

SF0056

Mental health professions practice act amendments.

Sponsored By: Joint Labor, Health & Social Services Interim Committee

AN ACT relating to mental health professions licensing; defining when mental health education is required for professional licensure; defining qualifications to practice as a certified addictions practitioner; providing for criminal background checks; repealing obsolete provisions; providing standards for licensure as a certified mental health worker; and providing for an effective date.

1/3/2019 Bill Number Assigned
1/8/2019 S Received for Introduction
1/10/2019 S Introduced and Referred to S10 - Labor
1/25/2019 S10 - Labor:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Baldwin, Bouchard, Pappas, Schuler, Scott
Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

1/25/2019 S Placed on General File

/FAILED

Page 1-line 3 After "licensure;" insert "revising provisions relating to addictions therapy licensure;".

Page 1-line 7 After "worker;" insert "requiring a report; requiring the adoption of rules;".

Page 1-lines 13 through 15 Delete entirely and insert:
"and 33-38-106(c)(ii), (iii), (v), by creating a new paragraph (vii) and by creating new subsections (q), (r) and (s) are amended to read:".

Page 2-lines 22 and 23 Delete entirely.

Page 3-lines 1 through 7 Delete entirely and insert:
"(c) Certification under this subsection shall allow practice as a certified addictions practitioner only under the supervision of a qualified clinical supervisor who has obtained a clinical supervisor certification issued by the national association for alcohol and drug abuse counselors or the international certification and reciprocity consortium, and subject to any other necessary restrictions which may be specified by the board pursuant to rules which are required to protect the public and are consistent with this section. The board shall grant certification as a certified addictions practitioner to any applicant who files an application upon a form and in the manner prescribed by the board, accompanied by the appropriate fee and who furnishes satisfactory evidence to the board of the following:".

Page 3-lines 17 through 23 Delete entirely.

Page 4-lines 1 through 12 Delete entirely and insert:
"(iii) The applicant has received a baccalaureate degree in a human resource discipline from a regionally accredited institution of higher education, which is professional in content and which meets the academic and training content standards established by the board, or in a field that substantially relates to addictions therapy, including psychology, sociology or criminal justice, a baccalaureate level equivalency in addiction therapy or an associate degree with specified coursework in addictions therapy, as determined by the board. The board shall not require a practicum for baccalaureate degree holders, but shall require a practicum for associate degree holders. Except as otherwise provided in this paragraph, the board shall use-recognize the

professional training and experience standards of the ~~appropriate professional associations~~ national association for alcohol and drug abuse counselors and the international certification and reciprocity consortium, as established by the rules ~~and regulations~~ for the purposes of this section, in a manner that will promote access to certified addictions practitioners for the public. An applicant with an associate degree shall complete not less than four thousand (4,000) hours of supervised clinical experience before becoming eligible to apply for certification under this subsection;

(v) The applicant has demonstrated knowledge in the field of addictions treatment in general by passing a standard examination which may be written or situational, ~~as the board prescribes. The board may develop, adopt and administer appropriate examinations~~ and is comprised of either the examination offered by the national association for alcohol and drug abuse counselors or the international certification and reciprocity consortium. ~~The board shall accept the results of either examination.~~ The board shall establish specific provisions for examination of applicants for certification in the specific discipline at reasonable times and places at least twice each year;".

Page 6-after line 17 Insert:

"(r) In addition to other provisions establishing licensing without examination under this section, the board shall grant certification without examination as a licensed addictions therapist or certified addictions practitioner if:

(i) The person, at the time of application, maintains a license in good standing to practice in another state and has been licensed in that state for not less than two (2) years as a licensed addictions therapist or certified addictions practitioner, or any other role, however designated, with a scope of practice substantially similar to a licensed addictions therapist or certified addictions practitioner. As used in this paragraph, "substantially similar" means having a preponderance of characteristics in common and does not mean that the scope of practice of the person in the licensed state is required to be identical to the scope of practice for licensed addictions therapists or certified addictions practitioners in Wyoming;

(ii) The applicant has no felony convictions and no misdemeanor convictions that relate adversely to the practice of addictions therapy, provided that exemptions to this requirement may be granted by the board if consistent with the public interest; and

(iii) Upon payment of a fee established by the board.

(s) The provisions of subsection (r) of this section shall be an additional means of licensure for licensed addictions therapists and certified addictions practitioners. The board shall not impose other requirements for licensure under subsection (r) of this section."

Page 6-after line 20 Insert:

"Section 3. The mental health professions licensing board shall adopt rules to implement this act on or before October 1, 2019.

Section 4. The mental health professions licensing board shall issue a report to the joint labor, health and social services interim committee on all actions taken pursuant to this act, which shall include the adoption of rules, on or before October 1, 2019."

