

By Senator Montford

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1 A bill to be entitled
2 An act relating to registered interns in clinical
3 social work, marriage and family therapy, and mental
4 health counseling; amending s. 491.0045, F.S.;
5 requiring an individual who has not satisfied
6 specified requirements to register as an intern in
7 clinical social work, marriage and family therapy, or
8 mental health counseling; requiring an individual to
9 remain under supervision while practicing under
10 registered intern status; providing that an intern
11 registration is valid for 5 years; providing
12 expiration dates of registrations issued on, before,
13 or after specified dates; prohibiting an individual
14 who has held a provisional license from applying for
15 an intern registration in the same profession;
16 conforming provisions to changes made by the act;
17 amending s. 491.005, F.S.; requiring a licensed health
18 professional to be on the premises when clinical
19 services are provided by a registered intern of
20 clinical social work, marriage and family therapy, or
21 mental health counseling in a private practice
22 setting; prohibiting such registered interns from
23 engaging in their own independent private practice;
24 conforming provisions to changes made by the act;
25 providing an effective date.

26
27 Be It Enacted by the Legislature of the State of Florida:

28
29 Section 1. Section 491.0045, Florida Statutes, is amended

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30 to read:

31 491.0045 Intern registration; requirements.-

32 (1) ~~Effective January 1, 1998,~~ An individual who has not
33 satisfied ~~intends to practice in Florida to satisfy~~ the
34 postgraduate or post-master's level experience requirements, as
35 specified in s. 491.005(1)(c), (3)(c), or (4)(c), must register
36 as an intern in the profession for which he or she is seeking
37 licensure before ~~prior to~~ commencing the post-master's
38 experience requirement. ~~or~~ An individual who intends to satisfy
39 part of the required graduate-level practicum, internship, or
40 field experience, outside the academic arena for any profession,
41 must register as an intern in the profession for which he or she
42 is seeking licensure before ~~prior to~~ commencing the practicum,
43 internship, or field experience.

44 (2) The department shall register as a clinical social
45 worker intern, marriage and family therapist intern, or mental
46 health counselor intern each applicant who the board certifies
47 has:

48 (a) Completed the application form and remitted a
49 nonrefundable application fee of up to ~~not to exceed~~ \$200, as
50 set by board rule;

51 (b)1. Completed the education requirements as specified in
52 s. 491.005(1)(c), (3)(c), or (4)(c) for the profession for which
53 he or she is applying for licensure, if needed; and

54 2. Submitted an acceptable supervision plan, as determined
55 by the board, for meeting the practicum, internship, or field
56 work required for licensure which ~~that~~ was not satisfied in his
57 or her graduate program.

58 (c) Identified a qualified supervisor.

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59 (3) An individual registered under this section must remain
60 under supervision while practicing under registered intern
61 status until he or she is in receipt of a license or a letter
62 ~~from the department stating that he or she is licensed to~~
63 ~~practice the profession for which he or she applied.~~

64 (4) An individual who fails ~~has applied for intern~~
65 ~~registration on or before December 31, 2001, and has satisfied~~
66 ~~the education requirements of s. 491.005 that are in effect~~
67 ~~through December 31, 2000, will have met the educational~~
68 ~~requirements for licensure for the profession for which he or~~
69 ~~she has applied.~~

70 (5) ~~Individuals who have commenced the experience~~
71 ~~requirement as specified in s. 491.005(1)(c), (3)(c), or (4)(c)~~
72 ~~but failed to register as required by subsection (1) shall~~
73 ~~register with the department before January 1, 2000. Individuals~~
74 ~~who fail to comply with this section may subsection shall~~ not be
75 granted a license under this chapter, and any time spent by the
76 individual completing the experience requirement as specified in
77 s. 491.005(1)(c), (3)(c), or (4)(c) before ~~prior to~~ registering
78 as an intern does ~~shall~~ not count toward completion of the ~~such~~
79 requirement.

80 (5) Except as provided in subsection (6), an intern
81 registration is valid for 5 years from the date of issue.

82 (6) An intern registration issued on or before March 31,
83 2015, expires March 31, 2020, and may not be renewed or
84 reissued. An intern registration issued after March 31, 2015,
85 expires 60 months after the date it is issued. A subsequent
86 intern registration may not be issued unless the candidate has
87 passed the theory and practice examination described in s.

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88 491.005(1)(d), (3)(d), and (4)(d).

89 (7) An individual who has held a provisional license issued
 90 by the board may not apply for an intern registration in the
 91 same profession.

