

Regular Session, 2011

SENATE BILL NO. 268

(Substitute of Senate Bill No. 226 by Senator Mount)

BY SENATOR MOUNT

COUNSELING/GUIDANCE. Provides for the Licensed Professional Counselors Board of Examiners. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 37:1103(7), the introductory paragraph of 1103(10), and R.S.
3 37:1107(A)(8)(a), and to enact R.S. 37:1103(12), relative to boards and
4 commissions; to provide for the definition of mental health counseling services; to
5 provide for the definition of the practice of mental health counseling; to provide for
6 the definition of serious mental illness; to provide for the requirements of a licensed
7 professional counselor; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 37:1103(7) and the introductory paragraph of 1103(10) are hereby
10 amended and reenacted to read as follows:

11 §1103. Definitions

12 * * *

13 (7) "Mental health counseling services" means ~~those acts and behaviors~~
14 ~~coming within the practice of mental health counseling as defined in this Chapter,~~
15 ~~including the diagnosis and treatment, which includes psychotherapy, of conditions~~
16 ~~or disorders requiring mental health counseling as defined in Subparagraph (10)(c)~~
17 ~~of this Section~~ **rendering or offering prevention, assessment, diagnosis, and**

1 treatment, which includes psychotherapy, of mental, emotional, behavioral, and
 2 addiction disorders to individuals, groups, organizations, or the general public
 3 by a licensed professional counselor, which is consistent with his professional
 4 training as prescribed by R.S. 37:1107(A)(8), and code of ethics/behavior
 5 involving the application of principles, methods, or procedures of the mental
 6 health counseling profession. However, nothing in this Chapter shall be
 7 construed to authorize any person licensed under the provisions of this Chapter
 8 to assess, diagnose, or provide treatment to any individual suffering from a
 9 serious mental illness, as defined by this Section, unless that individual is under
 10 the active care of a practitioner who is licensed by the Louisiana State Board of
 11 Medical Examiners and is authorized to prescribe medications in the
 12 management of psychiatric illness, and only in the context of an ongoing
 13 consultation and collaboration with that practitioner. Moreover, except as
 14 provided in this Section, nothing in this Chapter shall be construed to authorize any
 15 person licensed hereunder to administer or interpret tests in accordance with the
 16 provisions of R.S. 37:2352(5), except as provided by Title 46, Part LXIII, Chapter
 17 17, Section 1702(E) of the Louisiana Administrative Code, or engage in the practice
 18 of psychology or to prescribe, either orally or in writing, distribute, dispense, or
 19 administer any medications.

20 * * *

21 (10) "Practice of mental health counseling" means rendering or offering
 22 prevention, assessment, diagnosis, and treatment, which includes
 23 psychotherapy, of mental, emotional, behavioral, and addiction disorders to
 24 individuals, groups, organizations, or the general public by a licensed professional
 25 counselor, ~~any service~~ which is consistent with his professional training as
 26 prescribed by R.S. 37:1107(A)(8), and code of ethics/behavior involving the
 27 application of principles, methods, or procedures of the mental health counseling
 28 profession which ~~include~~ includes but ~~are~~ is not limited to:

29 * * *

- 1 **(12) "Serious mental illness" means any of the following diagnoses:**
- 2 **(a) Schizophrenia or schizoaffective disorder.**
- 3 **(b) Bipolar disorder.**
- 4 **(c) Panic disorder.**
- 5 **(d) Obsessive-compulsive disorder.**
- 6 **(e) Major depressive disorder.**
- 7 **(f) Anorexia/bulimia.**
- 8 **(g) Intermittent explosive disorder.**
- 9 **(h) Autism.**
- 10 **(i) Psychosis NOS (not otherwise specified) when diagnosed in a child**
- 11 **under seventeen years of age.**
- 12 **(j) Rett's disorder.**
- 13 **(k) Tourette's disorder.**
- 14 **(l) Dementia.**

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§1107. Requirements for licensed professional counselor; renewal of license

A. The board shall issue a license to each applicant who files an application upon a form and in such manner as the board prescribes, accompanied by such fee as required by R.S. 37:1106, and who furnishes satisfactory evidence to the board that he:

* * *

(8)(a) Has received a graduate degree the substance of which is professional mental health counseling in content from a regionally accredited institution of higher education offering a masters and/or doctoral program in counseling that is approved by the board and has accumulated at least forty-eight graduate semester hours ~~as part of the graduate degree plan containing the eight required areas, the supervised mental health practicum and supervised internship in mental health counseling, as defined by rules adopted by the board~~ **prior to September 1, 2015, and at least sixty graduate hours after September 1, 2015. All applicants shall complete a course**

prevention, assessment, diagnosis, and treatment, which includes psychotherapy, of mental, emotional, behavioral, and addiction disorders to individuals, groups, organizations, or the general public by a licensed professional counselor, any service which is consistent with his professional training as prescribed by present law, and code of ethics/behavior involving the application of principles, methods, or procedures of the mental health counseling profession.

Proposed law defines serious mental illness as any of the following diagnoses:

- (1) Schizophrenia or schizoaffective disorder.
- (2) Bipolar disorder.
- (3) Panic disorder.
- (4) Obsessive-compulsive disorder.
- (5) Major depressive disorder.
- (6) Anorexia/bulimia.
- (7) Intermittent explosive disorder.
- (8) Autism.
- (9) Psychosis NOS (not otherwise specified) when diagnosed in a child under seventeen years of age.
- (10) Rett's disorder.
- (11) Tourette's disorder.
- (12) Dementia.

Present law provides that as a requirement of licensure an applicant has received a graduate degree the substance of which is professional mental health counseling in content from a regionally accredited institution of higher education offering a masters and/or doctoral program in counseling that is approved by the board and has accumulated at least forty-eight graduate semester hours as part of the graduate degree plan containing the eight required areas, the supervised mental health practicum and supervised internship in mental health counseling, as defined by rules adopted by the board.

Proposed law increases the number of graduate semester hours from 48 to 60 after September 1, 2015, and further requires that all applicants complete a course in each of the eight required areas specified in present law and shall complete a supervised internship in mental health counseling as defined in the rules and regulations adopted by the board pursuant to the APA.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 37:1103(7), 1103(10)(intro para), 1107(A)(8)(a); adds R.S. 37:1103(12))