

SUBJECT: Requirements for licensed professional counselors

COMMITTEE: Human Services — committee substitute recommended

VOTE: 6 ayes — Hilderbran, Naishtat, Krusee, Maxey, Park, Wohlgemuth

0 nays

3 absent — Davila, Denny, J. Jones

SENATE VOTE: On final passage, March 21 — 30-0

WITNESSES: For — Hazel Martin, Central Texas Counseling/Texas Counseling Association, Waco; G.K. Sprinkle, Texas Counseling Association.

Against — None

BACKGROUND: Texas has about 9,500 licensed professional counselors (LPCs), who are regulated by the Texas Board of Examiners of Professional Counselors. Among groups specifically exempt from the regulation by the board are certified social workers, physicians, registered nurses, licensed marriage and family therapists, licensed chemical dependency counselors, optometrists, psychologists, licensed attorneys and certain employees or volunteers of nonprofit or public organizations or charities.

In 1993, following sunset review of the board, the 73rd Legislature enacted HB 2741 by Rodriguez, continuing the board until 2005 and amending the law governing board operations. Before 1993 the board could only license and regulate practitioners who used the title of "professional counselor," not those calling themselves "counselors," "caseworkers" or "therapists."

HB 2741 allowed the board to regulate all those who engage in the practice of counseling patients, requiring all practitioners who provide counseling services to meet minimum qualifications and standards of conduct.

**DIGEST:** CSSB 71 would amend the definition of counseling and raise the requirement for supervised work experience in a counseling setting for LPC licensure to 36 months or 3,000 hours, up from 24 months or 2,000 hours. The setting would have to meet requirements established by the board and occur after the completion of a 48 graduate semester hour or equivalent graduate program. The provision would take effect on September 1, 1996.

An applicant from out of state, who had a valid license or certificate in the other state and met requirements satisfactory to the board, would be exempt from the required examination for licensure. This change would apply only to a person who applied for licensing as a professional counselor on or after September 1, 1993.

CSSB 71 would define "counseling treatment intervention" as meaning the application of cognitive, affective, behavioral, psychodynamic, and system counseling strategies, including strategies for development, wellness and psychological dysfunction, that reflects a pluralistic society.

The term would include:

- interventions specifically implemented in the context of a professional counseling relationship;
- group and family counseling and psychotherapy;
- the assessment, evaluation and treatment of persons with mental, emotional and behavioral disorders, as opposed to physical disorders;
- guidance and consulting to facilitate normal growth and development including educational and career development;
- the use of functional assessment and counseling for persons requesting assistance in adjustment to a disability or handicapping condition;
- research and referrals.

The use of specific methods techniques or modalities in the practice of professional counseling would be limited to professional counselors appropriately trained in the use of that method, technique or modality.

The practice of professional counseling would mean the application of mental health, psychotherapeutic and human development principles to:

- facilitate human development and adjustment throughout the lifespan;
- prevent, assess, evaluate and treat mental, emotional or behavioral disorders and associated distresses, as opposed to physical disorders that interfere with mental health;
- conduct assessments and evaluations to establish treatment goal and objectives; and
- plan, implement and evaluate treatment plans using counseling treatment interventions.

CSSB 71 would allow LPCs to do assessments for such factors as an individual's disabilities, and mental, emotional and behavioral disorders, as opposed to physical disorders.

CSSB 71 would define "consulting" as the application of scientific principles and procedures in counseling and human development to provide assistance in understanding and solving current or potential problems that a person seeking consultation may have with regard to a third party, including an individual, group or organization.

The bill would take effect September 1, 1995, and apply only to an application for licensing as a professional counselor filed with the board on or after that date. An application filed earlier would be governed by the law in effect at the time.

**SUPPORTERS  
SAY:**

CSSB 71 would require counselors to complete 3,000 hours of supervised experience instead of only 2,000 hours, assuring the state of better trained counselors. The most critical piece of counseling training is direct practice. This change would ensure that individuals who provide clinical counseling

have sufficient experience prior to engaging in autonomous practice. This is the national recommendation for supervised experience as established by the American Counseling Association.

By increasing the training hours CSSB 71 would let more consumers have a chance to see LPCs through their health care provider network. At present, both clinical social workers and psychologists must have at least 3,000 hours of training. Because of the lower standards for LPCs, many managed care companies do not accept LPCs on their networks unless they have the same hours required of social workers and psychologists.

CSSB 71 would clarify that out-of-state counselors who have taken a licensure or certification exam and passed would not be required to retake the state exam if they meet all other state requirements. The bill would also bring definitions in the statute in line with national standards. The bill makes clear that the act applies only to individuals doing clinical mental health services and not teaching classes or providing adjunctive services.

**OPPONENTS  
SAY:**

It could be unfair to change the number of hours of supervised work in a clinical setting needed for licensing as an LPC. Some "grandfathering" provision should be made to allow certain individuals who are close to completing the required clinical hours to be exempt from the new provisions.

**NOTES:**

The Senate-passed version included only the change in the required number of supervised clinical hours for prospective licensees; the committee substitute added the other provisions.