

BEHAVIORAL HEALTH LICENSING AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: A. Cory Maloy

LONG TITLE

Committee Note:

The Business and Labor Interim Committee recommended this bill.

Legislative Vote: 12 voting for 1 voting against 8 absent

General Description:

This bill amends behavioral health licensing provisions.

Highlighted Provisions:

This bill:

- ▶ requires the division to consider interstate portability and make recommendations regarding Utah's membership in any interstate licensing compacts;
- ▶ expands the types of licensees who may participate in the Utah Professionals Health Program;
- ▶ establishes that mental health disorders and substance use disorders qualify an individual licensee for the Utah Professionals Health Program's alternative path to public disciplinary action;
- ▶ creates the Behavioral Health Board, a multi-professional board to replace certain individual license boards;
- ▶ establishes who may supervise an applicant for licensure's supervised clinical hours;
- ▶ expands the number of applicants for licensure a supervising licensee may supervise;
- ▶ reduces the number of clinical hours an applicant for licensure must complete to



- 28 obtain certain licensures;
- 29 ▶ increases the number of supervised clinical hours an applicant for licensure must
- 30 complete to obtain certain licensures;
- 31 ▶ creates an alternative pathway to certain licensures through increased direct contact
- 32 client hours and supervised clinical hours, in lieu of examination requirements;
- 33 ▶ creates the licenses of master addiction counselor and associate master addiction
- 34 counselor; and
- 35 ▶ makes technical corrections.

36 **Money Appropriated in this Bill:**

37 None

38 **Other Special Clauses:**

39 None

40 **Utah Code Sections Affected:**

41 AMENDS:

- 42 58-1-106, as last amended by Laws of Utah 2018, Chapter 318
- 43 58-4a-102, as last amended by Laws of Utah 2023, Chapter 328
- 44 58-4a-103, as enacted by Laws of Utah 2020, Chapter 107
- 45 58-40-102, as renumbered and amended by Laws of Utah 2012, Chapter 82
- 46 58-60-102, as last amended by Laws of Utah 2021, Chapter 313
- 47 58-60-109, as last amended by Laws of Utah 2020, Chapter 339
- 48 58-60-202, as last amended by Laws of Utah 2010, Chapters 78, 214
- 49 58-60-205, as last amended by Laws of Utah 2023, Chapters 283, 339
- 50 58-60-207, as last amended by Laws of Utah 2023, Chapter 339
- 51 58-60-302, as enacted by Laws of Utah 1994, Chapter 32
- 52 58-60-305, as last amended by Laws of Utah 2023, Chapter 339
- 53 58-60-307, as last amended by Laws of Utah 2019, Chapter 393
- 54 58-60-402, as last amended by Laws of Utah 2012, Chapter 179
- 55 58-60-405, as last amended by Laws of Utah 2023, Chapter 339
- 56 58-60-407, as last amended by Laws of Utah 2020, Chapter 339
- 57 58-60-502, as last amended by Laws of Utah 2019, Chapter 393
- 58 58-60-504, as last amended by Laws of Utah 2012, Chapter 179

- 59 **58-60-506**, as last amended by Laws of Utah 2020, Chapter 339
- 60 **58-61-102**, as last amended by Laws of Utah 2013, Chapters 16, 123
- 61 **58-61-304**, as last amended by Laws of Utah 2020, Chapter 339
- 62 **58-84-102**, as enacted by Laws of Utah 2014, Chapter 340
- 63 **58-84-201**, as last amended by Laws of Utah 2020, Chapter 339

64 ENACTS:

- 65 **58-60-102.5**, Utah Code Annotated 1953
- 66 **58-60-512**, Utah Code Annotated 1953

67 REPEALS:

- 68 **58-40-201**, as renumbered and amended by Laws of Utah 2012, Chapter 82
- 69 **58-60-203**, as last amended by Laws of Utah 2010, Chapter 214
- 70 **58-60-303**, as last amended by Laws of Utah 2000, Chapter 159
- 71 **58-60-403**, as last amended by Laws of Utah 2012, Chapter 179
- 72 **58-60-503**, as last amended by Laws of Utah 2012, Chapter 179
- 73 **58-61-201**, as last amended by Laws of Utah 2015, Chapter 367
- 74 **58-78-201**, as enacted by Laws of Utah 2009, Chapter 122

75

76 *Be it enacted by the Legislature of the state of Utah:*

77 Section 1. Section **58-1-106** is amended to read:

78 **58-1-106. Division -- Duties, functions, and responsibilities.**

79 (1) The duties, functions, and responsibilities of the division include the following:

80 (a) prescribing, adopting, and enforcing rules to administer this title;

81 (b) investigating the activities of any person whose occupation or profession is
82 regulated or governed by the laws and rules administered and enforced by the division;

83 (c) subpoenaing witnesses, taking evidence, and requiring by subpoena duces tecum
84 the production of any books, papers, documents, records, contracts, recordings, tapes,
85 correspondence, or information relevant to an investigation upon a finding of sufficient need by
86 the director or by the director's designee;

87 (d) taking administrative and judicial action against persons in violation of the laws
88 and rules administered and enforced by the division, including the issuance of cease and desist
89 orders;

90 (e) seeking injunctions and temporary restraining orders to restrain unauthorized
91 activity;

92 (f) complying with Title 52, Chapter 4, Open and Public Meetings Act;

93 (g) issuing, refusing to issue, revoking, suspending, renewing, refusing to renew, or
94 otherwise acting upon any license;

95 (h) preparing and submitting to the governor and the Legislature an annual report of the
96 division's operations, activities, and goals;

97 (i) preparing and submitting to the executive director a budget of the expenses for the
98 division;

99 (j) establishing the time and place for the administration of examinations; [~~and~~]

100 (k) preparing lists of licensees and making these lists available to the public at cost
101 upon request unless otherwise prohibited by state or federal law[-]; and

102 (l) considering interstate portability and the preservation of licensing pathways that are
103 specific to Utah when making recommendations regarding membership in interstate licensing
104 compacts.

105 (2) The division may not include home telephone numbers or home addresses of
106 licensees on the lists prepared under Subsection (1)(k), except as otherwise provided by rules
107 of the division made in accordance with Title 63G, Chapter 3, Utah Administrative
108 Rulemaking Act.

109 (3) (a) The division may provide the home address or home telephone number of a
110 licensee on a list prepared under Subsection (1) upon the request of an individual who provides
111 proper identification and the reason for the request, in writing, to the division.

112 (b) A request under Subsection (3)(a) is limited to providing information on only one
113 licensee per request.

114 (c) The division shall provide, by rule, what constitutes proper identification under
115 Subsection (3)(a).

116 (4) (a) Notwithstanding any contrary provisions in Title 63G, Chapter 2, Government
117 Records Access and Management Act, the division may share licensee information with:

118 (i) the division's contracted agents when sharing the information in compliance with
119 state or federal law; and

120 (ii) a person who is evaluating the progress or monitoring the compliance of an

121 individual who has been disciplined by the division under this title.

122 (b) The division may make rules to implement the provisions of this Subsection (4).

123 (5) All rules made by the division under this title shall be made in accordance with
124 Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

125 Section 2. Section **58-4a-102** is amended to read:

126 **58-4a-102. Definitions.**

127 As used in this chapter:

128 (1) "Diversion agreement" means a written agreement entered into by a licensee and
129 the division that describes the requirements of the licensee's monitoring regimen and that was
130 entered into before May 12, 2020.

131 (2) "Licensee" means an individual licensed to practice under:

132 (a) Title 58, Chapter 5a, Podiatric Physician Licensing Act;

133 (b) Title 58, Chapter 17b, Pharmacy Practice Act;

134 (c) Title 58, Chapter 28, Veterinary Practice Act;

135 (d) Title 58, Chapter 31b, Nurse Practice Act;

136 (e) Title 58, Chapter 40, Recreational Therapy Practice Act;

137 (f) Title 58, Chapter 60, Mental Health Professional Practice Act;

138 (g) Title 58, Chapter 61, Psychologist Licensing Act;

139 [~~e~~] (h) Title 58, Chapter 67, Utah Medical Practice Act;

140 [~~f~~] (i) Title 58, Chapter 68, Utah Osteopathic Medical Practice Act;

141 [~~g~~] (j) Title 58, Chapter 69, Dentist and Dental Hygienist Practice Act; [~~or~~]

142 [~~h~~] (k) Title 58, Chapter 70a, Utah Physician Assistant Act[-];

143 (l) Title 58, Chapter 78, Vocational Rehabilitation Counselors Licensing Act; or

144 (m) Title 58, Chapter 84, State Certification of Music Therapists Act.

145 (3) "Program" means the Utah Professionals Health Program.

146 (4) "Program contract" means a written agreement entered into by a licensee and the
147 division that allows the licensee to participate in the program.

148 (5) "Substance use disorder" means the same as that term is defined in Section
149 [26B-5-501](#).

150 Section 3. Section **58-4a-103** is amended to read:

151 **58-4a-103. Program established.**

152 (1) The division, in accordance with Title 63G, Chapter 3, Utah Administrative
153 Rulemaking Act, shall establish the Utah Professionals Health Program to provide an
154 alternative to public disciplinary action for licensees who have [~~substance use~~] behavioral
155 health disorders, including mental health or substance use disorders.

156 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
157 division shall make rules governing the criteria for:

- 158 (a) entry into and participation of licensees in the program;
- 159 (b) successful completion of the program;
- 160 (c) expulsion from the program; and
- 161 (d) disqualifying a licensee from participation in the program.