92 Section 2. Subsection (1), subsection (3), paragraphs (a)
 93 and (c) of subsection (4), and subsections (5) and (6) of
 94 section 491.005, Florida Statutes, are amended to read:

95 491.005 Licensure by examination.—

96 (1) CLINICAL SOCIAL WORK.—Upon verification of
 97 documentation and payment of a fee not to exceed \$200, as set by
 98 board rule, plus the actual per applicant cost to the department
 99 for purchase of the examination from the American Association of
 100 State Social Work ~~Worker's~~ Boards or a similar national
 101 organization, the department shall issue a license as a clinical
 102 social worker to an applicant who the board certifies:

103 (a) Has submitted an ~~made~~ application ~~therefor~~ and paid the
 104 appropriate fee.

105 (b)1. Has received a doctoral degree in social work from a
 106 graduate school of social work which at the time the applicant
 107 graduated was accredited by an accrediting agency recognized by
 108 the United States Department of Education or has received a
 109 master's degree in social work from a graduate school of social
 110 work which at the time the applicant graduated:

111 a. Was accredited by the Council on Social Work Education;

112 b. Was accredited by the Canadian Association of Schools of
 113 Social Work; or

114 c. Has been determined to have been a program equivalent to
 115 programs approved by the Council on Social Work Education by the
 116 Foreign Equivalency Determination Service of the Council on

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117 Social Work Education. An applicant who graduated from a program
118 at a university or college outside of the United States or
119 Canada must present documentation of the equivalency
120 determination from the council in order to qualify.

121 2. The applicant's graduate program must have emphasized
122 direct clinical patient or client health care services,
123 including, but not limited to, coursework in clinical social
124 work, psychiatric social work, medical social work, social
125 casework, psychotherapy, or group therapy. The applicant's
126 graduate program must have included all of the following
127 coursework:

128 a. A supervised field placement which was part of the
129 applicant's advanced concentration in direct practice, during
130 which the applicant provided clinical services directly to
131 clients.

132 b. Completion of 24 semester hours or 32 quarter hours in
133 theory of human behavior and practice methods as courses in
134 clinically oriented services, including a minimum of one course
135 in psychopathology, and no more than one course in research,
136 taken in a school of social work accredited or approved pursuant
137 to subparagraph 1.

138 3. If the course title which appears on the applicant's
139 transcript does not clearly identify the content of the
140 coursework, the applicant shall be required to provide
141 additional documentation, including, but not limited to, a
142 syllabus or catalog description published for the course.

143 (c) Has had at least ~~not less than~~ 2 years of clinical
144 social work experience, which took place subsequent to
145 completion of a graduate degree in social work at an institution

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146 meeting the accreditation requirements of this section, under
147 the supervision of a licensed clinical social worker or the
148 equivalent who is a qualified supervisor as determined by the
149 board. An individual who intends to practice in Florida to
150 satisfy clinical experience requirements must register pursuant
151 to s. 491.0045 before ~~prior to~~ commencing practice. If the
152 applicant's graduate program was not a program that ~~which~~
153 emphasized direct clinical patient or client health care
154 services as described in subparagraph (b)2., the supervised
155 experience requirement must take place after the applicant has
156 completed a minimum of 15 semester hours or 22 quarter hours of
157 the coursework required. A doctoral internship may be applied
158 toward the clinical social work experience requirement. A
159 licensed mental health professional must be on the premises when
160 clinical services are provided by a registered intern in a
161 private practice setting. A registered intern may not engage in
162 his or her own independent private practice ~~The experience~~
163 ~~requirement may be met by work performed on or off the premises~~
164 ~~of the supervising clinical social worker or the equivalent,~~
165 ~~provided the off-premises work is not the independent private~~
166 ~~practice rendering of clinical social work that does not have a~~
167 ~~licensed mental health professional, as determined by the board,~~
168 ~~on the premises at the same time the intern is providing~~
169 ~~services.~~

170 (d) Has passed a theory and practice examination provided
171 by the department for this purpose.

172 (e) Has demonstrated, in a manner designated by rule of the
173 board, knowledge of the laws and rules governing the practice of
174 clinical social work, marriage and family therapy, and mental

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175 health counseling.

176 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of
177 documentation and payment of a fee not to exceed \$200, as set by
178 board rule, plus the actual cost to the department for the
179 purchase of the examination from the Association of Marital and
180 Family Therapy Regulatory Boards ~~Board~~, or similar national
181 organization, the department shall issue a license as a marriage
182 and family therapist to an applicant who the board certifies:

183 (a) Has submitted an ~~made~~ application ~~therefor~~ and paid the
184 appropriate fee.

