section prohibits a person referred to in
24 subsection (a) from qualifying for licensure under this article.

25 SECTION 3. IC 25-23.6-4-2, AS AMENDED BY P.L.192-2017,
26 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2019]: Sec. 2. (a) This article may not be construed to limit
28 the social work or clinical social work services performed by a person
29 who does not use a title specified in this article and who is one (1) of
30 the following:

31 (1) A licensed ~~or certified~~ health care professional acting within
32 the scope of the person's license. ~~or certificate.~~

33 (2) A student, an intern, or a trainee pursuing a course of study in
34 medicine, psychology, or a course of study to gain licensure under
35 this article in an accredited eligible postsecondary educational
36 institution or training institution accredited by the Council on
37 Social Work Education, or a graduate accumulating experience
38 required for licensure if:

39 (A) the services are performed under qualified supervision and
40 constitute a part of the person's supervised course of study or
41 other level of supervision; and

42 (B) the student or graduate uses a title that contains the term



- 1 "intern", "student", or "trainee".
- 2 (3) Not a resident of Indiana if the person performed social work
- 3 in Indiana for not more than five (5) days in any one (1) month or
- 4 more than fifteen (15) days in any one (1) calendar year and the
- 5 person is authorized to perform such services under the laws of
- 6 the state or country in which the person resides.
- 7 (4) A rabbi, priest, Christian Science practitioner, minister, or
- 8 other member of the clergy.
- 9 (5) An employee or a volunteer for an organization performing
- 10 charitable, religious, or educational functions, providing pastoral
- 11 counseling, or other assistance.
- 12 (6) A person who provides school counseling.
- 13 (7) A governmental employee (as defined in IC 25-23.6-1-3.9).
- 14 (8) An individual providing services under a contract with the
- 15 department of child services who:
- 16 (A) is employed by an organization that is nationally
- 17 accredited and in good standing by the Joint Commission,
- 18 Council on Accreditation, or the Commission on Accreditation
- 19 of Rehabilitation Facilities;
- 20 (B) is directly supervised by a licensed individual who is:
- 21 (i) licensed under IC 25-23.6-2, as a social worker, clinical
- 22 social worker, mental health counselor, mental health
- 23 counselor associate, marriage and family therapist, or
- 24 marriage and family therapist associate, and acting within
- 25 the scope of the individual's license;
- 26 (ii) licensed as a psychologist under IC 25-33 and acting
- 27 within the scope of the individual's license; or
- 28 (iii) licensed as a physician under IC 25-22.5 who is actively
- 29 engaged in the practice of psychiatry and acting within the
- 30 scope of the individual's license; and
- 31 (C) meets any additional requirements established by the
- 32 department of child services.
- 33 (b) Nothing in this section prohibits a person referred to in
- 34 subsection (a) from qualifying for licensure under this article.
- 35 SECTION 4. IC 25-23.6-4.5-2, AS AMENDED BY P.L.2-2007,
- 36 SECTION 332, IS AMENDED TO READ AS FOLLOWS
- 37 [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) This article may not be
- 38 construed to limit the mental health counseling services performed by
- 39 a person who does not use a title specified in this article and who is one
- 40 (1) of the following:
- 41 (1) A licensed ~~or certified~~ health care professional acting within
- 42 the scope of the person's license. ~~or certificate.~~



1 (2) A student, an intern, or a trainee pursuing a course of study in
 2 medicine, psychology, or a course of study to gain licensure under
 3 this article in an accredited eligible postsecondary educational
 4 institution or training institution, or is a graduate accumulating
 5 experience required for licensure if:

6 (A) the services are performed under qualified supervision and
 7 constitute a part of the person's supervised course of study or
 8 other level of supervision; and

9 (B) the student or graduate uses a title that contains the term
 10 "intern" or "trainee".

11 (3) Not a resident of Indiana if the person performed the services
 12 in Indiana for not more than five (5) days in any one (1) month or
 13 fifteen (15) days within any one (1) calendar year and the person
 14 is authorized to perform such services under the laws of the state
 15 or country in which the person resides.

16 (4) A rabbi, priest, Christian Science practitioner, minister, or
 17 other member of the clergy.

18 (5) An employee or a volunteer for an organization performing
 19 charitable, religious, or educational functions, providing pastoral
 20 counseling, or providing other assistance.

21 (6) A person who provides school counseling or a person who is
 22 certified by a state or national organization that is recognized by
 23 the Indiana division of mental health and addiction and who
 24 provides counseling in the areas of alcohol or drug abuse
 25 addictions.