162 (3) The division shall promote the program by:

- 163 (a) engaging in wellness education and outreach to licensees, students, and the
164 community in order to make them aware of the existence and purpose of the program;
- 165 (b) partnering with health care organizations, universities, trade associations, and other
166 stakeholder groups to promote professional awareness and wellness; and
- 167 (c) providing guidance to employers, colleagues, and family members on initiating
168 conversations with licensees about substance use.

169 Section 4. Section **58-40-102** is amended to read:

170 **58-40-102. Definitions.**

171 In addition to the definitions in Section **58-1-102**, as used in this chapter:

172 (1) "Approved" means approval by the division in collaboration with the board when
173 used to refer to a licensing requirement.

174 (2) (a) "Assessment" means:

- 175 (i) a systematic collection of data to identify the strengths and limitations of a person's
176 physical, cognitive, social, behavioral, emotional, spiritual, and leisure capabilities; and
- 177 (ii) interpreting and analyzing collected data to identify and determine a course of
178 action for recreational therapy services for a patient.

179 (b) "Assessment" includes:

- 180 (i) a record review;
- 181 (ii) the implementation of standardized and non-standardized instruments, tests, and
182 measurements; and

183 (iii) the skilled observation and interview of a person.

184 (3) "Board" means the [~~Board of Recreational Therapy~~] Behavioral Health Board
185 created in [~~Section 58-40-201~~] Section 58-60-102.5.

186 (4) "Practice of recreational therapy" means to engage in the paid performance of
187 providing recreational therapy services according to the therapeutic recreation process to a
188 person with an emotional, social, intellectual, or physical pathology.

189 (5) "Recreational therapy" or "therapeutic recreation" means a person-centered process
190 that uses recreation and psychoeducational activities as intervention tools to improve the
191 physical, cognitive, social, behavioral, emotional, or spiritual well-being of a person with an
192 illness or a disability.

193 (6) (a) "Recreational therapy services" means using recreation and psychoeducational
194 activities as intervention tools to improve or maintain the physical, cognitive, social,
195 behavioral, emotional, or spiritual well-being of a person with an illness or a disability.

196 (b) "Recreational therapy services" include:

197 (i) assessing a person's need for recreational therapy treatment or intervention;

198 (ii) developing an individualized treatment or intervention plan that identifies goals,
199 objectives, and treatment strategies for a person;

200 (iii) implementing the individualized treatment or intervention plan;

201 (iv) documenting a person's response to the individualized treatment or intervention
202 plan, including documenting the overall outcome of the person's treatment;

203 (v) regularly evaluating a person's response to the individualized treatment or
204 intervention plan and modifying the plan when appropriate;

205 (vi) in collaboration with a person, the person's family, or other team members,
206 developing a discharge or transition plan for the person;

207 (vii) serving as a resource to help a person find recreation opportunities that will
208 promote the person's physical, cognitive, social, behavioral, emotional, or spiritual health and
209 well-being; and

210 (viii) organizing and managing recreational services according to a written plan of
211 operation as defined by rule of the division.

212 (7) "Treatment or intervention plan" means a written record containing the information
213 required by Section 58-40-602, which is composed for each patient by a person licensed under

214 this chapter as a master therapeutic recreation specialist or a therapeutic recreation specialist.

215 (8) "Unlawful conduct" is as defined in Sections 58-1-501 and 58-40-501.

216 (9) "Unprofessional conduct" is as defined in Sections 58-1-501 and 58-40-502.

217 Section 5. Section 58-60-102 is amended to read:

218 **58-60-102. Definitions.**

219 [~~In addition to the definitions in Section 58-1-102, as~~] As used in this chapter:

220 (1) "Board" means the Behavioral Health Board created in Section 58-60-102.5.

221 (2) "Client" or "patient" means an individual who consults or is examined or
222 interviewed by an individual licensed under this chapter who is acting in the individual's
223 professional capacity.

224 [~~(2)~~] (3) "Confidential communication" means information obtained by an individual
225 licensed under this chapter, including information obtained by the individual's examination of
226 the client or patient, which is:

227 (a) (i) transmitted between the client or patient and an individual licensed under this
228 chapter in the course of that relationship; or

229 (ii) transmitted among the client or patient, an individual licensed under this chapter,
230 and individuals who are participating in the diagnosis or treatment under the direction of an
231 individual licensed under this chapter, including members of the client's or patient's family; and

232 (b) made in confidence, for the diagnosis or treatment of the client or patient by the
233 individual licensed under this chapter, and by a means not intended to be disclosed to third
234 persons other than those individuals:

235 (i) present to further the interest of the client or patient in the consultation,
236 examination, or interview;

237 (ii) reasonably necessary for the transmission of the communications; or

238 (iii) participating in the diagnosis and treatment of the client or patient under the
239 direction of the mental health therapist.

240 [~~(3)~~] (4) "Direct client care" means the practice of mental health therapy performed as
241 an applicant for licensure.

242 (5) (a) "Direct clinical supervision" means an applicant for licensure and the applicant's
243 supervisor meeting in real time and in accordance with the applicant for licensure's supervision
244 contract as defined by division rule.

245 (b) "Direct clinical supervision" includes group supervision.

246 (6) "Direct observation" means observation of an applicant for licensure's live or
247 recorded direct client care:

248 (a) (i) by the applicant for licensure's direct clinical supervisor; or

249 (ii) another mental health therapist supervisor that the applicant for licensure's direct
250 clinical supervisor approves; and

251 (b) after which the applicant for licensure and the observer under Subsection (6)(a)
252 meet to discuss the direct client care for the purpose of developing the applicant for licensure's
253 clinical knowledge and skill.

254 (7) "Hypnosis" means, when referring to individuals exempted from licensure under
255 this chapter, a process by which an individual induces or assists another individual into a
256 hypnotic state without the use of drugs or other substances and for the purpose of increasing
257 motivation or to assist the individual to alter lifestyles or habits.

258 ~~[(4)]~~ (8) "Individual" means a natural person.

259 ~~[(5)]~~ (9) "Mental health therapist" means an individual who is practicing within the
260 scope of practice defined in the individual's respective licensing act and is licensed under this
261 title as:

262 (a) a physician and surgeon, or osteopathic physician engaged in the practice of mental
263 health therapy;

264 (b) an advanced practice registered nurse, specializing in psychiatric mental health
265 nursing;

266 (c) an advanced practice registered nurse intern, specializing in psychiatric mental
267 health nursing;

268 (d) a psychologist qualified to engage in the practice of mental health therapy;

269 (e) a certified psychology resident qualifying to engage in the practice of mental health
270 therapy;

271 (f) a physician assistant specializing in mental health care under Section [58-70a-501.1](#);

272 (g) a clinical social worker;

273 (h) a certified social worker;

274 (i) a marriage and family therapist;

275 (j) an associate marriage and family therapist;

276 (k) a clinical mental health counselor; ~~(or)~~

277 (l) an associate clinical mental health counselor~~[-];~~

278 (m) a master addiction counselor; or

279 (n) an associate master addiction counselor.

280 ~~[(6)]~~ (10) "Mental illness" means a mental or emotional condition defined in an
281 approved diagnostic and statistical manual for mental disorders generally recognized in the
282 professions of mental health therapy listed under Subsection ~~[(5)]~~ (9).

283 ~~[(7)]~~ (11) "Practice of mental health therapy" means treatment or prevention of mental
284 illness, whether in person or remotely, including:

285 (a) conducting a professional evaluation of an individual's condition of mental health,
286 mental illness, or emotional disorder consistent with standards generally recognized in the
287 professions of mental health therapy listed under Subsection ~~[(5)]~~ (9);

288 (b) establishing a diagnosis in accordance with established written standards generally
289 recognized in the professions of mental health therapy listed under Subsection ~~[(5)]~~ (9);

290 (c) prescribing a plan for the prevention or treatment of a condition of mental illness or
291 emotional disorder; and

292 (d) engaging in the conduct of professional intervention, including psychotherapy by
293 the application of established methods and procedures generally recognized in the professions
294 of mental health therapy listed under Subsection ~~[(5)]~~ (9).

295 ~~[(8)]~~ (12) "Remotely" means communicating via Internet, telephone, or other electronic
296 means that facilitate real-time audio or visual interaction between individuals when they are not
297 physically present in the same room at the same time.

298 (13) "Group supervision" means an applicant for licensure meeting with the applicant's
299 supervisor and at least one of the supervisor's other applicants for licensure:

300 (a) while the supervisor and the applicants:

301 (i) can see and openly communicate with each other; and

302 (ii) are present in the same room or via electronic video; and

303 (b) for the purpose of developing the applicants' clinical knowledge and skill.

304 ~~[(9)]~~ (14) "Unlawful conduct" is as defined in Sections 58-1-501 and 58-60-109.

305 ~~[(10)]~~ (15) "Unprofessional conduct" is as defined in Sections 58-1-501 and
306 58-60-110, and may be further defined by division rule.