185 (b)1. Has a minimum of a master's degree with major
186 emphasis in marriage and family therapy, or a closely related
187 field, and has completed all of the following requirements:

188 a. Thirty-six semester hours or 48 quarter hours of
189 graduate coursework, which must include a minimum of 3 semester
190 hours or 4 quarter hours of graduate-level course credits in
191 each of the following nine areas: dynamics of marriage and
192 family systems; marriage therapy and counseling theory and
193 techniques; family therapy and counseling theory and techniques;
194 individual human development theories throughout the life cycle;
195 personality theory or general counseling theory and techniques;
196 psychopathology; human sexuality theory and counseling
197 techniques; psychosocial theory; and substance abuse theory and
198 counseling techniques. Courses in research, evaluation,
199 appraisal, assessment, or testing theories and procedures;
200 thesis or dissertation work; or practicums, internships, or
201 fieldwork may not be applied toward this requirement.

202 b. A minimum of one graduate-level course of 3 semester
203 hours or 4 quarter hours in legal, ethical, and professional

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204 standards issues in the practice of marriage and family therapy
205 or a course determined by the board to be equivalent.

206 c. A minimum of one graduate-level course of 3 semester
207 hours or 4 quarter hours in diagnosis, appraisal, assessment,
208 and testing for individual or interpersonal disorder or
209 dysfunction; and a minimum of one 3-semester-hour or 4-quarter-
210 hour graduate-level course in behavioral research which focuses
211 on the interpretation and application of research data as it
212 applies to clinical practice. Credit for thesis or dissertation
213 work, practicums, internships, or fieldwork may not be applied
214 toward this requirement.

215 d. A minimum of one supervised clinical practicum,
216 internship, or field experience in a marriage and family
217 counseling setting, during which the student provided 180 direct
218 client contact hours of marriage and family therapy services
219 under the supervision of an individual who met the requirements
220 for supervision under paragraph (c). This requirement may be met
221 by a supervised practice experience which took place outside the
222 academic arena, but which is certified as equivalent to a
223 graduate-level practicum or internship program which required a
224 minimum of 180 direct client contact hours of marriage and
225 family therapy services currently offered within an academic
226 program of a college or university accredited by an accrediting
227 agency approved by the United States Department of Education, or
228 an institution which is publicly recognized as a member in good
229 standing with the Association of Universities and Colleges of
230 Canada or a training institution accredited by the Commission on
231 Accreditation for Marriage and Family Therapy Education
232 recognized by the United States Department of Education.

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233 Certification shall be required from an official of such
234 college, university, or training institution.

235 2. If the course title which appears on the applicant's
236 transcript does not clearly identify the content of the
237 coursework, the applicant shall be required to provide
238 additional documentation, including, but not limited to, a
239 syllabus or catalog description published for the course.

240

241 The required master's degree must have been received in an
242 institution of higher education which at the time the applicant
243 graduated was: fully accredited by a regional accrediting body
244 recognized by the Commission on Recognition of Postsecondary
245 Accreditation; publicly recognized as a member in good standing
246 with the Association of Universities and Colleges of Canada; or
247 an institution of higher education located outside the United
248 States and Canada, which at the time the applicant was enrolled
249 and at the time the applicant graduated maintained a standard of
250 training substantially equivalent to the standards of training
251 of those institutions in the United States which are accredited
252 by a regional accrediting body recognized by the Commission on
253 Recognition of Postsecondary Accreditation. Such foreign
254 education and training must have been received in an institution
255 or program of higher education officially recognized by the
256 government of the country in which it is located as an
257 institution or program to train students to practice as
258 professional marriage and family therapists or psychotherapists.
259 The burden of establishing that the requirements of this
260 provision have been met shall be upon the applicant, and the
261 board shall require documentation, such as, but not limited to,

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262 an evaluation by a foreign equivalency determination service, as
263 evidence that the applicant's graduate degree program and
264 education were equivalent to an accredited program in this
265 country. An applicant with a master's degree from a program
266 which did not emphasize marriage and family therapy may complete
267 the coursework requirement in a training institution fully
268 accredited by the Commission on Accreditation for Marriage and
269 Family Therapy Education recognized by the United States
270 Department of Education.

