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CS/HB 373

2016 Legislature

1  
2 An act relating to mental health counseling interns;  
3 amending s. 491.0045, F.S.; revising mental health  
4 intern registration requirements; revising  
5 requirements for supervision of registered interns;  
6 deleting specified education and experience  
7 requirements; establishing a validity period and  
8 providing for expiration of intern registrations;  
9 amending s. 491.005, F.S.; requiring a licensed mental  
10 health professional to be on the premises when a  
11 registered intern provides services in clinical social  
12 work, marriage and family therapy, and mental health  
13 counseling; deleting a clinical experience requirement  
14 for such registered interns; deleting a provision  
15 requiring that certain registered interns meet  
16 educational requirements for licensure; providing an  
17 effective date.

18  
19 Be It Enacted by the Legislature of the State of Florida:  
20

21 Section 1. Section 491.0045, Florida Statutes, is amended  
22 to read:

23 491.0045 Intern registration; requirements.—

24 (1) ~~Effective January 1, 1998,~~ An individual who has not  
25 satisfied ~~intends to practice in Florida to satisfy~~ the  
26 postgraduate or post-master's level experience requirements, as

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27 | specified in s. 491.005(1)(c), (3)(c), or (4)(c), must register  
28 | as an intern in the profession for which he or she is seeking  
29 | licensure before ~~prior to~~ commencing the post-master's  
30 | experience requirement or an individual who intends to satisfy  
31 | part of the required graduate-level practicum, internship, or  
32 | field experience, outside the academic arena for any profession,  
33 | and must register as an intern in the profession for which he or  
34 | she is seeking licensure before ~~prior to~~ commencing the  
35 | practicum, internship, or field experience.

36 | (2) The department shall register as a clinical social  
37 | worker intern, marriage and family therapist intern, or mental  
38 | health counselor intern each applicant who the board certifies  
39 | has:

40 | (a) Completed the application form and remitted a  
41 | nonrefundable application fee not to exceed \$200, as set by  
42 | board rule;

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

46 | 2. Submitted an acceptable supervision plan, as determined  
47 | by the board, for meeting the practicum, internship, or field  
48 | work required for licensure that was not satisfied in his or her  
49 | graduate program.

50 | (c) Identified a qualified supervisor.

51 | (3) An individual registered under this section must  
52 | remain under supervision while practicing under registered

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53 ~~intern status until he or she is in receipt of a license or a~~  
 54 ~~letter from the department stating that he or she is licensed to~~  
 55 ~~practice the profession for which he or she applied.~~

56 ~~(4) An individual who has applied for intern registration~~  
 57 ~~on or before December 31, 2001, and has satisfied the education~~  
 58 ~~requirements of s. 491.005 that are in effect through December~~  
 59 ~~31, 2000, will have met the educational requirements for~~  
 60 ~~licensure for the profession for which he or she has applied.~~

61 ~~(4)(5) Individuals who have commenced the experience~~  
 62 ~~requirement as specified in s. 491.005(1)(c), (3)(c), or (4)(c)~~  
 63 ~~but failed to register as required by subsection (1) shall~~  
 64 ~~register with the department before January 1, 2000. Individuals~~  
 65 ~~who fail to comply with this section may subsection shall not be~~  
 66 ~~granted a license under this chapter, and any time spent by the~~  
 67 ~~individual completing the experience requirement as specified in~~  
 68 ~~s. 491.005(1)(c), (3)(c), or (4)(c) before prior to registering~~  
 69 ~~as an intern does shall not count toward completion of the such~~  
 70 ~~requirement.~~

71 (5) An intern registration is valid for 5 years.

72 (6) An intern registration issued on or before April 1,  
 73 2017, expires March 31, 2022, and may not be renewed or  
 74 reissued. A registration issued after April 1, 2017, expires 60  
 75 months after the date of issuance. No subsequent intern  
 76 registration may be issued unless the candidate has passed the  
 77 theory and practice examination described in s. 491.005 (1)(d),  
 78 (3)(d), and (4)(d).

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79        (7) A person who has held a provisional license issued by  
80 the board may not apply for an intern registration in the same  
81 profession.

82        Section 2. Paragraphs (a) and (c) of subsection (1),  
83 paragraphs (a) and (c) of subsection (3), paragraphs (a) and (c)  
84 of subsection (4), and subsections (5) and (6) of section  
85 491.005, Florida Statutes, are amended to read:

86        491.005 Licensure by examination.—

87        (1) CLINICAL SOCIAL WORK.—Upon verification of  
88 documentation and payment of a fee not to exceed \$200, as set by  
89 board rule, plus the actual per applicant cost to the department  
90 for purchase of the examination from the American Association of  
91 State Social Worker's Boards or a similar national organization,  
92 the department shall issue a license as a clinical social worker  
93 to an applicant who the board certifies:

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

96        (c) Has had at least ~~not less than~~ 2 years of clinical  
97 social work experience, which took place subsequent to  
98 completion of a graduate degree in social work at an institution  
99 meeting the accreditation requirements of this section, under  
100 the supervision of a licensed clinical social worker or the  
101 equivalent who is a qualified supervisor as determined by the  
102 board. An individual who intends to practice in Florida to  
103 satisfy clinical experience requirements must register pursuant  
104 to s. 491.0045 before ~~prior to~~ commencing practice. If the