307 Section 6. Section **58-60-102.5** is enacted to read:

308 **58-60-102.5. Behavioral Health Board -- Subcommittees.**

309 (1) There is created the Behavioral Health Board consisting of:

310 (a) no less than four behavioral health care providers licensed in Utah to practice as a:

311 (i) clinical social worker;

312 (ii) marriage and family therapist;

313 (iii) clinical mental health counselor;

314 (iv) master addiction counselor; or

315 (v) psychologist under Chapter 61, Psychologist Licensing Act;

316 (b) no less than three other behavioral health care providers licensed in Utah to practice

317 as:

318 (i) a certified social worker;

319 (ii) a social service worker;

320 (iii) an associate marriage and family therapist;

321 (iv) an associate clinical mental health counselor;

322 (v) an associate master addiction counselor;

323 (vi) an advanced substance use disorder counselor;

324 (vii) a certified advanced substance use disorder counselor;

325 (viii) a substance use disorder counselor;

326 (ix) a certified substance use disorder counselor;

327 (x) a certified psychology resident;

328 (xi) a behavior analyst or specialist;

329 (xii) an assistant behavior analyst or specialist;

330 (xiii) a master therapeutic recreation specialist;

331 (xiv) a therapeutic recreation specialist;

332 (xv) a therapeutic recreation technician; or

333 (xvi) a certified music therapist;

334 (c) no less than four public members:

335 (i) who comprise no less than 1/3 of the total membership of the board;

336 (ii) who are not licensed to practice under:

337 (A) this chapter;

338 (B) Chapter 40, Recreational Therapy Practice Act,
339 (C) Chapter 61, Pyschologist Licensing Act; or
340 (D) Chapter 84, State Certification of Music Therapists Act; and
341 (iii) two of whom shall, at the time of appointment to the board, hold a leadership
342 position with:
343 (A) a behavioral health consumer advocacy organization;
344 (B) a behavioral health employer;
345 (C) a behavioral health payor;
346 (D) an academic institution conducting research related to the behavioral health
347 licenses under Subsection (3)(b), including public health, epidemiology, economics, and the
348 health care workforce;
349 (E) a training institution providing education credentials required for a license under
350 Subsection (3)(b);
351 (F) a licensed health care facility as defined in Section [26B-2-201](#); or
352 (G) a licensed human services program as defined in Section [26B-2-101](#); and
353 (d) one of whom the executive director of the Department of Health and Human
354 Services appoints.
355 (2) Board members shall be appointed, serve terms, and be compensated in accordance
356 with Section [58-1-201](#).
357 (3) The board shall:
358 (a) operate in accordance with Sections [58-1-202](#) and [58-1-203](#);
359 (b) regulate licenses under:
360 (i) this chapter;
361 (ii) Chapter 40, Recreational Therapy Practices Act;
362 (iii) Chapter 61, Pyschologist Licensing Act; and
363 (iv) Chapter 84, State Certification of Music Therapists Act;
364 (c) designate one or more of its members on a permanent or rotating basis to:
365 (i) assist the division in review of complaints concerning unlawful or unprofessional
366 practice by a licensee in any profession regulated by the board; and
367 (ii) advise the division regarding the conduct of investigations of the complaints; and
368 (d) disqualify any member from acting as a presiding officer in any administrative

369 procedure in which that member has previously reviewed the complaint or advised the division.

370 (4) (a) The division may by rule establish one or more subcommittees to consider and

371 advise the board regarding any aspect of licensing, including:

372 (i) client or patient access to qualified licensees;

373 (ii) education, examination, and supervision of applicants for licensure;

374 (iii) verification of applicant for licensure qualifications;

375 (iv) continuing education requirements;

376 (v) alternate pathways to licensure; and

377 (vi) probation and recovery assistance.

378 Section 7. Section **58-60-109** is amended to read:

379 **58-60-109. Unlawful conduct.**

380 As used in this chapter, "unlawful conduct" includes:

381 (1) practice of the following unless licensed in the appropriate classification or

382 exempted from licensure under this title:

383 (a) mental health therapy;

384 (b) clinical social work;

385 (c) certified social work;

386 (d) marriage and family therapy;

387 (e) clinical mental health [~~counselor~~] counseling;

388 (f) [~~practice as a social service worker~~] social service work;

389 (g) master addiction counseling; or

390 [~~(g)~~] (h) substance use disorder [counselor] counseling;

391 (2) practice of mental health therapy by a licensed psychologist who has not acceptably

392 documented to the division the licensed psychologist's completion of the supervised training in

393 mental health therapy required under Subsection **58-61-304**(1)(e); or

394 (3) representing oneself as, or using the title of, the following:

395 (a) unless currently licensed in a license classification under this title:

396 (i) psychiatrist;

397 (ii) psychologist;

398 (iii) registered psychiatric mental health nurse specialist;

399 (iv) mental health therapist;

- 400 (v) clinical social worker;
- 401 (vi) master addiction counselor;
- 402 [~~(vi)~~] (vii) certified social worker;
- 403 [~~(vii)~~] (viii) marriage and family therapist;
- 404 [~~(viii)~~] (ix) clinical mental health counselor;
- 405 [~~(ix)~~] (x) social service worker;
- 406 (xi) associate master addiction counselor;
- 407 [~~(x)~~] (xii) substance use disorder counselor;
- 408 [~~(xi)~~] (xiii) associate clinical mental health counselor; or
- 409 [~~(xii)~~] (xiv) associate marriage and family therapist; or
- 410 (b) unless currently in possession of the credentials described in Subsection (4), social
- 411 worker.

412 (4) An individual may represent oneself as a, or use the title of, social worker if the

413 individual possesses certified transcripts from an accredited institution of higher education,

414 recognized by the division in collaboration with the [~~Social Work Licensing Board~~] board,

415 verifying satisfactory completion of an education and an earned degree as follows:

416 (a) a bachelor's or master's degree in a social work program accredited by the Council

417 on Social Work Education or by the Canadian Association of Schools of Social Work; or

418 (b) a doctoral degree that contains a clinical social work concentration and practicum

419 approved by the division, by rule, in accordance with Title 63G, Chapter 3, Utah

420 Administrative Rulemaking Act, that is consistent with Section [58-1-203](#).

421 Section 8. Section **58-60-202** is amended to read:

422 **58-60-202. Definitions.**

423 In addition to the definitions in Sections [58-1-102](#) and [58-60-102](#), as used in this part:

424 [~~(1) "Board" means the Social Worker Licensing Board created in Section [58-60-203](#).]~~

425 [~~(2)~~] (1) (a) "Practice as a social service worker" means performance of general entry

426 level services under general supervision of a mental health therapist through the application of

427 social work theory, methods, and ethics in order to enhance the social or psychosocial

428 functioning of an individual, a couple, a family, a group, or a community, including:

429 (i) conducting:

430 (A) a non-clinical psychosocial assessment; or

- 431 (B) a home study;
- 432 (ii) collaborative planning and goal setting;
- 433 (iii) ongoing case management;
- 434 (iv) progress monitoring;
- 435 (v) supportive counseling;
- 436 (vi) information gathering;
- 437 (vii) making referrals; and
- 438 (viii) engaging in advocacy.
- 439 (b) "Practice as a social service worker" does not include:
- 440 (i) diagnosing or treating mental illness; or
- 441 (ii) providing psychotherapeutic services to an individual, couple, family, group, or
- 442 community.
- 443 [~~(3)~~] (2) "Practice of clinical social work" includes:
- 444 (a) the practice of mental health therapy by observation, description, evaluation,
- 445 interpretation, intervention, and treatment to effect modification of behavior by the application
- 446 of generally recognized professional social work principles, methods, and procedures for the
- 447 purpose of preventing, treating, or eliminating mental or emotional illness or dysfunction, the
- 448 symptoms of any of these, or maladaptive behavior;
- 449 (b) the application of generally recognized psychotherapeutic and social work
- 450 principles and practices requiring the education, training, and clinical experience of a clinical
- 451 social worker; and
- 452 (c) supervision of the practice of a certified social worker or social service worker as
- 453 the supervision is required under this chapter and as further defined by division rule.
- 454 [~~(4)~~] (3) "Practice of certified social work" includes:
- 455 (a) the supervised practice of mental health therapy by a clinical social worker by
- 456 observation, description, evaluation, interpretation, intervention, and treatment to effect
- 457 modification of behavior by the application of generally recognized professional social work
- 458 principles, methods, and procedures for the purpose of preventing, treating, or eliminating
- 459 mental or emotional illness or dysfunctions, the symptoms of any of these, or maladaptive
- 460 behavior;
- 461 (b) the supervised or independent and unsupervised application of generally recognized

462 professional social work principles and practices requiring the education, training, and
463 experience of a certified social worker; and

464 (c) supervision of the practice of a social service worker as the supervision is required
465 under this chapter and as further defined by division rule.

466 ~~[(5)]~~ (4) "Program accredited by the Council on Social Work Education" means a
467 program that:

468 (a) was accredited by the Council on Social Work Education on the day on which the
469 applicant for licensure satisfactorily completed the program; or

470 (b) was in candidacy for accreditation by the Council on Social Work Education on the
471 day on which the applicant for licensure satisfactorily completed the program.

472 ~~[(6)]~~ (5) "Supervision of a social service worker" means supervision conducted by an
473 individual licensed as a mental health therapist under this title in accordance with division rules
474 made in collaboration with the board.

