

By Senator Burgess

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1 A bill to be entitled
2 An act relating to mental health professionals;
3 amending s. 491.003, F.S.; revising definitions;
4 amending s. 491.0045, F.S.; reclassifying intern
5 registrations as associate licenses for the
6 professions of clinical social work, marriage and
7 family therapy, and mental health counseling; amending
8 s. 491.005, F.S.; conforming provisions to changes
9 made by the act; deleting the requirement that a
10 licensed mental health professional be present on the
11 premises when associate licensees, formerly classified
12 as registered interns, are providing clinical services
13 in a private practice setting; amending ss. 491.007,
14 491.009, 491.012, 491.014, and 491.0149, F.S.;
15 conforming provisions to changes made by the act;
16 amending s. 414.065, F.S.; conforming a cross-
17 reference; providing an effective date.

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

20
21 Section 1. Present subsections (5) through (14) and (15),
22 (16), and (17) of section 491.003, Florida Statutes, are
23 redesignated as subsections (8) through (17) and (5), (6), and
24 (7), respectively, and paragraph (c) of present subsection (8),
25 paragraph (c) of present subsection (9), paragraph (c) of
26 present subsection (10), and present subsections (15), (16), and
27 (17) of that section are amended, to read:

28 491.003 Definitions.—As used in this chapter:

29 (11) ~~(8)~~ The “practice of clinical social work” is defined

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30 as the use of scientific and applied knowledge, theories, and
31 methods for the purpose of describing, preventing, evaluating,
32 and treating individual, couple, marital, family, or group
33 behavior, based on the person-in-situation perspective of
34 psychosocial development, normal and abnormal behavior,
35 psychopathology, unconscious motivation, interpersonal
36 relationships, environmental stress, differential assessment,
37 differential planning, and data gathering. The purpose of such
38 services is the prevention and treatment of undesired behavior
39 and enhancement of mental health. The practice of clinical
40 social work includes methods of a psychological nature used to
41 evaluate, assess, diagnose, treat, and prevent emotional and
42 mental disorders and dysfunctions (whether cognitive, affective,
43 or behavioral), sexual dysfunction, behavioral disorders,
44 alcoholism, and substance abuse. The practice of clinical social
45 work includes, but is not limited to, psychotherapy,
46 hypnotherapy, and sex therapy. The practice of clinical social
47 work also includes counseling, behavior modification,
48 consultation, client-centered advocacy, crisis intervention, and
49 the provision of needed information and education to clients,
50 when using methods of a psychological nature to evaluate,
51 assess, diagnose, treat, and prevent emotional and mental
52 disorders and dysfunctions (whether cognitive, affective, or
53 behavioral), sexual dysfunction, behavioral disorders,
54 alcoholism, or substance abuse. The practice of clinical social
55 work may also include clinical research into more effective
56 psychotherapeutic modalities for the treatment and prevention of
57 such conditions.

58 (c) The terms "diagnose" and "treat," as used in this

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59 chapter, when considered in isolation or in conjunction with the
60 rules of the board, may not be construed to permit the
61 performance of any act which clinical social workers are not
62 educated and trained to perform, including, but not limited to,
63 admitting persons to hospitals for treatment of the foregoing
64 conditions, treating persons in hospitals without medical
65 supervision, prescribing medicinal drugs as defined in chapter
66 465, authorizing clinical laboratory procedures, or radiological
67 procedures, or use of electroconvulsive therapy. In addition,
68 this definition may not be construed to permit any person
69 licensed, provisionally licensed, ~~registered,~~ or certified
70 pursuant to this chapter to describe or label any test, report,
71 or procedure as "psychological," except to relate specifically
72 to the definition of practice authorized in this subsection.