26 (7) A governmental employee who remains in the same job
 27 classification or job family of that job classification.

28 (b) Nothing in this section prohibits a person referred to in
 29 subsection (a) from qualifying for licensure under this article.

30 SECTION 5. IC 25-23.6-8-2.5, AS AMENDED BY P.L.160-2018,
 31 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2019]: Sec. 2.5. (a) An applicant for a license as a marriage
 33 and family therapist under section 1 of this chapter or an applicant for
 34 a license as a marriage and family therapist associate under section 1.5
 35 of this chapter must complete the following educational requirements:

36 (1) Except as provided in subsection (b), complete twenty-seven
 37 (27) semester hours or forty-one (41) quarter hours of graduate
 38 course work that must include graduate level course credits with
 39 material in at least the following content areas:

40 (A) Theoretical foundations of marriage and family therapy.

41 (B) Major models of marriage and family therapy.

42 (C) Individual development.



- 1 (D) Family development and family relationships.
 2 (E) Clinical problems.
 3 (F) Collaboration with other disciplines.
 4 (G) Sexuality.
 5 (H) Gender and sexual orientation.
 6 (I) Issues of ethnicity, race, socioeconomic status, and culture.
 7 (J) Therapy techniques.
 8 (K) Behavioral research that focuses on the interpretation and
 9 application of research data as it applies to clinical practice.
- 10 The content areas may be combined into any one (1) graduate
 11 level course, if the applicant can prove that the course work was
 12 devoted to each content area.
- 13 (2) Not less than one (1) graduate level course of two (2) semester
 14 hours or three (3) quarter hours in the following areas:
- 15 (A) Legal, ethical, and professional standards issues in the
 16 practice of marriage and family therapy or an equivalent
 17 course approved by the board.
 18 (B) Appraisal and assessment for individual or interpersonal
 19 disorder or dysfunction.
- 20 (3) At least one (1) supervised clinical practicum, internship, or
 21 field experience in a marriage and family counseling setting that
 22 meets the following requirements:
- 23 (A) The applicant provided five hundred (500) hours of
 24 marriage and family therapy services, including at least four
 25 hundred (400) face to face client contact hours, **of which at
 26 least two hundred (200) hours must be relational**, under the
 27 supervision of a licensed marriage and family therapist who
 28 has at least five (5) years of experience or a qualified
 29 supervisor approved by the board.
- 30 (B) The applicant received one hundred (100) hours of
 31 supervision from a licensed marriage and family therapist who
 32 has at least five (5) years experience as a qualified supervisor.
- 33 The requirements under clauses (A) and (B) may be met by a
 34 supervised practice experience that took place away from an
 35 institution of higher education but that is certified by an official
 36 of the eligible postsecondary educational institution as being
 37 equivalent to a graduate level practicum or internship program at
 38 an institution accredited by an accrediting agency approved by the
 39 United States Department of Education Commission on
 40 Recognition of Postsecondary Education, the Association of
 41 Universities and Colleges of Canada, or the Commission on
 42 Accreditation for Marriage and Family Therapy Education.



1 (b) The following graduate work may not be used to satisfy the
2 content area requirements under subsection (a):

3 (1) Thesis or dissertation work.

4 (2) Practicums, internships, or fieldwork.

5 SECTION 6. IC 25-23.6-10.1-2, AS AMENDED BY P.L.161-2018,
6 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2019]: Sec. 2. (a) This article may not be construed to limit
8 addiction counselor or clinical addiction counselor services performed
9 by a person who does not use a title specified in this article and who is
10 any of the following:

11 (1) A licensed or certified health care professional acting within
12 the scope of the person's license or certificate, including a:

13 (A) social worker licensed under this article;

14 (B) clinical social worker licensed under this article;

15 (C) marriage and family therapist licensed under this article;

16 (D) mental health counselor licensed under this article;

17 (E) psychologist licensed under IC 25-33;

18 (F) physician licensed under IC 25-22.5; or

19 (G) nurse licensed under IC 25-23;

20 and who has training and experience in addiction counseling.