475 Section 9. Section **58-60-205** is amended to read:

476 **58-60-205. Qualifications for licensure or certification as a clinical social worker,**
477 **certified social worker, and social service worker.**

478 (1) An applicant for licensure as a clinical social worker shall:

479 (a) submit an application on a form provided by the division;

480 (b) pay a fee determined by the department under Section [63J-1-504](#);

481 (c) produce certified transcripts from an accredited institution of higher education
482 recognized by the division in collaboration with the board verifying satisfactory completion of
483 an education and an earned degree as follows:

484 (i) a master's degree in a social work program accredited by the Council on Social
485 Work Education or by the Canadian Association of Schools of Social Work; or

486 (ii) a doctoral degree that contains a clinical social work concentration and practicum
487 approved by the division, by rule, in accordance with Title 63G, Chapter 3, Utah
488 Administrative Rulemaking Act, that is consistent with Section [58-1-203](#);

489 (d) ~~[have completed a minimum of 3,000 hours of clinical social work training as~~
490 ~~defined by division rule under Section [58-1-203](#);~~ document successful completion of not less
491 than 1,200 direct client care hours:

492 (i) obtained after completion of the education requirements under Subsection (1)(c);

493 ~~[(i)]~~ (ii) ~~[under the supervision of a supervisor approved by the division in~~
494 ~~collaboration with the board who is a]~~ not less than 100 of which are direct clinical supervision
495 hours under the supervision of a:

496 (A) clinical mental health counselor;
497 (B) psychiatrist;
498 (C) psychologist;
499 (D) registered psychiatric mental health nurse practitioner;
500 (E) marriage and family therapist; ~~[or]~~
501 (F) clinical social worker; ~~[and]~~ or
502 (G) master addiction counselor;

503 (iii) not less than 25 of which are direct observation hours;
504 (iv) not more than 25 of which are group supervision hours concurrently with only one
505 other applicant for licensure; and

506 (v) not more than 25 of which are group supervision hours concurrently with more than
507 one other applicant for licensure;

508 ~~[(ii)]~~ (e) ~~[including a minimum of]~~ document successful completion of not less than
509 two hours of training in suicide prevention obtained after completion of the education
510 requirements under Subsection (1)(c) via a course that the division designates as approved;

511 ~~[(e) document successful completion of not less than 1,000 hours of supervised~~
512 ~~training in mental health therapy obtained after completion of the education requirement in~~
513 ~~Subsection (1)(c), which training may be included as part of the 3,000 hours of training in~~
514 ~~Subsection (1)(d), and of which documented evidence demonstrates not less than 75 of the~~
515 ~~hours were obtained under the direct supervision, as defined by rule, of a supervisor described~~
516 ~~in Subsection (1)(d)(i);]~~

517 (f) have completed a case work, group work, or family treatment course sequence with
518 a clinical practicum in content as defined by rule under Section 58-1-203;

519 (g) (i) pass the examination requirement established by rule under Section 58-1-203;
520 ~~[and]~~ or

521 (ii) satisfy the following requirements:

522 (A) document successful completion of not less than 500 additional direct client care
523 hours, at least 25 of which are direct clinical supervision hours, and at least five of which are

524 direct observation hours;

525 (B) submit to the division a recommendation letter from the applicant's direct clinical
526 supervisor;

527 (C) submit to the division a recommendation letter from another licensed supervisor
528 who has directly observed the applicant's direct client care hours and who is not the applicant's
529 direct clinical supervisor; and

530 (D) submit to the division a portfolio of work demonstrating clinical competence as
531 defined by rule; and

532 (h) if the applicant is applying to participate in the Counseling Compact under Chapter
533 60a, Counseling Compact, consent to a criminal background check in accordance with Section
534 58-60-103.1 and any requirements established by division rule made in accordance with Title
535 63G, Chapter 3, Utah Administrative Rulemaking Act.

536 (2) An applicant for licensure as a certified social worker shall:

537 (a) submit an application on a form provided by the division;

538 (b) pay a fee determined by the department under Section 63J-1-504; and

539 (c) produce certified transcripts from an accredited institution of higher education
540 recognized by the division in collaboration with the board verifying satisfactory completion of
541 an education and an earned degree as follows:

542 (i) a master's degree in a social work program accredited by the Council on Social
543 Work Education or by the Canadian Association of Schools of Social Work; or

544 (ii) a doctoral degree that contains a clinical social work concentration and practicum
545 approved by the division, by rule, in accordance with Title 63G, Chapter 3, Utah
546 Administrative Rulemaking Act, that is consistent with Section 58-1-203.

547 (3) An applicant for licensure as a social service worker shall:

548 (a) submit an application on a form provided by the division;

549 (b) pay a fee determined by the department under Section 63J-1-504; and

550 (c) produce certified transcripts from an accredited institution of higher education
551 recognized by the division in collaboration with the board verifying satisfactory completion of
552 an education and an earned degree as follows:

553 (i) a bachelor's degree in a social work program accredited by the Council on Social
554 Work Education or by the Canadian Association of Schools of Social Work;

555 (ii) a master's degree in a field approved by the division in collaboration with the
556 board;

557 (iii) a bachelor's degree in any field if the applicant:

558 (A) has completed at least three semester hours, or the equivalent, in each of the
559 following areas:

560 (I) social welfare policy;

561 (II) human growth and development; and

562 (III) social work practice methods, as defined by rule; and

563 (B) provides documentation that the applicant has completed at least 2,000 hours of
564 qualifying experience under the supervision of a mental health therapist, which experience is
565 approved by the division in collaboration with the board, and which is performed after
566 completion of the requirements to obtain the bachelor's degree required under this Subsection
567 (4); or

568 (iv) successful completion of the first academic year of a Council on Social Work
569 Education approved master's of social work curriculum and practicum.

570 (4) The division shall ensure that the rules for an examination described under
571 Subsection ~~[(1)(g)]~~ (1)(g)(i) allow additional time to complete the examination if requested by
572 an applicant who is:

573 (a) a foreign born legal resident of the United States for whom English is a second
574 language; or

575 (b) an enrolled member of a federally recognized Native American tribe.

576 Section 10. Section **58-60-207** is amended to read:

577 **58-60-207. Scope of practice -- Limitations.**

578 (1) (a) A clinical social worker may engage in all acts and practices defined as the
579 practice of clinical social work without supervision, in private and independent practice, or as
580 an employee of another person, limited only by the licensee's education, training, and
581 competence.

582 (b) A clinical social worker may not supervise more than ~~[six]~~ 10 individuals who are
583 lawfully engaged in training for the practice of mental health therapy, unless granted an
584 exception in writing from the division in collaboration with the board.

585 (2) To the extent an individual is professionally prepared by the education and training

586 track completed while earning a master's or doctor of social work degree, a licensed certified
587 social worker may engage in all acts and practices defined as the practice of certified social
588 work consistent with the licensee's education, clinical training, experience, and competence:

589 (a) under supervision of an individual described in Subsection 58-60-205(1)(d)(i) and
590 as an employee of another person when engaged in the practice of mental health therapy;

591 (b) without supervision and in private and independent practice or as an employee of
592 another person, if not engaged in the practice of mental health therapy;

593 (c) including engaging in the private, independent, unsupervised practice of social
594 work as a self-employed individual, in partnership with other mental health therapists, as a
595 professional corporation, or in any other capacity or business entity, so long as he does not
596 practice unsupervised psychotherapy; and

597 (d) supervising social service workers as provided by division rule.

598 Section 11. Section 58-60-302 is amended to read:

599 **58-60-302. Definitions.**

600 In addition to the definitions in Sections 58-1-102 and 58-60-102, as used in this part:

601 (1) "Assess" means the use of diagnostic procedures, tests, and interview techniques
602 generally accepted as standard in mental health therapy to diagnose any condition related to
603 mental, emotional, behavioral, and social disorders or dysfunctions.

604 [~~(2) "Board" means the Marriage and Family Therapist Licensing Board created in~~
605 ~~Section 58-60-303.~~]

606 [~~(3)~~] (2) "Practice of marriage and family therapy" includes:

607 (a) the process of providing professional mental health therapy including
608 psychotherapy to individuals, couples, families, or groups;

609 (b) utilizing established principles that recognize the interrelated nature of individual
610 problems and dysfunctions in family members to assess, diagnose, and treat mental, emotional,
611 and behavioral disorders;

612 (c) individual, premarital, relationship, marital, divorce, and family therapy;

613 (d) specialized modes of treatment for the purpose of diagnosing and treating mental,
614 emotional, and behavioral disorders, modifying interpersonal and intrapersonal dysfunction,
615 and promoting mental health; and

616 (e) assessment utilized to develop, recommend, and implement appropriate plans of

617 treatment, dispositions, and placement related to the functioning of the individual, couple,
618 family, or group.

619 Section 12. Section **58-60-305** is amended to read:

620 **58-60-305. Qualifications for licensure.**

621 (1) All applicants for licensure as marriage and family therapists shall:

622 (a) submit an application on a form provided by the division;

623 (b) pay a fee determined by the department under Section [63J-1-504](#);

624 (c) produce certified transcripts evidencing completion of a masters or doctorate degree
625 in marriage and family therapy from:

626 (i) a program accredited by the Commission on Accreditation for Marriage and Family
627 Therapy Education; or

628 (ii) an accredited institution meeting criteria for approval established by rule under
629 Section [58-1-203](#);

630 ~~[(d) have completed a minimum of 3,000 hours of marriage and family therapy training
631 as defined by division rule under Section [58-1-203](#).]~~

632 ~~[(ii) obtained after completion of the education requirement in Subsection (1)(c); and]~~

633 (d) document successful completion of not less than 1,200 direct client care hours:

634 (i) obtained after completion of the education requirements under Subsection (1)(c);

635 ~~[(†) (ii) not less than 100 of which shall be direct clinical supervision hours under the
636 supervision of a mental health therapist supervisor who meets the requirements of Section~~

637 [58-60-307](#);

638 (iii) not less than 25 of which are direct observation hours;

639 (iv) not more than 25 of which are group supervision hours concurrently with only one
640 other applicant for licensure; and

641 (v) not more than 25 of which are group supervision hours concurrently with more than
642 one other applicant for licensure;

643 ~~[(iii)] (e) [including a minimum of] document successful completion of not less than
644 two hours of training in suicide prevention obtained after completion of the education~~

645 requirements under Subsection (1)(c) via a course that the division designates as approved;

646 ~~[(e) document successful completion of not less than 1,000 hours of supervised
647 training in mental health therapy obtained after completion of the education requirement~~

648 ~~described in Subsection (1)(c), which training may be included as part of the 3,000 hours of~~
649 ~~training described in Subsection (1)(d), and of which documented evidence demonstrates not~~
650 ~~less than 75 of the supervised hours were obtained during direct, personal supervision, as~~
651 ~~defined by rule, by a mental health therapist supervisor qualified under Section [58-60-307](#);~~]

652 (f) (i) pass the examination requirement established by division rule under Section
653 [58-1-203](#); [and] or

654 (ii) satisfy the following requirements:

655 (A) document successful completion of not less than 500 additional direct client care
656 hours, not less than 25 of which are direct clinical supervision hours, and not less than five of
657 which are direct observation hours by a mental health therapist or supervisor who meets the
658 requirements of Section [58-60-307](#);

659 (B) submit to the division a recommendation letter from the applicant's direct clinical
660 supervisor;

661 (C) submit to the division a recommendation letter from another licensed supervisor
662 who has directly observed the applicant's direct client care hours and is not the candidate's
663 direct clinical supervisor; and

664 (D) submit to the division a portfolio of work demonstrating clinical competence as
665 defined by rule; and

666 (g) if the applicant is applying to participate in the Counseling Compact under Chapter
667 60a, Counseling Compact, consent to a criminal background check in accordance with Section
668 [58-60-103.1](#) and any requirements established by division rule made in accordance with Title
669 63G, Chapter 3, Utah Administrative Rulemaking Act.