73 (12)~~(9)~~ The term "practice of marriage and family therapy"
74 means the use of scientific and applied marriage and family
75 theories, methods, and procedures for the purpose of describing,
76 evaluating, and modifying marital, family, and individual
77 behavior, within the context of marital and family systems,
78 including the context of marital formation and dissolution, and
79 is based on marriage and family systems theory, marriage and
80 family development, human development, normal and abnormal
81 behavior, psychopathology, human sexuality, and
82 psychotherapeutic and marriage and family therapy theories and
83 techniques. The practice of marriage and family therapy includes
84 methods of a psychological nature used to evaluate, assess,
85 diagnose, treat, and prevent emotional and mental disorders or
86 dysfunctions (whether cognitive, affective, or behavioral),
87 sexual dysfunction, behavioral disorders, alcoholism, and

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88 substance abuse. The practice of marriage and family therapy
89 includes, but is not limited to, marriage and family therapy,
90 psychotherapy, including behavioral family therapy,
91 hypnotherapy, and sex therapy. The practice of marriage and
92 family therapy also includes counseling, behavior modification,
93 consultation, client-centered advocacy, crisis intervention, and
94 the provision of needed information and education to clients,
95 when using methods of a psychological nature to evaluate,
96 assess, diagnose, treat, and prevent emotional and mental
97 disorders and dysfunctions (whether cognitive, affective, or
98 behavioral), sexual dysfunction, behavioral disorders,
99 alcoholism, or substance abuse. The practice of marriage and
100 family therapy may also include clinical research into more
101 effective psychotherapeutic modalities for the treatment and
102 prevention of such conditions.

103 (c) The terms "diagnose" and "treat," as used in this
104 chapter, when considered in isolation or in conjunction with the
105 rules of the board, may not be construed to permit the
106 performance of any act that marriage and family therapists are
107 not educated and trained to perform, including, but not limited
108 to, admitting persons to hospitals for treatment of the
109 foregoing conditions, treating persons in hospitals without
110 medical supervision, prescribing medicinal drugs as defined in
111 chapter 465, authorizing clinical laboratory procedures or
112 radiological procedures or the use of electroconvulsive therapy.
113 In addition, this definition may not be construed to permit any
114 person licensed, provisionally licensed, ~~registered,~~ or
115 certified pursuant to this chapter to describe or label any
116 test, report, or procedure as "psychological," except to relate

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117 specifically to the definition of practice authorized in this
118 subsection.

119 (13)~~(10)~~ The term "practice of mental health counseling"
120 means the use of scientific and applied behavioral science
121 theories, methods, and techniques for the purpose of describing,
122 preventing, and treating undesired behavior and enhancing mental
123 health and human development and is based on the person-in-
124 situation perspectives derived from research and theory in
125 personality, family, group, and organizational dynamics and
126 development, career planning, cultural diversity, human growth
127 and development, human sexuality, normal and abnormal behavior,
128 psychopathology, psychotherapy, and rehabilitation. The practice
129 of mental health counseling includes methods of a psychological
130 nature used to evaluate, assess, diagnose, and treat emotional
131 and mental dysfunctions or disorders, whether cognitive,
132 affective, or behavioral, interpersonal relationships, sexual
133 dysfunction, alcoholism, and substance abuse. The practice of
134 mental health counseling includes, but is not limited to,
135 psychotherapy, hypnotherapy, and sex therapy. The practice of
136 mental health counseling also includes counseling, behavior
137 modification, consultation, client-centered advocacy, crisis
138 intervention, and the provision of needed information and
139 education to clients, when using methods of a psychological
140 nature to evaluate, assess, diagnose, treat, and prevent
141 emotional and mental disorders and dysfunctions (whether
142 cognitive, affective, or behavioral), behavioral disorders,
143 sexual dysfunction, alcoholism, or substance abuse. The practice
144 of mental health counseling may also include clinical research
145 into more effective psychotherapeutic modalities for the

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146 treatment and prevention of such conditions.

147 (c) The terms "diagnose" and "treat," as used in this
148 chapter, when considered in isolation or in conjunction with any
149 provision of the rules of the board, may not be construed to
150 permit the performance of any act that mental health counselors
151 are not educated and trained to perform, including, but not
152 limited to, admitting persons to hospitals for treatment of the
153 foregoing conditions, treating persons in hospitals without
154 medical supervision, prescribing medicinal drugs as defined in
155 chapter 465, authorizing clinical laboratory procedures or
156 radiological procedures, or the use of electroconvulsive
157 therapy. In addition, this definition may not be construed to
158 permit any person licensed, provisionally licensed, ~~registered,~~
159 or certified pursuant to this chapter to describe or label any
160 test, report, or procedure as "psychological," except to relate
161 specifically to the definition of practice authorized in this
162 subsection.