21 (2) A student, an intern, or a trainee pursuing a course of study in
22 medicine or psychology or a course of study to gain licensure
23 under this article **as follows:**

24 (A) In an accredited eligible postsecondary educational
25 institution or training institution ~~accredited~~ **recognized by the**
26 **Council for Higher Education Accreditation (CHEA) for**
27 **undergraduate and graduate institutions. Accreditation by**
28 the Council for Accreditation of Counseling and Related
29 Educational Programs **or a substantially equivalent**
30 **accreditation program approved by the board is required**
31 **for graduate institutions.**

32 (B) Through a National Association of Alcohol and Drug
33 Abuse Counselors approved academic education provider; or

34 (C) By a graduate accumulating experience required for
35 licensure if:

36 (i) the services are performed under qualified supervision
37 and constitute a part of the person's supervised course of
38 study or other level of supervision; and

39 (ii) the student or graduate uses a title that contains the term
40 "intern", "student", or "trainee".

41 (3) A nonresident of Indiana if the person performs addiction
42 counseling or therapy in Indiana for not more than:



- 1 (A) five (5) days in any one (1) month; or
 2 (B) fifteen (15) days in any one (1) calendar year;
 3 and the person is authorized to perform such services under the
 4 laws of the state or country in which the person resides.
 5 (4) A rabbi, priest, Christian Science practitioner, minister, or
 6 other member of the clergy.
 7 (5) An employee or a volunteer for an organization performing
 8 charitable, religious, or educational functions or providing
 9 pastoral counseling or other assistance.
 10 (6) A person who provides school counseling.
 11 (7) A governmental employee who remains in the same job
 12 classification or job family of that job classification.
 13 (8) An employee of a court alcohol and drug program, a drug
 14 court, or a reentry court certified by the office of judicial
 15 administration when performing assigned job duties.
 16 (9) A probation officer when performing assigned job duties.
 17 (b) This section does not prohibit a person referred to in subsection
 18 (a) from qualifying for licensure under this article.
 19 SECTION 7. IC 25-23.6-10.1-4.5 IS ADDED TO THE INDIANA
 20 CODE AS A NEW SECTION TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2019]: **Sec. 4.5. An individual who is licensed**
 22 **as an addiction counselor or a clinical addiction counselor shall:**
 23 **(1) display the license or a clear copy of the license at each**
 24 **location where the addiction counselor or clinical addiction**
 25 **counselor regularly practices; and**
 26 **(2) include the words "licensed addiction counselor" or**
 27 **"licensed clinical addiction counselor" or the letters "LAC"**
 28 **or "LCAC" on all promotional materials, including business**
 29 **cards, brochures, stationery, advertisements, and signs that**
 30 **name the individual.**
 31 SECTION 8. IC 25-23.6-10.5-4, AS ADDED BY P.L.122-2009,
 32 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2019]: Sec. 4. (a) An applicant under section 2 of this chapter
 34 must have a master's or doctor's degree in addiction counseling,
 35 addiction therapy, or a related area as determined by the board from an
 36 eligible postsecondary educational institution that meets the following
 37 requirements:
 38 (1) If the institution is located in the United States or a territory of
 39 the United States, at the time of the applicant's graduation the
 40 institution was accredited by a regional accrediting body
 41 recognized by the ~~Commission on Recognition of Postsecondary~~
 42 ~~Accreditation.~~ **Council for Higher Education Accreditation**



- 1 **(CHEA).**
 2 (2) If the institution is located in Canada, at the time of the
 3 applicant's graduation the institution was a member in good
 4 standing with the Association of Universities and Colleges of
 5 Canada.
 6 (3) If the institution is located in a foreign country other than
 7 Canada, at the time of the applicant's graduation the institution:
 8 (A) was recognized by the government of the country where
 9 the school was located as a program to train in the practice of
 10 addiction counseling; and
 11 (B) maintained a standard of training substantially equivalent
 12 to the standards of institutions accredited by a regional
 13 accrediting body recognized by the Commission on
 14 Recognition of Postsecondary Accreditation.
 15 (b) An applicant under section 2 of this chapter who has a master's
 16 or doctor's degree from a program that did not emphasize addiction
 17 counseling may complete the course work requirement from an
 18 institution that is:
 19 (1) accredited by the Council for Accreditation of Counseling and
 20 Related Educational Programs;
 21 (2) recognized by the National Association of Alcohol and Drug
 22 Abuse Counselors;
 23 (3) recognized by the International Certification and Reciprocity
 24 Consortium;
 25 (4) accredited by the Commission on Accreditation of Marriage
 26 and Family Therapy Education;
 27 (5) accredited by the American Psychological Association's
 28 Commission on Accreditation; ~~or~~
 29 (6) accredited by the Council on Social Work Education;
 30 **(7) accredited by the National Addiction Studies Accreditation**
 31 **Commission; or**
 32 **(8) approved by the board as a substantially equivalent**
 33 **program.**
 34 SECTION 9. IC 25-23.6-10.5-5, AS ADDED BY P.L.122-2009,
 35 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2019]: Sec. 5. (a) An applicant under section 1 of this chapter
 37 must complete the following educational requirements:
 38 (1) Forty (40) semester hours or sixty (60) quarter hours of course
 39 work from an eligible postsecondary educational institution that
 40 includes the following content areas:
 41 (A) Addictions theory.
 42 (B) Psychoactive drugs.