Page 7-line 1 Delete entirely and insert:

"Section 5. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution." SCOTT, CHAIRMAN

Delete the Senate standing committee amendment (SF0056SS001/A) entirely and further amend as follows:

Page 1-line 3 After "licensure;" insert "revising provisions relating to addictions therapy licensure;".

Page 1-line 7 After "worker;" insert "requiring a report; requiring the adoption of rules;".

Page 1-lines 13 through 15 Delete entirely and insert:

"and 33-38-106(c)(ii), (iii), by creating a new paragraph (vii) and by creating new subsections (q) through (u) is amended to read:".

Page 6-after line 17 Insert:

"(r) Certification under this subsection shall allow practice of addictions therapy as a certified criminal justice professional only under the supervision of a qualified clinical supervisor within the criminal justice system, which shall include the Wyoming court system, probation and parole services and prisons. The board shall adopt the licensing and scope of practice standards of the international certification and reciprocity consortium. The board shall grant certification as a certified criminal justice professional under this subsection to any applicant who files an application upon a form and in the manner prescribed by the board, accompanied by an appropriate fee and who furnishes satisfactory evidence to the board of the following:

(i) The applicant has reached the age of majority;

(ii) The applicant has no felony convictions and no misdemeanor convictions that relate adversely to the practice of addictions therapy or to the ability to practice addictions therapy, although exceptions to this requirement may be granted by the board if consistent with the public interest;

(iii) The applicant has obtained at least a bachelor's degree in criminal justice or a related field or has obtained a certification under subsection (s) of this section, has passed an examination specified by the international certification and reciprocity consortium and has met all other consortium certification standards for the certified criminal justice professional qualification not inconsistent with this subsection.

(s) Certification under this subsection shall allow limited practice of addictions therapy as a certified criminal justice professional-applicant only under the supervision of a qualified clinical supervisor within the criminal justice system, which shall include the Wyoming court system, probation and parole services and prisons. Certification under this section shall expire five (5) years after issuance, but may be renewed. An applicant shall work toward the certification set forth in subsection (r) of this section. The board shall grant certification as a certified criminal justice professional-applicant under this subsection to any applicant who files an application upon a form and in the manner prescribed by the board, accompanied by an appropriate fee and who furnishes satisfactory evidence to the board of the following:

(i) The applicant has reached the age of majority;

(ii) The applicant has no felony convictions and no misdemeanor convictions that relate adversely to the practice of addictions therapy or to the ability to practice addictions therapy, although exceptions to this requirement may be granted by the board if consistent with the public interest;

(iii) The applicant has obtained an associate's degree in criminal justice or a related field and has obtained not less than two hundred seventy (270) clock hours of education in addictions specific subjects.

(t) The provisions of subsections (r) and (s) of this section are additional means of certification under this section and are self-contained certifications. The board shall not impose additional qualifications for licensure or scope of practice beyond those specified by subsections (r) and (s) of this section.

(u) In addition to other provisions establishing licensing without examination under this section, the board shall grant certification without examination as a licensed addictions therapist, certified addictions

practitioner, certified criminal justice professional or certified criminal justice addictions professional-applicant if:

(i) The person, at the time of application, maintains a license or certification in good standing to practice in another state and has been licensed or certified in that state for not less than two (2) years with a scope of practice substantially similar to a licensed addictions therapist, certified addictions practitioner, certified criminal justice professional or certified criminal justice addictions professional-applicant. As used in this paragraph, "substantially similar" means having a preponderance of characteristics in common and shall not mean that the scope of practice of the person in the licensed state is required to be identical or overwhelmingly similar to the scope of practice established by this section. The board shall not impose further qualifications for licensure under this subsection;

(ii) The applicant has no felony convictions and no misdemeanor convictions that relate adversely to the practice of addictions therapy, provided that exemptions to this requirement may be granted by the board if consistent with the public interest; and

(iii) Upon payment of a fee established by the board."

Page 6-after line 20 Insert:

"**Section 3.** The mental health professions licensing board shall adopt rules to implement this act on or before October 1, 2019.

Section 4. The mental health professions licensing board shall issue a report to the joint labor, health and social services interim committee on all actions taken pursuant to this act, which shall include the adoption of rules, on or before October 1, 2019."

Page 7-line 1 Delete entirely and insert:

"**Section 5.** This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.". BOUCHARD, SCOTT

1/31/2019 S COW:Failed 8-22-0-0-0

ROLL CALL

Ayes: Senator(s) Boner, Bouchard, Ellis, Nethercott, Pappas, Rothfuss, Schuler, Scott

Nays: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Case, Coe, Dockstader, Driskill, Gierau, Hicks, Hutchings, James, Kinskey, Kost, Landen, Moniz, Perkins, Steinmetz, Von Flatern, Wasserburger

Ayes 8 **Nays** 22 **Excused** 0 **Absent** 0 **Conflicts** 0