163 ~~(5)-(15)~~ "Licensed associate ~~Registered~~ clinical social
164 worker ~~intern~~" means a person licensed ~~registered~~ under this
165 chapter who is completing the postgraduate clinical social work
166 experience requirement specified in s. 491.005(1)(c).

167 ~~(6)-(16)~~ "Licensed associate ~~Registered~~ marriage and family
168 therapist ~~intern~~" means a person licensed ~~registered~~ under this
169 chapter who is completing the post-master's clinical experience
170 requirement specified in s. 491.005(3)(c).

171 ~~(7)-(17)~~ "Licensed associate ~~Registered~~ mental health
172 counselor ~~intern~~" means a person licensed ~~registered~~ under this
173 chapter who is completing the post-master's clinical experience
174 requirement specified in s. 491.005(4)(c).

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175 Section 2. Section 491.0045, Florida Statutes, is amended
176 to read:

177 491.0045 Associate license ~~Intern registration~~;
178 requirements.—

179 (1) An individual who has not satisfied the postgraduate or
180 post-master's level experience requirements, as specified in s.
181 491.005(1)(c), (3)(c), or (4)(c), must apply for an associate
182 license ~~register as an intern~~ in the profession for which he or
183 she is seeking full licensure before commencing the post-
184 master's experience requirement or an individual who intends to
185 satisfy part of the required graduate-level practicum,
186 internship, or field experience, outside the academic arena for
187 any profession, and must apply for an associate license ~~register~~
188 ~~as an intern~~ in the profession for which he or she is seeking
189 full licensure before commencing the practicum, internship, or
190 field experience.

191 (2) The department shall license ~~register~~ as an associate a
192 clinical social worker intern, associate marriage and family
193 therapist ~~intern~~, or associate mental health counselor ~~intern~~
194 each applicant whom ~~who~~ the board certifies has:

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

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

201 2. Submitted an acceptable supervision plan, as determined
202 by the board, for meeting the practicum, internship, or field
203 work required for licensure that was not satisfied in his or her

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204 graduate program.

205 (c) Identified a qualified supervisor.

206 (3) An individual licensed as an associate ~~registered~~ under
207 this section must remain under supervision while practicing
208 under associate licensure ~~registered intern~~ status.

209 (4) An individual who fails to comply with this section may
210 not be granted a full license under this chapter, and any time
211 spent by the individual completing the experience requirement as
212 specified in s. 491.005(1)(c), (3)(c), or (4)(c) before being
213 issued an associate license ~~registering as an intern~~ does not
214 count toward completion of the requirement.

215 (5) An associate license ~~intern registration~~ is valid for 5
216 years.

217 (6) Any registration issued after March 31, 2017, expires
218 60 months after the date it is issued. The board may make a one-
219 time exception to the requirements of this subsection in
220 emergency or hardship cases, as defined by board rule, if the
221 candidate has passed the theory and practice examination
222 described in s. 491.005(1)(d), (3)(d), and (4)(d).

223 (7) An individual who has held a provisional license issued
224 by the board may not apply for an associate license ~~intern~~
225 ~~registration~~ in the same profession.