- 1 (C) Addictions counseling skills.
 2 (D) Theories of personality.
 3 (E) Developmental psychology.
 4 (F) Abnormal psychology.
 5 (G) ~~Treatment planning.~~ **Group work.**
 6 (H) Cultural competency.
 7 (I) Ethics and professional development.
 8 (J) Family education.
 9 (K) Areas of content as approved by the board.
- 10 (2) At least one (1) supervised practicum, internship, or field
 11 experience in an addiction counseling setting that requires the
 12 applicant to provide at least three hundred fifty (350) hours of
 13 addiction counseling services.
- 14 (b) The content areas under subsection (a)(1) may be combined into
 15 any one (1) college level course if the applicant can prove that the
 16 course work was devoted to each content area listed in subsection
 17 (a)(1).
- 18 SECTION 10. IC 25-23.6-10.5-6, AS ADDED BY P.L.122-2009,
 19 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2019]: Sec. 6. (a) An applicant under section 2 of this chapter
 21 must complete the following educational requirements:
- 22 (1) Twenty-seven (27) semester hours or forty-one (41) quarter
 23 hours of graduate course work that must include graduate level
 24 course credits with material in at least the following content areas:
- 25 (A) Addiction counseling theories and techniques.
 26 (B) ~~Clinical problems.~~ **Foundations of addiction counseling.**
 27 (C) Psychopharmacology.
 28 (D) Psychopathology.
 29 (E) Clinical appraisal and assessment.
 30 (F) Theory and practice of group addiction counseling.
 31 (G) Counseling addicted family systems.
 32 (H) Multicultural counseling.
 33 (I) Research methods in addictions.
 34 (J) Areas of content as approved by the board.
- 35 (2) At least one (1) graduate level course of two (2) semester
 36 hours or three (3) quarter hours in the following areas:
- 37 (A) Legal, ethical, and professional standards issues in the
 38 practice of addiction counseling and therapy or an equivalent
 39 course approved by the board.
 40 (B) Appraisal and assessment for individual or interpersonal
 41 disorder or dysfunction.
 42 (3) At least one (1) supervised clinical practicum, internship, or



1 field experience in an addiction counseling setting that requires
2 the applicant to provide seven hundred (700) hours of clinical
3 addiction counseling services and that must include the following:

4 (A) Two hundred eighty (280) face to face client contact hours
5 of addiction counseling services under the supervision of a
6 licensed clinical addiction counselor who has at least five (5)
7 years of experience or a qualified supervisor approved by the
8 board.

9 (B) One hundred ~~five (105)~~ **(100)** hours of supervision from a
10 licensed clinical addiction counselor who has at least five (5)
11 years experience as a qualified supervisor approved by the
12 board.

13 (4) Any qualifications established by the board under subsection
14 (c).

15 (b) The content areas under subsection (a)(1) may be combined into
16 any one (1) graduate level course if the applicant can prove that the
17 course work was devoted to each content area.

18 (c) The board shall adopt rules to establish any additional
19 educational or clinical qualifications as specified by the Council for
20 Accreditation of Counseling and Related Educational Programs or a
21 successor organization.

22 **(d) Notwithstanding subsection (a)(1)(B), an individual is not**
23 **required to have a graduate level course credit in foundations of**
24 **addiction counseling before July 1, 2021, to be eligible for licensure**
25 **as a clinical addiction counselor. This subsection expires July 1,**
26 **2021.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1199, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 10, after line 21, begin a new paragraph and insert:

"(d) Notwithstanding subsection (a)(1)(B), an individual is not required to have a graduate level course credit in foundations of addiction counseling before July 1, 2021, to be eligible for licensure as a clinical addiction counselor. This subsection expires July 1, 2021."

and when so amended that said bill do pass.

(Reference is to HB 1199 as introduced.)

KIRCHHOFER

Committee Vote: yeas 12, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1199, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to HB 1199 as printed February 1, 2019.)

CHARBONNEAU, Chairperson

Committee Vote: Yeas 8, Nays 0

