

By Senator Legg

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1 A bill to be entitled
2 An act relating to clinical social worker, marriage
3 and family therapist, and mental health counselor
4 interns; amending s. 491.0045, F.S.; revising clinical
5 social worker, marriage and family therapist, and
6 mental health counselor intern registration
7 requirements; revising requirements for supervision of
8 registered interns; deleting specified education and
9 experience requirements; establishing validity periods
10 and providing for expiration of intern registrations;
11 establishing requirements for a subsequent intern
12 registration and for an applicant who has held a
13 provisional license; amending s. 491.005, F.S.;
14 requiring a licensed mental health professional to be
15 on the premises when a registered intern provides
16 services in clinical social work, marriage and family
17 therapy, or mental health counseling; deleting a
18 clinical experience requirement for such registered
19 interns; deleting a provision requiring that certain
20 registered interns meet educational requirements for
21 licensure; reenacting s. 491.012(1)(i), (j), and (k),
22 F.S., relating to penalties, to incorporate the
23 amendment made to s. 491.0045, F.S., in a reference
24 thereto; providing an effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:

27
28 Section 1. Section 491.0045, Florida Statutes, is amended
29 to read:

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30 491.0045 Intern registration; requirements.-

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

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

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

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

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

57 (c) Identified a qualified supervisor.

58 (3) An individual registered under this section must remain

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59 under supervision while practicing under registered intern
60 status until he or she is in receipt of a license or a letter
61 from the department stating that he or she is licensed to
62 practice the profession for which he or she applied.

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

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

78 (5) An intern registration issued on or before April 1,
79 2017, expires March 31, 2022, and may not be renewed or
80 reissued. An intern registration issued after April 1, 2017,
81 expires 60 months after the date of issuance. No subsequent
82 intern registration may be issued unless the candidate has
83 passed the theory and practice examination described in s.
84 491.005 (1)(d), (3)(d), and (4)(d).

85 (6) An individual who has held a provisional license issued
86 by the board may not apply for an intern registration in the
87 same profession.

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88 Section 2. Paragraphs (a) and (c) of subsection (1),
89 paragraphs (a) and (c) of subsection (3), paragraphs (a) and (c)
90 of subsection (4), and subsections (5) and (6) of section
91 491.005, Florida Statutes, are amended to read:

92 491.005 Licensure by examination.—

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

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

102 (c) Has had at least ~~not less than~~ 2 years of clinical
103 social work experience, which took place subsequent to
104 completion of a graduate degree in social work at an institution
105 meeting the accreditation requirements of this section, under
106 the supervision of a licensed clinical social worker or the
107 equivalent who is a qualified supervisor as determined by the
108 board. An individual who intends to practice in Florida to
109 satisfy clinical experience requirements must register pursuant
110 to s. 491.0045 before ~~prior to~~ commencing practice. If the
111 applicant's graduate program was not a program which emphasized
112 direct clinical patient or client health care services as
113 described in subparagraph (b)2., the supervised experience
114 requirement must take place after the applicant has completed a
115 minimum of 15 semester hours or 22 quarter hours of the
116 coursework required. A doctoral internship may be applied toward

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117 the clinical social work experience requirement. A licensed
118 mental health professional must be on the premises when clinical
119 services are provided by a registered intern in a private
120 practice setting. ~~The experience requirement may be met by work~~
121 ~~performed on or off the premises of the supervising clinical~~
122 ~~social worker or the equivalent, provided the off-premises work~~
123 ~~is not the independent private practice rendering of clinical~~
124 ~~social work that does not have a licensed mental health~~
125 ~~professional, as determined by the board, on the premises at the~~
126 ~~same time the intern is providing services.~~

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

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

136 (c) Has had at least ~~not less than~~ 2 years of clinical
137 experience during which 50 percent of the applicant's clients
138 were receiving marriage and family therapy services, which must
139 be at the post-master's level under the supervision of a
140 licensed marriage and family therapist with at least 5 years of
141 experience, or the equivalent, who is a qualified supervisor as
142 determined by the board. An individual who intends to practice
143 in Florida to satisfy the clinical experience requirements must
144 register pursuant to s. 491.0045 before ~~prior to~~ commencing
145 practice. If a graduate has a master's degree with a major