226 Section 3. Paragraph (c) of subsection (1), paragraph (c)
227 of subsection (3), and paragraphs (b) and (c) of subsection (4)
228 of section 491.005, Florida Statutes, are amended to read:

229 491.005 Licensure by examination.—

230 (1) CLINICAL SOCIAL WORK.—Upon verification of
231 documentation and payment of a fee not to exceed \$200, as set by
232 board rule, the department shall issue a license as a clinical

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233 social worker to an applicant whom the board certifies has met
234 all of the following criteria:

235 (c) Completed at least 2 years of clinical social work
236 experience, which took place subsequent to completion of a
237 graduate degree in social work at an institution meeting the
238 accreditation requirements of this section, under the
239 supervision of a licensed clinical social worker or the
240 equivalent who is a qualified supervisor as determined by the
241 board. An individual who intends to practice in Florida to
242 satisfy clinical experience requirements must register pursuant
243 to s. 491.0045 before commencing practice. If the applicant's
244 graduate program was not a program which emphasized direct
245 clinical patient or client health care services as described in
246 subparagraph (b)2., the supervised experience requirement must
247 take place after the applicant has completed a minimum of 15
248 semester hours or 22 quarter hours of the coursework required. A
249 doctoral internship may be applied toward the clinical social
250 work experience requirement. ~~A licensed mental health
251 professional must be on the premises when clinical services are
252 provided by a registered intern in a private practice setting.~~

253 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of
254 documentation and payment of a fee not to exceed \$200, as set by
255 board rule, the department shall issue a license as a marriage
256 and family therapist to an applicant whom the board certifies
257 has met all of the following criteria:

258 (c) Completed at least 2 years of clinical experience
259 during which 50 percent of the applicant's clients were
260 receiving marriage and family therapy services, which must be at
261 the post-master's level under the supervision of a licensed

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262 marriage and family therapist with at least 5 years of
263 experience, or the equivalent, who is a qualified supervisor as
264 determined by the board. An individual who intends to practice
265 in Florida to satisfy the clinical experience requirements must
266 register pursuant to s. 491.0045 before commencing practice. If
267 a graduate has a master's degree with a major emphasis in
268 marriage and family therapy or a closely related field which did
269 not include all of the coursework required by paragraph (b),
270 credit for the post-master's level clinical experience may not
271 commence until the applicant has completed a minimum of 10 of
272 the courses required by paragraph (b), as determined by the
273 board, and at least 6 semester hours or 9 quarter hours of the
274 course credits must have been completed in the area of marriage
275 and family systems, theories, or techniques. Within the 2 years
276 of required experience, the applicant must ~~shall~~ provide direct
277 individual, group, or family therapy and counseling to cases
278 including those involving unmarried dyads, married couples,
279 separating and divorcing couples, and family groups that include
280 children. A doctoral internship may be applied toward the
281 clinical experience requirement. ~~A licensed mental health
282 professional must be on the premises when clinical services are
283 provided by a registered intern in a private practice setting.~~

284
285 For the purposes of dual licensure, the department shall license
286 as a marriage and family therapist any person who meets the
287 requirements of s. 491.0057. Fees for dual licensure may not
288 exceed those stated in this subsection.

289 (4) MENTAL HEALTH COUNSELING.—Upon verification of
290 documentation and payment of a fee not to exceed \$200, as set by

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291 board rule, the department shall issue a license as a mental
292 health counselor to an applicant whom the board certifies has
293 met all of the following criteria:

294 (b)1. Attained a minimum of an earned master's degree from
295 a mental health counseling program accredited by the Council for
296 the Accreditation of Counseling and Related Educational Programs
297 which consists of at least 60 semester hours or 80 quarter hours
298 of clinical and didactic instruction, including a course in
299 human sexuality and a course in substance abuse. If the master's
300 degree is earned from a program related to the practice of
301 mental health counseling which is not accredited by the Council
302 for the Accreditation of Counseling and Related Educational
303 Programs, ~~then~~ the coursework and practicum, internship, or
304 fieldwork must consist of at least 60 semester hours or 80
305 quarter hours and meet all of the following requirements:

306 a. Thirty-three semester hours or 44 quarter hours of
307 graduate coursework, which must include a minimum of 3 semester
308 hours or 4 quarter hours of graduate-level coursework in each of
309 the following 11 content areas: counseling theories and
310 practice; human growth and development; diagnosis and treatment
311 of psychopathology; human sexuality; group theories and
312 practice; individual evaluation and assessment; career and
313 lifestyle assessment; research and program evaluation; social
314 and cultural foundations; substance abuse; and legal, ethical,
315 and professional standards issues in the practice of mental
316 health counseling. Courses in research, thesis or dissertation
317 work, practicums, internships, or fieldwork may not be applied
318 toward this requirement.