271 (c) Has had at least ~~not less than~~ 2 years of clinical
272 experience during which 50 percent of the applicant's clients
273 were receiving marriage and family therapy services, which must
274 be at the post-master's level under the supervision of a
275 licensed marriage and family therapist who has ~~with~~ at least 5
276 years of experience, or the equivalent, and who is a qualified
277 supervisor as determined by the board. An individual who intends
278 to practice in Florida to satisfy the clinical experience
279 requirements must register pursuant to s. 491.0045 before ~~prior~~
280 ~~to~~ commencing practice. If a graduate has a master's degree with
281 a major emphasis in marriage and family therapy or a closely
282 related field which ~~that~~ did not include all the coursework
283 required under sub-subparagraphs (b)1.a.-c., credit for the
284 post-master's level clinical experience may ~~shall~~ not commence
285 until the applicant has completed a minimum of 10 of the courses
286 required under sub-subparagraphs (b)1.a.-c., as determined by
287 the board, and at least 6 semester hours or 9 quarter hours of
288 the course credits must have been completed in the area of
289 marriage and family systems, theories, or techniques. Within the
290 3 years of required experience, the applicant shall provide

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291 direct individual, group, or family therapy and counseling, to
292 include the following categories of cases: unmarried dyads,
293 married couples, separating and divorcing couples, and family
294 groups including children. A doctoral internship may be applied
295 toward the clinical experience requirement. A licensed mental
296 health professional must be on the premises when clinical
297 services are provided by a registered intern in a private
298 practice setting. A registered intern may not engage in his or
299 her own independent private practice ~~The clinical experience~~
300 ~~requirement may be met by work performed on or off the premises~~
301 ~~of the supervising marriage and family therapist or the~~
302 ~~equivalent, provided the off-premises work is not the~~
303 ~~independent private practice rendering of marriage and family~~
304 ~~therapy services that does not have a licensed mental health~~
305 ~~professional, as determined by the board, on the premises at the~~
306 ~~same time the intern is providing services.~~

307 (d) Has passed a theory and practice examination provided
308 by the department for this purpose.

309 (e) Has demonstrated, in a manner designated by rule of the
310 board, knowledge of the laws and rules governing the practice of
311 clinical social work, marriage and family therapy, and mental
312 health counseling.

313 (f) For the purposes of dual licensure, the department
314 shall license as a marriage and family therapist any person who
315 meets the requirements of s. 491.0057. Fees for dual licensure
316 shall not exceed those stated in this subsection.

317 (4) MENTAL HEALTH COUNSELING.—Upon verification of
318 documentation and payment of a fee not to exceed \$200, as set by
319 board rule, plus the actual per applicant cost to the department

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320 for purchase of the examination from the Professional
321 Examination Service for the National Academy of Certified
322 Clinical Mental Health Counselors or a similar national
323 organization, the department shall issue a license as a mental
324 health counselor to an applicant who the board certifies:

325 (a) Has submitted an ~~made~~ application ~~therefor~~ and paid the
326 appropriate fee.

327 (c) Has had at least ~~not less than~~ 2 years of clinical
328 experience in mental health counseling, which must be at the
329 post-master's level under the supervision of a licensed mental
330 health counselor or the equivalent who is a qualified supervisor
331 as determined by the board. An individual who intends to
332 practice in Florida to satisfy the clinical experience
333 requirements must register pursuant to s. 491.0045 before ~~prior~~
334 ~~to~~ commencing practice. If a graduate has a master's degree with
335 a major related to the practice of mental health counseling
336 which that did not include all the coursework required under
337 sub-subparagraphs (b)1.a.-b., credit for the post-master's level
338 clinical experience may ~~shall~~ not commence until the applicant
339 has completed a minimum of seven of the courses required under
340 sub-subparagraphs (b)1.a.-b., as determined by the board, one of
341 which must be a course in psychopathology or abnormal
342 psychology. A doctoral internship may be applied toward the
343 clinical experience requirement. A licensed mental health
344 professional must be on the premises when clinical services are
345 provided by a registered intern in a private practice setting. A
346 registered intern may not engage in his or her own independent
347 private practice ~~The clinical experience requirement may be met~~
348 ~~by work performed on or off the premises of the supervising~~

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349 ~~mental health counselor or the equivalent, provided the off-~~
350 ~~premises work is not the independent private practice rendering~~
351 ~~of services that does not have a licensed mental health~~
352 ~~professional, as determined by the board, on the premises at the~~
353 ~~same time the intern is providing services.~~

354 ~~(5) INTERNSHIP. An individual who is registered as an~~
355 ~~intern and has satisfied all of the educational requirements for~~
356 ~~the profession for which the applicant seeks licensure shall be~~
357 ~~certified as having met the educational requirements for~~
358 ~~licensure under this section.~~

359 ~~(5)(6) RULES.~~—The board may adopt rules necessary to
360 implement any education or experience requirement in ~~of~~ this
361 section for licensure as a clinical social worker, marriage and
362 family therapist, or mental health counselor.

363 Section 3. This act shall take effect July 1, 2014.