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105 applicant's graduate program was not a program which emphasized  
 106 direct clinical patient or client health care services as  
 107 described in subparagraph (b)2., the supervised experience  
 108 requirement must take place after the applicant has completed a  
 109 minimum of 15 semester hours or 22 quarter hours of the  
 110 coursework required. A doctoral internship may be applied toward  
 111 the clinical social work experience requirement. A licensed  
 112 mental health professional must be on the premises when clinical  
 113 services are provided by a registered intern in a private  
 114 practice setting. ~~The experience requirement may be met by work~~  
 115 ~~performed on or off the premises of the supervising clinical~~  
 116 ~~social worker or the equivalent, provided the off-premises work~~  
 117 ~~is not the independent private practice rendering of clinical~~  
 118 ~~social work that does not have a licensed mental health~~  
 119 ~~professional, as determined by the board, on the premises at the~~  
 120 ~~same time the intern is providing services.~~

121 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of  
 122 documentation and payment of a fee not to exceed \$200, as set by  
 123 board rule, plus the actual cost to the department for the  
 124 purchase of the examination from the Association of Marital and  
 125 Family Therapy Regulatory Board, or similar national  
 126 organization, the department shall issue a license as a marriage  
 127 and family therapist to an applicant who the board certifies:

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

130 (c) Has had at least ~~not less than~~ 2 years of clinical

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131 | experience during which 50 percent of the applicant's clients  
132 | were receiving marriage and family therapy services, which must  
133 | be at the post-master's level under the supervision of a  
134 | licensed marriage and family therapist with at least 5 years of  
135 | experience, or the equivalent, who is a qualified supervisor as  
136 | determined by the board. An individual who intends to practice  
137 | in Florida to satisfy the clinical experience requirements must  
138 | register pursuant to s. 491.0045 before ~~prior to~~ commencing  
139 | practice. If a graduate has a master's degree with a major  
140 | emphasis in marriage and family therapy or a closely related  
141 | field that did not include all the coursework required under  
142 | sub-subparagraphs (b)1.a.-c., credit for the post-master's level  
143 | clinical experience shall not commence until the applicant has  
144 | completed a minimum of 10 of the courses required under sub-  
145 | subparagraphs (b)1.a.-c., as determined by the board, and at  
146 | least 6 semester hours or 9 quarter hours of the course credits  
147 | must have been completed in the area of marriage and family  
148 | systems, theories, or techniques. Within the 3 years of required  
149 | experience, the applicant shall provide direct individual,  
150 | group, or family therapy and counseling, to include the  
151 | following categories of cases: unmarried dyads, married couples,  
152 | separating and divorcing couples, and family groups including  
153 | children. A doctoral internship may be applied toward the  
154 | clinical experience requirement. A licensed mental health  
155 | professional must be on the premises when clinical services are  
156 | provided by a registered intern in a private practice setting.

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157 ~~The clinical experience requirement may be met by work performed~~  
 158 ~~on or off the premises of the supervising marriage and family~~  
 159 ~~therapist or the equivalent, provided the off-premises work is~~  
 160 ~~not the independent private practice rendering of marriage and~~  
 161 ~~family therapy services that does not have a licensed mental~~  
 162 ~~health professional, as determined by the board, on the premises~~  
 163 ~~at the same time the intern is providing services.~~

164 (4) MENTAL HEALTH COUNSELING.—Upon verification of  
 165 documentation and payment of a fee not to exceed \$200, as set by  
 166 board rule, plus the actual per applicant cost to the department  
 167 for purchase of the examination from the Professional  
 168 Examination Service for the National Academy of Certified  
 169 Clinical Mental Health Counselors or a similar national  
 170 organization, the department shall issue a license as a mental  
 171 health counselor to an applicant who the board certifies:

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

174 (c) Has had at least ~~not less than~~ 2 years of clinical  
 175 experience in mental health counseling, which must be at the  
 176 post-master's level under the supervision of a licensed mental  
 177 health counselor or the equivalent who is a qualified supervisor  
 178 as determined by the board. An individual who intends to  
 179 practice in Florida to satisfy the clinical experience  
 180 requirements must register pursuant to s. 491.0045 before ~~prior~~  
 181 ~~to~~ commencing practice. If a graduate has a master's degree with  
 182 a major related to the practice of mental health counseling that

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183 did not include all the coursework required under sub-  
 184 subparagraphs (b)1.a.-b., credit for the post-master's level  
 185 clinical experience shall not commence until the applicant has  
 186 completed a minimum of seven of the courses required under sub-  
 187 subparagraphs (b)1.a.-b., as determined by the board, one of  
 188 which must be a course in psychopathology or abnormal  
 189 psychology. A doctoral internship may be applied toward the  
 190 clinical experience requirement. A licensed mental health  
 191 professional must be on the premises when clinical services are  
 192 provided by a registered intern in a private practice setting.  
 193 ~~The clinical experience requirement may be met by work performed~~  
 194 ~~on or off the premises of the supervising mental health~~  
 195 ~~counselor or the equivalent, provided the off-premises work is~~  
 196 ~~not the independent private practice rendering of services that~~  
 197 ~~does not have a licensed mental health professional, as~~  
 198 ~~determined by the board, on the premises at the same time the~~  
 199 ~~intern is providing services.~~

200 ~~(5) INTERNSHIP. An individual who is registered as an~~  
 201 ~~intern and has satisfied all of the educational requirements for~~  
 202 ~~the profession for which the applicant seeks licensure shall be~~  
 203 ~~certified as having met the educational requirements for~~  
 204 ~~licensure under this section.~~

205 (5) ~~(6)~~ RULES.—The board may adopt rules necessary to  
 206 implement any education or experience requirement of this  
 207 section for licensure as a clinical social worker, marriage and  
 208 family therapist, or mental health counselor.



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Section 3. This act shall take effect July 1, 2016.