319 b. A minimum of 3 semester hours or 4 quarter hours of

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320 graduate-level coursework addressing diagnostic processes,
321 including differential diagnosis and the use of the current
322 diagnostic tools, such as the current edition of the American
323 Psychiatric Association's Diagnostic and Statistical Manual of
324 Mental Disorders. The graduate program must have emphasized the
325 common core curricular experience.

326 c. The equivalent, as determined by the board, of at least
327 700 hours of university-sponsored supervised clinical practicum,
328 internship, or field experience that includes at least 280 hours
329 of direct client services, as required in the accrediting
330 standards of the Council for Accreditation of Counseling and
331 Related Educational Programs for mental health counseling
332 programs. This experience may not be used to satisfy the post-
333 master's clinical experience requirement.

334 2. Provided additional documentation if a course title that
335 appears on the applicant's transcript does not clearly identify
336 the content of the coursework. The documentation must include,
337 but is not limited to, a syllabus or catalog description
338 published for the course.

339

340 Education and training in mental health counseling must have
341 been received in an institution of higher education that, at the
342 time the applicant graduated, was fully accredited by an
343 institutional accrediting body recognized by the Council for
344 Higher Education Accreditation or its successor organization or
345 was a member in good standing with Universities Canada, or an
346 institution of higher education located outside the United
347 States and Canada which, at the time the applicant was enrolled
348 and at the time the applicant graduated, maintained a standard

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349 of training substantially equivalent to the standards of
350 training of those institutions in the United States which are
351 accredited by an institutional accrediting body recognized by
352 the Council for Higher Education Accreditation or its successor
353 organization. Such foreign education and training must have been
354 received in an institution or program of higher education
355 officially recognized by the government of the country in which
356 it is located as an institution or program to train students to
357 practice as mental health counselors. The applicant has the
358 burden of establishing that the requirements of this provision
359 have been met, and the board shall require documentation, such
360 as an evaluation by a foreign equivalency determination service,
361 as evidence that the applicant's graduate degree program and
362 education were equivalent to an accredited program in this
363 country. Beginning July 1, 2025, an applicant must have a
364 master's degree from a program that is accredited by the Council
365 for Accreditation of Counseling and Related Educational
366 Programs, the Masters in Psychology and Counseling Accreditation
367 Council, or an equivalent accrediting body which consists of at
368 least 60 semester hours or 80 quarter hours to apply for
369 licensure under this paragraph.

370 (c) Completed at least 2 years of clinical experience in
371 mental health counseling, which must be at the post-master's
372 level under the supervision of a licensed mental health
373 counselor or the equivalent who is a qualified supervisor as
374 determined by the board. An individual who intends to practice
375 in Florida to satisfy the clinical experience requirements must
376 register pursuant to s. 491.0045 before commencing practice. If
377 a graduate has a master's degree with a major related to the

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378 practice of mental health counseling which did not include all
 379 the coursework required under sub-subparagraphs (b)1.a. and b.,
 380 credit for the post-master's level clinical experience may not
 381 commence until the applicant has completed a minimum of seven of
 382 the courses required under sub-subparagraphs (b)1.a. and b., as
 383 determined by the board, one of which must be a course in
 384 psychopathology or abnormal psychology. A doctoral internship
 385 may be applied toward the clinical experience requirement. ~~A~~
 386 ~~licensed mental health professional must be on the premises when~~
 387 ~~clinical services are provided by a registered intern in a~~
 388 ~~private practice setting.~~

389 Section 4. Section 491.007, Florida Statutes, is amended to
 390 read:

391 491.007 Renewal of license, ~~registration,~~ or certificate.—

392 (1) The board or department shall prescribe by rule a
 393 method for the biennial renewal of licenses or certificates at a
 394 fee set by rule, not to exceed \$250.