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146 emphasis in marriage and family therapy or a closely related
147 field that did not include all the coursework required under
148 sub-subparagraphs (b)1.a.-c., credit for the post-master's level
149 clinical experience shall not commence until the applicant has
150 completed a minimum of 10 of the courses required under sub-
151 subparagraphs (b)1.a.-c., as determined by the board, and at
152 least 6 semester hours or 9 quarter hours of the course credits
153 must have been completed in the area of marriage and family
154 systems, theories, or techniques. Within the 3 years of required
155 experience, the applicant shall provide direct individual,
156 group, or family therapy and counseling, to include the
157 following categories of cases: unmarried dyads, married couples,
158 separating and divorcing couples, and family groups including
159 children. A doctoral internship may be applied toward the
160 clinical experience requirement. A licensed mental health
161 professional must be on the premises when clinical services are
162 provided by a registered intern in a private practice setting.
163 ~~The clinical experience requirement may be met by work performed~~
164 ~~on or off the premises of the supervising marriage and family~~
165 ~~therapist or the equivalent, provided the off-premises work is~~
166 ~~not the independent private practice rendering of marriage and~~
167 ~~family therapy services that does not have a licensed mental~~
168 ~~health professional, as determined by the board, on the premises~~
169 ~~at the same time the intern is providing services.~~

170 (4) MENTAL HEALTH COUNSELING.—Upon verification of
171 documentation and payment of a fee not to exceed \$200, as set by
172 board rule, plus the actual per applicant cost to the department
173 for purchase of the examination from the Professional
174 Examination Service for the National Academy of Certified

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175 Clinical Mental Health Counselors or a similar national
176 organization, the department shall issue a license as a mental
177 health counselor to an applicant who the board certifies:

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

180 (c) Has had at least ~~not less than~~ 2 years of clinical
181 experience in mental health counseling, which must be at the
182 post-master's level under the supervision of a licensed mental
183 health counselor or the equivalent who is a qualified supervisor
184 as determined by the board. An individual who intends to
185 practice in Florida to satisfy the clinical experience
186 requirements must register pursuant to s. 491.0045 before ~~prior~~
187 ~~to~~ commencing practice. If a graduate has a master's degree with
188 a major related to the practice of mental health counseling that
189 did not include all the coursework required under sub-
190 subparagraphs (b)1.a.-b., credit for the post-master's level
191 clinical experience shall not commence until the applicant has
192 completed a minimum of seven of the courses required under sub-
193 subparagraphs (b)1.a.-b., as determined by the board, one of
194 which must be a course in psychopathology or abnormal
195 psychology. A doctoral internship may be applied toward the
196 clinical experience requirement. A licensed mental health
197 professional must be on the premises when clinical services are
198 provided by a registered intern in a private practice setting.
199 ~~The clinical experience requirement may be met by work performed~~
200 ~~on or off the premises of the supervising mental health~~
201 ~~counselor or the equivalent, provided the off-premises work is~~
202 ~~not the independent private practice rendering of services that~~
203 ~~does not have a licensed mental health professional, as~~

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204 ~~determined by the board, on the premises at the same time the~~
205 ~~intern is providing services.~~

206 ~~(5) INTERNSHIP.—An individual who is registered as an~~
207 ~~intern and has satisfied all of the educational requirements for~~
208 ~~the profession for which the applicant seeks licensure shall be~~
209 ~~certified as having met the educational requirements for~~
210 ~~licensure under this section.~~

211 (5)~~(6)~~ RULES.—The board may adopt rules necessary to
212 implement any education or experience requirement of this
213 section for licensure as a clinical social worker, marriage and
214 family therapist, or mental health counselor.

215 Section 3. For the purpose of incorporating the amendment
216 made by this act to section 491.0045, Florida Statutes, in a
217 reference thereto, paragraphs (i), (j), and (k) of subsection
218 (1) of section 491.012, Florida Statutes, are reenacted to read:

219 491.012 Violations; penalty; injunction.—

220 (1) It is unlawful and a violation of this chapter for any
221 person to:

222 (i) Practice clinical social work in this state for
223 compensation, unless the person holds a valid, active license to
224 practice clinical social work issued pursuant to this chapter or
225 is an intern registered pursuant to s. 491.0045.

226 (j) Practice marriage and family therapy in this state for
227 compensation, unless the person holds a valid, active license to
228 practice marriage and family therapy issued pursuant to this
229 chapter or is an intern registered pursuant to s. 491.0045.

230 (k) Practice mental health counseling in this state for
231 compensation, unless the person holds a valid, active license to
232 practice mental health counseling issued pursuant to this

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233 chapter or is an intern registered pursuant to s. 491.0045.

234 Section 4. This act shall take effect July 1, 2016.