670 (2) (a) All applicants for licensure as an associate marriage and family therapist shall
671 comply with the provisions of Subsections (1)(a) through (c).

672 (b) An individual's license as an associate marriage and family therapist is limited to
673 the period of time necessary to complete clinical training as described in Subsections (1)(d) and
674 (e) and extends not more than two years from the date the minimum requirement for training is
675 completed, unless the individual presents satisfactory evidence to the division and the
676 appropriate board that the individual is making reasonable progress toward passing of the
677 qualifying examination for that profession or is otherwise on a course reasonably expected to
678 lead to licensure, but the period of time under this Subsection (2)(b) may not exceed four years

679 past the date the minimum supervised clinical training requirement has been completed.

680 Section 13. Section **58-60-307** is amended to read:

681 **58-60-307. Supervisors of marriage and family therapists -- Qualifications.**

682 (1) Each person acting as a supervisor of a marriage and family therapist shall:

683 (a) have at least two years of clinical experience, since the date of first licensure, as a:

684 (i) clinical mental health counselor;

685 (ii) psychiatrist;

686 (iii) psychologist;

687 (iv) registered psychiatric mental health nurse practitioner;

688 (v) marriage and family therapist; [or]

689 (vi) clinical social worker; or

690 (vii) master addiction counselor;

691 (b) either:

692 (i) be approved as a supervisor by a national marriage and family therapist professional

693 organization; or

694 (ii) meet the criteria established by rule; and

695 (c) provide supervision for no more than [~~six~~] 10 individuals who are lawfully engaged

696 in training for the practice of mental health therapy, unless granted an exception in writing

697 from the division in collaboration with the board.

698 (2) Persons who act as a supervisor without meeting the requirements of this section

699 are subject to discipline for unprofessional conduct.

700 Section 14. Section **58-60-402** is amended to read:

701 **58-60-402. Definitions.**

702 In addition to the definitions in Sections [58-1-102](#) and [58-60-102](#), as used in this part[:],

703 [~~(1) "Board" means the Clinical Mental Health Counselor Licensing Board created in Section~~

704 [58-60-403](#).~~(2) "Practice]~~ "practice of clinical mental health counseling" means the practice of

705 mental health therapy by means of observation, description, evaluation, interpretation,

706 intervention, and treatment to effect modification of human behavior by the application of

707 generally recognized clinical mental health counseling principles, methods, and procedures for

708 the purpose of preventing, treating, or eliminating mental or emotional illness or dysfunction,

709 symptoms of any of these, or maladaptive behavior.

710 Section 15. Section ~~58-60-405~~ is amended to read:

711 **58-60-405. Qualifications for licensure.**

712 (1) An applicant for licensure as a clinical mental health counselor shall:

713 (a) submit an application on a form provided by the division;

714 (b) pay a fee determined by the department under Section [63J-1-504](#);

715 (c) produce certified transcripts evidencing completion of:

716 (i) a master's or doctorate degree conferred to the applicant in:

717 (A) clinical mental health counseling, clinical rehabilitation counseling, counselor

718 education and supervision from a program accredited by the Council for Accreditation of

719 Counseling and Related Educational Programs; or

720 (B) clinical mental health counseling or an equivalent field from a program affiliated

721 with an institution that has accreditation that is recognized by the Council for Higher Education

722 Accreditation; and

723 (ii) at least 60 semester credit hours or 90 quarter credit hours of coursework related to

724 an educational program described in Subsection (1)(c)(i);

725 ~~[(d) have completed a minimum of 3,000 hours of clinical mental health counselor~~

726 ~~training as defined by division rule under Section [58-1-203](#);~~

727 ~~[(ii) obtained after completion of the education requirement in Subsection (1)(c); and]~~

728 (d) document successful completion of not less than 1,200 direct client care hours:

729 (i) obtained after completion of the education requirements under Subsection (1)(c);

730 [(i)] (ii) not less than 100 of which are direct clinical supervision hours under the

731 supervision of a clinical mental health counselor, psychiatrist, psychologist, clinical social

732 worker, registered psychiatric mental health nurse specialist, ~~[or]~~ marriage and family therapist

733 ~~[supervisor],~~ or master addiction counselor approved by the division in collaboration with the

734 board;

735 (iii) not less than 25 of which are direct observation hours;

736 (iv) not more than 25 of which are group supervision hours concurrently with only one

737 other applicant for licensure; and

738 (v) not more than 25 of which are group supervision hours concurrently with more than

739 one other applicant for licensure;

740 ~~[(iii)] (e) [including a minimum of]~~ document successful completion of not less than

741 two hours of training in suicide prevention obtained after completion of the education
742 requirements under Subsection (1)(c) via a course that the division designates as approved;
743 ~~[(e) document successful completion of not less than 1,000 hours of supervised~~
744 ~~training in mental health therapy obtained after completion of the education requirement in~~
745 ~~Subsection (1)(c), which training may be included as part of the 3,000 hours of training in~~
746 ~~Subsection (1)(d), and of which documented evidence demonstrates not less than 75 of the~~
747 ~~hours were obtained under the direct supervision of a mental health therapist, as defined by~~
748 ~~rule;]~~

749 (f) (i) pass the examination requirement established by division rule under Section
750 [58-1-203](#); ~~[and]~~ or

751 (ii) satisfy the following requirements:

752 (A) document successful completion of not less than 500 additional direct client care
753 hours, not less than 25 of are direct clinical supervision hours, and not less than five of which
754 are direct observation hours by a mental health therapist supervisor who meets the
755 requirements of Section [58-60-307](#);

756 (B) submit to the division a recommendation letter from the applicant's direct clinical
757 supervisor;

758 (C) submit to the division a recommendation letter from another licensed supervisor
759 who has directly observed the applicant's direct client care hours and is not the candidate's
760 direct clinical supervisor; and

761 (D) submit to the division a portfolio of work demonstrating clinical competence as
762 defined by rule; and

763 (g) if the applicant is applying to participate in the Counseling Compact under Chapter
764 60a, Counseling Compact, consent to a criminal background check in accordance with Section
765 [58-60-103.1](#) and any requirements established by division rule made in accordance with Title
766 63G, Chapter 3, Utah Administrative Rulemaking Act.

767 (2) (a) An applicant for licensure as an associate clinical mental health counselor shall
768 comply with the provisions of Subsections (1)(a) through (c).

769 (b) Except as provided under Subsection (2)(c), an individual's licensure as an
770 associate clinical mental health counselor is limited to the period of time necessary to complete
771 clinical training as described in Subsections (1)(d) and (e) and extends not more than two year

772 from the date the minimum requirement for training is completed.

773 (c) The time period under Subsection (2)(b) may be extended to a maximum of four
774 years past the date the minimum supervised clinical training requirement has been completed,
775 if the applicant presents satisfactory evidence to the division and the [appropriate] board that
776 the individual is:

777 (i) making reasonable progress toward passing of the qualifying examination for that
778 profession; or

779 (ii) otherwise on a course reasonably expected to lead to licensure.

780 (3) Notwithstanding Subsection (1)(c), an applicant satisfies the education requirement
781 described in Subsection (1)(c) if the applicant submits documentation verifying:

782 (a) satisfactory completion of a doctoral or master's degree from an educational
783 program in rehabilitation counseling accredited by the Council for Accreditation of Counseling
784 and Related Educational Programs;

785 (b) satisfactory completion of at least 60 semester credit hours or 90 quarter credit
786 hours of coursework related to an educational program described in Subsection (1)(c)(i); and

787 (c) that the applicant received a passing score that is valid and in good standing on:

788 (i) the National Counselor Examination; and

789 (ii) the National Clinical Mental Health Counseling Examination.

790 Section 16. Section **58-60-407** is amended to read:

791 **58-60-407. Scope of practice -- Limitations.**

792 (1) (a) A licensed clinical mental health counselor may engage in all acts and practices
793 defined as the practice of clinical mental health counseling without supervision, in private and
794 independent practice, or as an employee of another person, limited only by the licensee's
795 education, training, and competence.

796 (b) A licensed clinical mental health counselor may not supervise more than [~~six~~] 10
797 individuals who are lawfully engaged in training for the practice of mental health therapy,
798 unless granted an exception in writing from the division in collaboration with the board.

