

CHAPTER 74
HB 113 - FINAL VERSION

14Feb2019... 0059h

2019 SESSION

19-0024
10/01

HOUSE BILL ***113***

AN ACT relative to qualifications for and exceptions from licensure for mental health practice.

SPONSORS: Rep. McGuire, Merr. 29; Rep. S. Beaudoin, Straf. 9; Sen. Reagan, Dist 17; Rep. Horn, Merr. 2

COMMITTEE: Health, Human Services and Elderly Affairs

AMENDED ANALYSIS

This bill allows experience as a master licensed alcohol and drug counselor to qualify as experience for licensure as a clinical social worker, clinical mental health counselor, or marriage and family therapist. The bill also clarifies the mental health license exemption for psychotherapy activities and services of psychologists and master licensed alcohol and drug counselors.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT relative to qualifications for and exceptions from licensure for mental health practice.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 74:1 Mental Health Practice; Clinical Social Workers; Experience. Amend RSA 330-A:18, III to
2 read as follows:

3 III. Has completed a minimum of 2 years of post-masters experience including completion of
4 a minimum of 3,000 hours of post-masters, supervised clinical experience by a board approved
5 licensed independent clinical social worker or licensed clinical mental health counselor supervisor, or
6 any other supervisor based on reasonable and specific criteria established in rules adopted under
7 RSA 330-A:10. ***A current master licensed alcohol and drug counselor (MLADC) license***
8 ***issued by the board of licensing for alcohol and other drug use professionals under RSA***
9 ***330-C may be substituted for up to 1,500 hours of the required 3,000 hours of supervised***
10 ***clinical experience. Where substitution of the full 1,500 hours is denied by the board, the***
11 ***MLADC applicant shall be provided the rationale for the board's denial. The board shall***
12 ***not deny the substitution of hours solely based on the MLADC applicant's clinical***
13 ***supervisor holding an MLADC license.***

14 74:2 Clinical Mental Health Counselors; Experience. Amend RSA 330-A:19, III to read as
15 follows:

16 III. Has completed a minimum of 2 years of post-masters experience including completion of
17 a minimum of 3,000 hours of post-masters, supervised clinical experience by a board approved
18 licensed independent clinical social worker or licensed clinical mental health counselor supervisor, or
19 any other supervisor based on reasonable and specific criteria established in rules adopted under
20 RSA 330-A:10. ***A current master licensed alcohol and drug counselor (MLADC) license***
21 ***issued by the board of licensing for alcohol and other drug use professionals under RSA***
22 ***330-C may be substituted for up to 1,500 hours of the required 3,000 hours of supervised***
23 ***clinical experience. Where substitution of the full 1,500 hours is denied by the board, the***
24 ***MLADC applicant shall be provided the rationale for the board's denial. The board shall***
25 ***not deny the substitution of hours solely based on the MLADC applicant's clinical***
26 ***supervisor holding an MLADC license.***

27 74:3 Mental Health Practice; Marriage and Family Therapists, Experience. Amend RSA 330-
28 A:21, III to read as follows:

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1 III. Has completed a minimum of 2 years of post-master's experience in a mental health
2 counseling setting, including completion of a minimum of [~~1,000~~] **3,000** hours of supervised practice
3 of marriage and family therapy under supervision approved by the American Association of
4 Marriage and Family Therapy or the board, and has completed 200 hours of face-to-face supervision
5 by a supervisor approved by the American Association of Marriage and Family Therapy or the board.
6 Supervision standards shall be equivalent to an American Association of Marriage and Family
7 Therapy approved supervisor, or approved alternate supervision as defined by the American
8 Association of Marriage and Family Therapy Commission on Supervision. ***A current master***
9 ***licensed alcohol and drug counselor (MLADC) license issued by the board of licensing for***
10 ***alcohol and other drug use professionals under RSA 330-C may be substituted for up to***
11 ***1,500 hours of the required 3,000 hours of supervised clinical experience. Where***
12 ***substitution of the full 1,500 hours is denied by the board, the MLADC applicant shall be***
13 ***provided the rationale for the board's denial. The board shall not deny the substitution of***
14 ***hours solely based on the MLADC applicant's clinical supervisor holding an MLADC***
15 ***license.***

16 74:4 Candidates for Mental Health Licensure; Independent or Private Practice. Amend RSA
17 330-A:22, V to read as follows:

18 V. No candidate shall engage in independent or private mental health practice or offer to
19 render, or render services, except as provided in this section, ***or as otherwise licensed by the state***
20 ***of New Hampshire.***

21 74:5 Mental Health Practice; Person Exempted. Amend RSA 330-A:34, I(e) to read as follows:

22 (e) The psychotherapy activities and services of physicians licensed under RSA 329,
23 [~~and~~] advanced registered nurse practitioners[~~]~~ licensed under RSA 326-B:18, ***psychologists***
24 ***licensed under RSA 329-B, and master licensed alcohol and drug counselors licensed under***
25 ***RSA 330-C:16.***

26 74:6 Alcohol and Other Drug Use Professionals; Master Licensed Alcohol and Drug Counselor.
27 Amend RSA 330-C:16, I - III to read as follows:

28 I.(a) Have graduated with a minimum graduate degree of a 60-hour masters degree ***or***
29 ***advanced standing masters degree*** in clinical mental health, clinical psychology, substance use
30 treatment, social work, or human services or equivalent, with clinical course work and internship
31 requirements, from an accredited college or university, 300 hours of alcohol and drug use education,
32 which may be included in the coursework of the master's program, and 300 hours of supervised
33 practical training.

34 (b) Have graduated with a masters degree of less than 60 hours in a discipline described
35 in subparagraph (a) and has completed the necessary additional hours of masters level course work
36 as determined by the board pursuant to RSA 330-C:9, I(d).

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1 II. Either hold a current LADC license or pass the testing procedures required under RSA
2 330-C:17, II.

3 II-a. Either hold a current license issued by the board of mental health practice or pass the
4 examination approved by the board of licensing for alcohol and other drug use professionals to
5 demonstrate competence to provide co-occurring disorder counseling within the context of substance
6 use counseling.

7 III. Complete 3,000 hours of clinically supervised post-masters degree work experience in
8 the treatment of substance use and co-occurring disorders. Up to 1,500 hours of clinically supervised
9 work experience accumulated by the applicant during his or her practice as an LADC may be
10 counted toward the required 3,000 hours. A current license issued by the board of mental health
11 practice ***under RSA 330-A*** may be substituted for ***up to*** 1,500 hours of the required 3,000 hours of
12 clinically supervised work experience. ***Where substitution of the full 1,500 hours is denied by***
13 ***the board, the applicant shall be provided the rationale for the board's denial. The board***
14 ***shall not deny the substitution of hours solely based on the applicant's clinical supervisor***
15 ***holding a license issued by the board of mental health practice.***

16 74:7 Repeal. RSA 330-A:20, relative to an obsolete provision for provisional clinical mental
17 health counselor licenses, is repealed.

74:8 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 18, 2019
Effective Date: August 17, 2019