

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 5042

(SENATE AUTHORS: MOHAMED)

DATE
03/18/2024

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Introduction and first reading
Referred to Health and Human Services

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to behavioral health; temporarily allowing licensed graduate social workers
1.3 to engage in clinical practice without supervision if providing crisis response
1.4 services and to provide treatment supervision to individuals on crisis teams;
1.5 amending Minnesota Statutes 2022, sections 148E.050, subdivision 3; 245I.04,
1.6 subdivision 7; 256B.0624, subdivision 9.

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

1.8 Section 1. Minnesota Statutes 2022, section 148E.050, subdivision 3, is amended to read:

1.9 Subd. 3. **Licensed graduate social worker.** (a) A licensed graduate social worker may
1.10 engage in social work practice except that a licensed graduate social worker must not engage
1.11 in clinical practice except under the supervision of a licensed independent clinical social
1.12 worker or an alternate supervisor according to section 148E.120.

1.13 (b) Notwithstanding paragraph (a), a licensed graduate social worker may engage in
1.14 clinical practice without supervision if the licensed graduate social worker is providing or
1.15 supervising crisis response services under section 256B.0624. This paragraph expires August
1.16 1, 2026.

1.17 Sec. 2. Minnesota Statutes 2022, section 245I.04, subdivision 7, is amended to read:

1.18 Subd. 7. **Clinical trainee scope of practice.** (a) A clinical trainee under the treatment
1.19 supervision of a mental health professional may provide a client with psychotherapy, client
1.20 education, rehabilitative mental health services, diagnostic assessments, functional
1.21 assessments, level of care assessments, and treatment plans.

2.1 (b) A clinical trainee must not provide treatment supervision to other staff persons. A
 2.2 clinical trainee may provide direction to mental health behavioral aides and mental health
 2.3 rehabilitation workers.

2.4 (c) A psychological clinical trainee under the treatment supervision of a psychologist
 2.5 may perform psychological testing of clients.

2.6 (d) A clinical trainee must not provide services to clients that violate any practice act of
 2.7 a health-related licensing board, including failure to obtain licensure if licensure is required.

2.8 (e) A clinical trainee who is a licensed graduate social worker under section 148E.050,
 2.9 subdivision 3, may engage in clinical practice without treatment supervision if the licensed
 2.10 graduate social worker is providing crisis response services under section 256B.0624, or
 2.11 providing treatment supervision to a crisis team under section 256B.0624. This paragraph
 2.12 expires August 1, 2026.

2.13 Sec. 3. Minnesota Statutes 2022, section 256B.0624, subdivision 9, is amended to read:

2.14 Subd. 9. **Supervision.** (a) Clinical trainees and mental health practitioners may provide
 2.15 crisis assessment and crisis intervention services if the following treatment supervision
 2.16 requirements are met:

2.17 (1) the mental health provider entity must accept full responsibility for the services
 2.18 provided;

2.19 (2) the mental health professional of the provider entity must be immediately available
 2.20 by phone or in person for treatment supervision;

2.21 (3) the mental health professional is consulted, in person or by phone, during the first
 2.22 three hours when a clinical trainee or mental health practitioner provides crisis assessment
 2.23 or crisis intervention services; and

2.24 (4) the mental health professional must:

2.25 (i) review and approve, as defined in section 245I.02, subdivision 2, of the tentative
 2.26 crisis assessment and crisis treatment plan within 24 hours of first providing services to the
 2.27 recipient, notwithstanding section 245I.08, subdivision 3; and

2.28 (ii) document the consultation required in clause (3).

2.29 (b) A clinical trainee who is a licensed graduate social worker under section 148E.050,
 2.30 subdivision 3, is exempt from the supervision requirements under paragraph (a). A clinical
 2.31 trainee who is a licensed graduate social worker may act as a mental health professional for
 2.32 purposes of providing treatment supervision to clinical trainees and mental health

3.1 practitioners providing crisis assessment or crisis intervention services under this section.

3.2 This paragraph expires August 1, 2026.