799 (2) (a) To the extent an individual has completed the educational requirements of
800 Subsection **58-60-305**(1)(c), a licensed associate clinical mental health counselor may engage
801 in all acts and practices defined as the practice of clinical mental health counseling if the
802 practice is:

803 (i) within the scope of employment as a licensed clinical mental health counselor with
804 a public agency or private clinic as defined by division rule; and

805 (ii) under supervision of a qualified licensed mental health therapist as defined in
806 Section 58-60-102.

807 (b) A licensed associate clinical mental health counselor may not engage in the
808 independent practice of clinical mental health counseling.

809 Section 17. Section 58-60-502 is amended to read:

810 **58-60-502. Definitions.**

811 In addition to the definitions in Sections 58-1-102 and 58-60-102, as used in this part:

812 [~~(1)~~] "Board" means the Substance Use Disorder Counselor Licensing Board created in
813 Section 58-60-503.;

814 [~~(2)~~] (1) (a) "Counseling" means a collaborative process that facilitates the client's
815 progress toward mutually determined treatment goals and objectives.

816 (b) "Counseling" includes:

817 (i) methods that are sensitive to an individual client's characteristics, to the influence of
818 significant others, and to the client's cultural and social context; and

819 (ii) an understanding, appreciation, and ability to appropriately use the contributions of
820 various addiction counseling models as the counseling models apply to modalities of care for
821 individuals, groups, families, couples, and significant others.

822 [~~(3)~~] (2) "Direct supervision" means:

823 (a) a minimum of one hour of supervision by a supervisor of the substance use disorder
824 counselor for every 40 hours of client care provided by the substance use disorder counselor,
825 which supervision may include group supervision;

826 (b) the supervision is conducted in a face-to-face manner, unless otherwise approved
827 on a case-by-case basis by the division in collaboration with the board; and

828 (c) a supervisor is available for consultation with the counselor at all times.

829 [~~(4)~~] (3) "General supervision" shall be defined by division rule.

830 [~~(5)~~] (4) "Group supervision" means more than one counselor licensed under this part
831 meets with the supervisor at the same time.

832 [~~(6)~~] (5) "Individual supervision" means only one counselor licensed under this part
833 meets with the supervisor at a given time.

834 ~~[(7)]~~ (6) "Practice as a certified advanced substance use disorder counselor" and
835 "practice as a certified advanced substance use disorder counselor intern" means providing
836 services described in Subsection ~~[(9)]~~ (8) under the direct supervision of a mental health
837 therapist or licensed advanced substance use disorder counselor.

838 ~~[(8)]~~ (7) "Practice as a certified substance use disorder counselor" and "practice as a
839 certified substance use disorder counselor intern" means providing the services described in
840 Subsections ~~[(10)(a)]~~ (9)(a) and (b) under the direct supervision of a mental health therapist or
841 licensed advanced substance use disorder counselor.

842 ~~[(9)]~~ (8) "Practice as a licensed advanced substance use disorder counselor" means:

843 (a) providing the services described in Subsections ~~[(10)(a)]~~ (9)(a) and (b);

844 (b) screening and assessing of individuals, including identifying substance use disorder
845 symptoms and behaviors and co-occurring mental health issues;

846 (c) treatment planning for substance use disorders, including initial planning, ongoing
847 intervention, continuity of care, discharge planning, planning for relapse prevention, and long
848 term recovery support; and

849 (d) supervising a certified substance use disorder counselor, certified substance use
850 disorder counselor intern, certified advanced substance use disorder counselor, certified
851 advanced substance use disorder counselor intern, or licensed substance use disorder counselor
852 in accordance with Subsection [58-60-508\(2\)](#).

853 ~~[(10)]~~ (9) (a) "Practice as a substance use disorder counselor" means providing services
854 as an employee of a substance use disorder agency under the general supervision of a licensed
855 mental health therapist to individuals or groups of persons, whether in person or remotely, for
856 conditions of substance use disorders consistent with the education and training of a substance
857 use disorder counselor required under this part, and the standards and ethics of the profession
858 as approved by the division in collaboration with the board.

859 (b) "Practice as a substance use disorder counselor" includes:

860 (i) administering the screening process by which a client is determined to need
861 substance use disorder services, which may include screening, brief intervention, and treatment
862 referral;

863 (ii) conducting the administrative intake procedures for admission to a program;

864 (iii) conducting orientation of a client, including:

- 865 (A) describing the general nature and goals of the program;
- 866 (B) explaining rules governing client conduct and infractions that can lead to
867 disciplinary action or discharge from the program;
- 868 (C) explaining hours during which services are available in a nonresidential program;
- 869 (D) treatment costs to be borne by the client, if any; and
- 870 (E) describing the client's rights as a program participant;
- 871 (iv) conducting assessment procedures by which a substance use disorder counselor
872 gathers information related to an individual's strengths, weaknesses, needs, and substance use
873 disorder symptoms for the development of the treatment plan;
- 874 (v) participating in the process of treatment planning, including recommending specific
875 interventions to support existing treatment goals and objectives developed by the substance use
876 disorder counselor, the mental health therapist, and the client to:
- 877 (A) identify and rank problems needing resolution;
- 878 (B) establish agreed upon immediate and long term goals; and
- 879 (C) decide on a treatment process and the resources to be utilized;
- 880 (vi) monitoring compliance with treatment plan progress;
- 881 (vii) providing substance use disorder counseling services to alcohol and drug use
882 disorder clients and significant people in the client's life as part of a comprehensive treatment
883 plan, including:
- 884 (A) leading specific task-oriented groups, didactic groups, and group discussions;
- 885 (B) cofacilitating group therapy with a licensed mental health therapist; and
- 886 (C) engaging in one-on-one interventions and interactions coordinated by a mental
887 health therapist;
- 888 (viii) performing case management activities that bring services, agencies, resources, or
889 people together within a planned framework of action toward the achievement of established
890 goals, including, when appropriate, liaison activities and collateral contacts;
- 891 (ix) providing substance use disorder crisis intervention services;
- 892 (x) providing client education to individuals and groups concerning alcohol and other
893 substance use disorders, including identification and description of available treatment services
894 and resources;
- 895 (xi) identifying the needs of the client that cannot be met by the substance use disorder

896 counselor or substance use disorder agency and referring the client to appropriate services and
897 community resources;

898 (xii) developing and providing effective reporting and recordkeeping procedures and
899 services, which include charting the results of the assessment and treatment plan, writing
900 reports, progress notes, discharge summaries, and other client-related data; and

901 (xiii) consulting with other professionals in regard to client treatment and services to
902 assure comprehensive quality care for the client.

903 (c) "Practice as a substance use disorder counselor" does not include:

904 (i) the diagnosing of mental illness, including substance use disorders, as defined in
905 Section [58-60-102](#);

906 (ii) engaging in the practice of mental health therapy as defined in Section [58-60-102](#);
907 or

908 (iii) the performance of a substance use disorder diagnosis, other mental illness
909 diagnosis, or psychological testing.

910 ~~[(11)]~~ (10) "Program" means a substance use disorder agency that provides substance
911 use disorder services, including recovery support services.

912 ~~[(12)]~~ (11) "Recovery support services" means services provided to an individual who
913 is identified as having need of substance use disorder preventive or treatment services, either
914 before, during, or after an episode of care that meets the level of care standards established by
915 division rule.

916 ~~[(13)]~~ (12) "Substance use disorder agency" means a public or private agency, health
917 care facility, or health care practice that:

918 (a) provides substance use disorder services, recovery support services, primary health
919 care services, or substance use disorder preventive services; and

920 (b) employs qualified mental health therapists in sufficient number to:

921 (i) evaluate the condition of clients being treated by each counselor licensed under this
922 part and employed by the substance use disorder agency; and

923 (ii) ensure that appropriate substance use disorder services are being given.

924 ~~[(14)]~~ (13) "Substance use disorder education program" means a formal program of
925 substance use disorder education offered by an accredited institution of higher education that
926 meets standards established by division rule.

927 Section 18. Section **58-60-504** is amended to read:

928 **58-60-504. License classification.**

929 The division shall issue substance use disorder counselor licenses to individuals
930 qualified under this part in the classification of:

931 (1) master addiction counselor;

932 (2) associate master addiction counselor;

933 [~~(1)~~] (3) licensed advanced substance use disorder counselor;

934 [~~(2)~~] (4) certified advanced substance use disorder counselor;

935 [~~(3)~~] (5) certified advanced substance use disorder counselor intern;

936 [~~(4)~~] (6) licensed substance use disorder counselor;

937 [~~(5)~~] (7) certified substance use disorder counselor; and

938 [~~(6)~~] (8) certified substance use disorder counselor intern.

939 Section 19. Section **58-60-506** is amended to read:

940 **58-60-506. Qualifications for licensure.**

941 (1) An applicant for licensure under this part on and after July 1, 2012, must meet the
942 following qualifications:

943 (a) submit an application in a form prescribed by the division;

944 (b) pay a fee determined by the department under Section [63J-1-504](#);

945 (c) satisfy the requirements of Subsection (2), (3), (4), (5), (6), [~~or~~] (7), (8), or (9),
946 respectively; and

947 (d) except for licensure as a certified substance use disorder counselor intern and a
948 certified advanced substance use disorder counselor intern, satisfy the examination requirement
949 established by division rule under Section [58-1-203](#).

