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Senate BILL NO. 229

INTRODUCED BY THOMAS Justin Hollibaugh

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING CERTAIN COUNSELORS TO TAKE AN EXAMINATION FOR LICENSURE AS LICENSED PROFESSIONAL COUNSELORS; AND PROVIDING AN EFFECTIVE DATE, AN APPLICABILITY DATE, AND A TERMINATION DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Opportunity for examination allowed for certain counselors -- licensure**

-- **definition.** (1) Notwithstanding the requirements of 37-23-202(1), an individual meeting the requirements of this subsection (1) may take the examination provided for in subsection (2) if the individual:

- (a) holds a master's degree from a master's-level program primarily related to counseling;
- (b) has gained at least 5,000 hours of counseling practice after award of the master's degree required by subsection (1)(a); and
- (c) has been given clinical privileges as a recognized provider of psychotherapy or related services at a community mental health center by the center pursuant to a contract with the mental and addictive disorders division of the department of public health and human services.

(2) An individual fulfilling the requirements of subsection (1) must, upon application to the board of social work examiners and professional counselors before October 1, 1997, be given the opportunity to take the national board of certified counselors examination used by the board of social work examiners and professional counselors to determine fitness for licensure under Title 37, chapter 23.

(3) Upon passage of the national board of certified counselors examination taken pursuant to subsection (2) and upon payment of the appropriate fee required by 37-23-206, the board of social work examiners and professional counselors shall issue a license to the individual to practice as a licensed professional counselor in accordance with Title 37, chapter 23.

(4) Licenses issued pursuant to subsection (3) are subject to Title 37, chapter 23.

(5) For the purposes of this section, "community mental health center" means a community mental health center as defined in 53-21-201.

1           **NEW SECTION. Section 2. Applicability.** [This act] applies only to persons employed by a  
2 community mental health center on [the effective date of this act].

3

4           **NEW SECTION. Section 3. Effective date.** [This act] is effective July 1, 1997.

5

6           **NEW SECTION. Section 4. Termination.** [This act] terminates October 1, 1997.

7

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for SB0229, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act allowing certain counselors to take an examination for licensure as a licensed professional counselor.

ASSUMPTIONS:

Department of Commerce/POL Bureau:

1. There will be 14 counselors employed by community mental health centers on July 1, 1997, who will apply for examination as a licensed professional counselor.
2. The applicants will pay the national testing agency directly for the costs of the examination.
3. The processing of 14 applications and the issuance of licenses to candidates successfully passing the examination can be absorbed by existing staff and within the budget as presented in the 1999 biennium Executive Budget.
4. The estimated 14 applicants will each submit \$50 to make application and \$50 for an original license, for a total projected revenue of \$1,400 in fiscal year 1998. They will pay a \$50 renewal fee by December 31, 1998, for projected revenue of \$700 in fiscal year 1999.

FISCAL IMPACT:

Department of Commerce  
POL Bureau:

	<u>FY98</u>	<u>FY99</u>
<u>Revenues:</u>	<u>Difference</u>	<u>Difference</u>
POL Licensing Fees (02)	1,400	700

Dave Lewis 1-30-97  
DAVE LEWIS, BUDGET DIRECTOR      DATE  
Office of Budget and Program Planning

Fred Thomas 1-31-97  
FRED THOMAS, PRIMARY SPONSOR      DATE

Fiscal Note for SB0229, as introduced

**SB 229**

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15 required by subsection (1)(a); and

16 (c) has been given clinical privileges as a recognized provider of psychotherapy or related services  
17 at a community mental health center by the center pursuant to a contract with the mental and addictive  
18 disorders division of the department of public health and human services.

19 (2) An individual fulfilling the requirements of subsection (1) must, upon application to the board  
20 of social work examiners and professional counselors before ~~October 1, 1997~~ 14 DAYS AFTER THE  
21 EFFECTIVE DATE OF THIS ACT], be given the opportunity to take the national board of certified counselors  
22 examination used by the board of social work examiners and professional counselors to determine fitness  
23 for licensure under Title 37, chapter 23.

24 (3) Upon passage of the national board of certified counselors examination taken pursuant to  
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