950 (2) An applicant for licensure as a master addiction counselor shall produce:

951 (a) a certified transcript from an accredited institution of higher education that meets
952 standards established by division rule under Section [58-1-203](#), verifying the satisfactory
953 completion of a doctoral or master's degree in:

954 (i) substance use disorders or addiction counseling and treatment; or

955 (ii) a counseling subject approved by the division in collaboration with the board,
956 which may include social work, mental health counseling, marriage and family therapy,
957 psychology, or medicine;

958 (b) documentation of successful completion of at least 1,200 hours of supervised
959 experience in substance use disorder and addiction treatment obtained after completion of the
960 education requirement described in Subsection (2)(a) demonstrating at least 75 of the
961 supervised hours were obtained:

962 (i) during direct, personal supervision, as defined by division rule;

963 (ii) under the supervision of a clinical mental health counselor, psychiatrist,
964 psychologist, registered psychiatric mental health nurse practitioner, marriage and family
965 therapist, clinical social worker, or master addiction counselor approved by the division in
966 collaboration with the board; and

967 (iii) at least 25 of the direct clinical supervision hours shall be obtained through direct
968 observation by either the direct clinical supervisor or by another fully licensed clinician who is
969 authorized to practice mental health therapy and who is approved by the applicant for
970 licensure's direct clinical supervisor; and

971 (c) if the applicant for licensure produces a transcript described in Subsection (2)(a)(ii),
972 evidence of completion of an additional 200 hours of supervised experience in substance use
973 disorder and addiction treatment.

974 (3) (a) An applicant for licensure as an associate master addiction counselor shall
975 comply with the provisions of Subsections (2)(a).

976 (b) An individual's licensure as an associate master addiction counselor:

977 (i) is limited to the period of time necessary to complete the hours described in
978 Subsections (2)(a)(ii) and (iii); and

979 (ii) except as provided in Subsection (3)(c), expires no more than two years after the
980 day on which the minimum time for training passes.

981 (c) The division may extend the time period under Subsection (3)(b) up to four years
982 past the day on which the minimum time for training passes if the applicant presents
983 satisfactory evidence to the division that the applicant is:

984 (i) making reasonable progress toward the relevant examination; or

985 (ii) otherwise on a course reasonably expected to lead to licensure.

986 ~~[(2)]~~ (4) In accordance with division rules, an applicant for licensure as an advanced
987 substance use disorder counselor shall produce:

988 (a) certified transcripts from an accredited institution of higher education that:

- 989 (i) meet division standards;
- 990 (ii) verify the satisfactory completion of a baccalaureate or graduate degree; and
- 991 (iii) verify the completion of prerequisite courses established by division rules;
- 992 (b) documentation of the applicant's completion of a substance use disorder education

993 program that includes:

994 (i) at least 300 hours of substance use disorder related education, of which 200 hours

995 may have been obtained while qualifying for a substance use disorder counselor license; and

996 (ii) a supervised practicum of at least 350 hours, of which 200 hours may have been

997 obtained while qualifying for a substance use disorder counselor license; and

998 (c) documentation of the applicant's completion of at least 4,000 hours of supervised

999 experience in substance use disorder treatment, of which 2,000 hours may have been obtained

1000 while qualifying for a substance use disorder counselor license, that:

1001 (i) meets division standards; and

1002 (ii) is performed within a four-year period after the applicant's completion of the

1003 substance use disorder education program described in Subsection (2)(b), unless, as determined

1004 by the division after consultation with the board, the time for performance is extended due to

1005 an extenuating circumstance.

1006 [~~(3)~~] (5) An applicant for licensure as a certified advanced substance use disorder

1007 counselor shall meet the requirements in Subsections [~~(2)(a)~~] (4)(a) and (b).

1008 [~~(4)~~] (6) (a) An applicant for licensure as a certified advanced substance use disorder

1009 counselor intern shall meet the requirements in Subsections [~~(2)(a)~~] (4)(a) and (b).

1010 (b) A certified advanced substance use disorder counselor intern license expires at the

1011 earlier of:

1012 (i) the licensee passing the examination required for licensure as a certified advanced

1013 substance use disorder counselor; or

1014 (ii) six months after the certified advanced substance use disorder counselor intern

1015 license is issued.

1016 [~~(5)~~] (7) In accordance with division rules, an applicant for licensure as a substance use

1017 disorder counselor shall produce:

1018 (a) certified transcripts from an accredited institution that:

1019 (i) meet division standards;

1020 (ii) verify satisfactory completion of an associate's degree or equivalent as defined by
1021 the division in rule; and

1022 (iii) verify the completion of prerequisite courses established by division rules;

1023 (b) documentation of the applicant's completion of a substance use disorder education
1024 program that includes:

1025 (i) completion of at least 200 hours of substance use disorder related education;

1026 (ii) included in the 200 hours described in Subsection [~~(5)(b)(i)~~] (7)(b)(i), a minimum
1027 of two hours of training in suicide prevention via a course that the division designates as
1028 approved; and

1029 (iii) completion of a supervised practicum of at least 200 hours; and

1030 (c) documentation of the applicant's completion of at least 2,000 hours of supervised
1031 experience in substance use disorder treatment that:

1032 (i) meets division standards; and

1033 (ii) is performed within a two-year period after the applicant's completion of the
1034 substance use disorder education program described in Subsection [~~(5)(b)~~] (7)(b), unless, as
1035 determined by the division after consultation with the board, the time for performance is
1036 extended due to an extenuating circumstance.

1037 [~~(6)~~] (8) An applicant for licensure as a certified substance use disorder counselor shall
1038 meet the requirements of Subsections [~~(5)(a)~~] (7)(a) and (b).

1039 [~~(7)~~] (9) (a) An applicant for licensure as a certified substance use disorder counselor
1040 intern shall meet the requirements of Subsections [~~(5)(a)~~] (7)(a) and (b).

1041 (b) A certified substance use disorder counselor intern license expires at the earlier of:

1042 (i) the licensee passing the examination required for licensure as a certified substance
1043 use disorder counselor; or

1044 (ii) six months after the certified substance use disorder counselor intern license is
1045 issued.

1046 Section 20. Section **58-60-512** is enacted to read:

1047 **58-60-512. Scope of practice -- Limitations.**

1048 (1) An individual who is licensed as a master addiction counselor:

1049 (a) may engage in practice as a licensed master addiction counselor without
1050 supervision, in private and independent practice or as an employee of another person, limited

1051 only by the licensee's education, training, and competence; and

1052 (b) may engage in the practice of mental health therapy.

1053 (2) To the extent an individual is professionally prepared by the education and training
1054 track completed while earning a degree according to Subsection 58-60-506(2)(a), a licensed
1055 associate master addiction counselor may engage in practice as a licensed advanced substance
1056 use disorder counselor consistent with the licensee's education, clinical training, experience,
1057 and competence:

1058 (a) under supervision of an individual described in Subsection 58-60-506(2)(b) and as
1059 an employee of another person when engaged in practice as a licensed advanced substance use
1060 disorder counselor;

1061 (b) without supervision and in private practice or as an employee of another person, if
1062 not engaged in practice as a licensed advanced substance use disorder counselor or in the
1063 practice of mental health therapy;

1064 (c) including engaging in private, independent, unsupervised practice as a licensed
1065 advanced substance use disorder counselor or practice of mental health therapy as a
1066 self-employed individual, in partnership with other mental health therapists, as a professional
1067 corporation, or in any other capacity or business entity, so long as the individual does not
1068 practice unsupervised psychotherapy; and

1069 (d) supervising substance use disorder counselors as provided by division rule.

1070 Section 21. Section **58-61-102** is amended to read:

1071 **58-61-102. Definitions.**

1072 In addition to the definitions in Section 58-1-102, as used in this chapter:

1073 (1) "Board" means the [~~Psychologist Licensing Board created in Section 58-61-201~~]
1074 Behavioral Health Board created in Section 58-60-102.5.

1075 (2) "Client" or "patient" means an individual who consults or is examined or
1076 interviewed by a psychologist acting in his professional capacity.

1077 (3) "Confidential communication" means information, including information obtained
1078 by the psychologist's examination of the client or patient, which is:

1079 (a) (i) transmitted between the client or patient and a psychologist in the course of that
1080 relationship; or

1081 (ii) transmitted among the client or patient, the psychologist, and individuals who are

1082 participating in the diagnosis or treatment under the direction of the psychologist, including
1083 members of the client's or patient's family; and

1084 (b) made in confidence, for the diagnosis or treatment of the client or patient by the
1085 psychologist, and by a means not intended to be disclosed to third persons other than those
1086 individuals:

1087 (i) present to further the interest of the client or patient in the consultation,
1088 examination, or interview;

1089 (ii) reasonably necessary for the transmission of the communications; or

1090 (iii) participating in the diagnosis and treatment of the client or patient under the
1091 direction of the psychologist.

1092 (4) "Hypnosis" means, regarding individuals exempted from licensure under this
1093 chapter, a process by which one individual induces or assists another individual into a hypnotic
1094 state without the use of drugs or other substances and for the purpose of increasing motivation
1095 or to assist the individual to alter lifestyles or habits.

1096 (5) "Individual" means a natural person.

1097 (6) "Mental health therapist" means an individual licensed under this title as a:

1098 (a) physician and surgeon, or osteopathic physician engaged in the practice of mental
1099 health therapy;

1100 (b) an advanced practice registered nurse, specializing in psychiatric mental health
1101 nursing;

1102 (c) an advanced practice registered nurse intern, specializing in psychiatric mental
1103 health nursing;

1104 (d) psychologist qualified to engage in the practice of mental health therapy;

1105 (e) a certified psychology resident qualifying to engage in the practice of mental health
1106 therapy;

1107 (f) clinical social worker;

1108 (g) certified social worker;

1109 (h) marriage and family therapist;

1110 (i) an associate marriage and family therapist;

1111 (j) a clinical mental health counselor; or

1112 (k) an associate clinical mental health counselor.

1113 (7) "Mental illness" means a mental or emotional condition defined in an approved
1114 diagnostic and statistical manual for mental disorders generally recognized in the professions of
1115 mental health therapy listed under Subsection [~~(6)~~] (5).

1116 (8) "Practice of mental health therapy" means the treatment or prevention of mental
1117 illness, whether in person or remotely, including:

1118 (a) conducting a professional evaluation of an individual's condition of mental health,
1119 mental illness, or emotional disorder;

1120 (b) establishing a diagnosis in accordance with established written standards generally
1121 recognized in the professions of mental health therapy listed under Subsection [~~(6)~~] (5);

1122 (c) prescribing a plan for the prevention or treatment of a condition of mental illness or
1123 emotional disorder; and

1124 (d) engaging in the conduct of professional intervention, including psychotherapy by
1125 the application of established methods and procedures generally recognized in the professions
1126 of mental health therapy listed under Subsection [~~(6)~~] (5).

1127 (9) (a) "Practice of psychology" includes:

1128 (i) the practice of mental health therapy by means of observation, description,
1129 evaluation, interpretation, intervention, and treatment to effect modification of human behavior
1130 by the application of generally recognized professional psychological principles, methods, and
1131 procedures for the purpose of preventing, treating, or eliminating mental or emotional illness or
1132 dysfunction, the symptoms of any of these, or maladaptive behavior;

1133 (ii) the observation, description, evaluation, interpretation, or modification of human
1134 behavior by the application of generally recognized professional principles, methods, or
1135 procedures requiring the education, training, and clinical experience of a psychologist, for the
1136 purpose of assessing, diagnosing, preventing, or eliminating symptomatic, maladaptive, or
1137 undesired behavior and of enhancing interpersonal relationships, work and life adjustment,
1138 personal effectiveness, behavioral health, and mental health;

1139 (iii) psychological testing and the evaluation or assessment of personal characteristics
1140 such as intelligence, personality, abilities, interests, aptitudes, and neuropsychological
1141 functioning;

1142 (iv) counseling, marriage and family therapy, psychoanalysis, psychotherapy, hypnosis,
1143 and behavior analysis and therapy;

1144 (v) diagnosis and treatment of mental and emotional disorders of disability, alcoholism
1145 and substance abuse, disorders of habit or conduct, and the psychological aspects of physical
1146 illness, accident, injury, or disability; and

1147 (vi) psychoeducational evaluation, therapy, remediation, and consultation.

1148 (b) An individual practicing psychology may provide services to individuals, couples,
1149 families, groups of individuals, members of the public, and individuals or groups within
1150 organizations or institutions.

1151 (10) "Remotely" means communicating via Internet, telephone, or other electronic
1152 means that facilitate real-time audio or visual interaction between individuals when they are not
1153 physically present in the same room at the same time.

1154 (11) "Unlawful conduct" is as defined in Sections 58-1-501 and 58-61-501.

1155 (12) "Unprofessional conduct" is as defined in Sections 58-1-501 and 58-61-502, and
1156 may be further defined by division rule.

1157 Section 22. Section 58-61-304 is amended to read:

1158 **58-61-304. Qualifications for licensure by examination or endorsement.**

1159 (1) An applicant for licensure as a psychologist based upon education, clinical training,
1160 and examination shall:

1161 (a) submit an application on a form provided by the division;

1162 (b) pay a fee determined by the department under Section 63J-1-504;

1163 (c) produce certified transcripts of credit verifying satisfactory completion of a doctoral
1164 degree in psychology that includes specific core course work established by division rule under
1165 Section 58-1-203, from an institution of higher education whose doctoral program, at the time
1166 the applicant received the doctoral degree, met approval criteria established by division rule
1167 made in consultation with the board;

1168 (d) have completed a minimum of 4,000 hours of psychology training as defined by
1169 division rule under Section 58-1-203 in not less than two years and under the supervision of a
1170 psychologist supervisor approved by the division in collaboration with the board;

1171 (e) to be qualified to engage in mental health therapy, document successful completion
1172 of not less than 1,000 hours of supervised training in mental health therapy obtained after
1173 completion of a master's level of education in psychology, which training may be included as
1174 part of the 4,000 hours of training required in Subsection (1)(d), and for which documented

1175 evidence demonstrates not less than one hour of supervision for each 40 hours of supervised
1176 training was obtained under the direct supervision of a psychologist, as defined by rule;

1177 (f) pass the examination requirement established by division rule under Section
1178 58-1-203;

1179 (g) consent to a criminal background check in accordance with Section 58-61-304.1
1180 and any requirements established by rule made in accordance with Title 63G, Chapter 3, Utah
1181 Administrative Rulemaking Act; and

1182 (h) meet with the board, upon request for good cause, for the purpose of evaluating the
1183 applicant's qualifications for licensure.

1184 (2) An applicant for licensure as a psychologist by endorsement based upon licensure
1185 in another jurisdiction shall:

1186 (a) submit an application on a form provided by the division;

1187 (b) pay a fee determined by the department under Section 63J-1-504;

1188 (c) not have any disciplinary action pending or in effect against the applicant's
1189 psychologist license in any jurisdiction;

1190 (d) have passed the Utah Psychologist Law and Ethics Examination established by
1191 division rule;

1192 (e) provide satisfactory evidence the applicant is currently licensed in another state,
1193 district, or territory of the United States, or in any other jurisdiction approved by the division in
1194 collaboration with the board;

1195 (f) provide satisfactory evidence the applicant has actively practiced psychology in that
1196 jurisdiction for not less than 2,000 hours or one year, whichever is greater;

1197 (g) provide satisfactory evidence that:

1198 (i) the education, supervised experience, examination, and all other requirements for
1199 licensure in that jurisdiction at the time the applicant obtained licensure were substantially
1200 equivalent to the licensure requirements for a psychologist in Utah at the time the applicant
1201 obtained licensure in the other jurisdiction; or

1202 (ii) the applicant is:

1203 (A) a current holder of Board Certified Specialist status in good standing from the
1204 American Board of Professional Psychology;

1205 (B) currently credentialed as a health service provider in psychology by the National

1206 Register of Health Service Providers in Psychology; or

1207 (C) currently holds a Certificate of Professional Qualification (CPQ) granted by the
1208 Association of State and Provincial Psychology Boards;

1209 (h) consent to a criminal background check in accordance with Section [58-61-304.1](#)
1210 and any requirements established by rule made in accordance with Title 63G, Chapter 3, Utah
1211 Administrative Rulemaking Act; and

1212 (i) meet with the board, upon request for good cause, for the purpose of evaluating the
1213 applicant's qualifications for licensure.

1214 (3) (a) An applicant for certification as a psychology resident shall comply with the
1215 provisions of Subsections (1)(a), (b), (c), (g), and (h).

1216 (b) (i) An individual's certification as a psychology resident is limited to the period of
1217 time necessary to complete clinical training as described in Subsections (1)(d) and (e) and
1218 extends not more than one year from the date the minimum requirement for training is
1219 completed, unless the individual presents satisfactory evidence to the division and the
1220 ~~[Psychologist Licensing Board]~~ board that the individual is making reasonable progress toward
1221 passing the qualifying examination or is otherwise on a course reasonably expected to lead to
1222 licensure as a psychologist.

1223 (ii) The period of time under Subsection (3)(b)(i) may not exceed two years past the
1224 date the minimum supervised clinical training requirement has been completed.

1225 Section 23. Section **58-84-102** is amended to read:

1226 **58-84-102. Definitions.**

1227 In addition to the definitions in Section [58-1-102](#), as used in this chapter:

1228 (1) "Board" means the Behavioral Health Board created in Section [58-60-102.5](#)

1229 ~~[(1)]~~ (2) "Practice of music therapy" means the clinical and evidence-based use of
1230 music interventions to accomplish individualized goals within a therapeutic relationship.

1231 ~~[(2)]~~ (3) "State certification" means a designation granted by the division in
1232 collaboration with the board on behalf of the state to an individual who has met the
1233 requirements for state certification related to an occupation or profession described in this
1234 chapter.

1235 ~~[(3)]~~ (4) "State certified" means, when used in conjunction with an occupation or
1236 profession described in this chapter, a title that:

1237 (a) may be used by a person who has met the state certification requirements related to
1238 that occupation or profession described in this chapter; and

1239 (b) may not be used by a person who has not met the state certification requirements
1240 related to that occupation or profession described in this chapter.

1241 Section 24. Section **58-84-201** is amended to read:

1242 **58-84-201. Qualifications for state certification.**

1243 (1) The division shall grant state certification to a person who qualifies under this
1244 chapter to engage in the practice of music therapy as a state certified music therapist.

1245 (2) Each applicant for state certification as a state certified music therapist shall:

1246 (a) submit an application in a form prescribed by the division;

1247 (b) pay a fee determined by the department under Section [63J-1-504](#); and

1248 (c) provide satisfactory documentation that the applicant is board certified by, and in
1249 good standing with, the Certification Board for Music Therapists, or an equivalent board as
1250 determined by division rule in collaboration with the board.

1251 Section 25. **Repealer.**

1252 This bill repeals:

1253 Section [58-40-201](#), **Board.**

1254 Section [58-60-203](#), **Board.**

1255 Section [58-60-303](#), **Board -- Powers.**

1256 Section [58-60-403](#), **Board.**

1257 Section [58-60-503](#), **Board.**

1258 Section [58-61-201](#), **Board.**

1259 Section [58-78-201](#), **Board.**

1260 Section 26. **Effective date.**

1261 This bill takes effect on May 1, 2024.