395 (2) Each applicant for renewal must ~~shall~~ present
 396 satisfactory evidence that, in the period since the license or
 397 certificate was issued, the applicant has completed continuing
 398 education requirements set by rule of the board or department.
 399 No ~~Not~~ more than 25 classroom hours of continuing education per
 400 year may ~~shall~~ be required. A certified master social worker is
 401 exempt from the continuing education requirements for the first
 402 renewal of the certificate.

403 Section 5. Subsection (1) of section 491.009, Florida
 404 Statutes, is amended to read:

405 491.009 Discipline.—

406 (1) The following acts constitute grounds for denial of a

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407 license or disciplinary action, as specified in s. 456.072(2) or
408 s. 491.017:

409 (a) Attempting to obtain, obtaining, or renewing a license,
410 ~~registration,~~ or certificate under this chapter by bribery or
411 fraudulent misrepresentation or through an error of the board or
412 the department.

413 (b) Having a license, registration, or certificate to
414 practice a comparable profession revoked, suspended, or
415 otherwise acted against, including the denial of certification
416 or licensure by another state, territory, or country.

417 (c) Being convicted or found guilty of, regardless of
418 adjudication, or having entered a plea of nolo contendere to, a
419 crime in any jurisdiction which directly relates to the practice
420 of his or her profession or the ability to practice his or her
421 profession. However, in the case of a plea of nolo contendere,
422 the board shall allow the person who is the subject of the
423 disciplinary proceeding to present evidence in mitigation
424 relevant to the underlying charges and circumstances surrounding
425 the plea.

426 (d) False, deceptive, or misleading advertising or
427 obtaining a fee or other thing of value on the representation
428 that beneficial results from any treatment will be guaranteed.

429 (e) Advertising, practicing, or attempting to practice
430 under a name other than one's own.

431 (f) Maintaining a professional association with any person
432 who the applicant, licensee, ~~registered intern,~~ or
433 certificateholder knows, or has reason to believe, is in
434 violation of this chapter or of a rule of the department or the
435 board.

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436 (g) Knowingly aiding, assisting, procuring, or advising any
437 nonlicensed, ~~nonregistered,~~ or noncertified person to hold
438 himself or herself out as licensed, ~~registered,~~ or certified
439 under this chapter.

440 (h) Failing to perform any statutory or legal obligation
441 placed upon a person licensed, ~~registered,~~ or certified under
442 this chapter.

443 (i) Willfully making or filing a false report or record;
444 failing to file a report or record required by state or federal
445 law; willfully impeding or obstructing the filing of a report or
446 record; or inducing another person to make or file a false
447 report or record or to impede or obstruct the filing of a report
448 or record. Such report or record includes only a report or
449 record which requires the signature of a person licensed, ~~450 registered,~~ or certified under this chapter.

451 (j) Paying a kickback, rebate, bonus, or other remuneration
452 for receiving a patient or client, or receiving a kickback,
453 rebate, bonus, or other remuneration for referring a patient or
454 client to another provider of mental health care services or to
455 a provider of health care services or goods; referring a patient
456 or client to oneself for services on a fee-paid basis when those
457 services are already being paid for by some other public or
458 private entity; or entering into a reciprocal referral
459 agreement.

460 (k) Committing any act upon a patient or client which would
461 constitute sexual battery or which would constitute sexual
462 misconduct as defined pursuant to s. 491.0111.

463 (l) Making misleading, deceptive, untrue, or fraudulent
464 representations in the practice of any profession licensed,

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465 ~~registered,~~ or certified under this chapter.

466 (m) Soliciting patients or clients personally, or through
467 an agent, through the use of fraud, intimidation, undue
468 influence, or a form of overreaching or vexatious conduct.

469 (n) Failing to make available to a patient or client, upon
470 written request, copies of tests, reports, or documents in the
471 possession or under the control of the licensee, ~~registered~~
472 ~~intern,~~ or certificateholder which have been prepared for and
473 paid for by the patient or client.

474 (o) Failing to respond within 30 days to a written
475 communication from the department or the board concerning any
476 investigation by the department or the board, or failing to make
477 available any relevant records with respect to any investigation
478 about the licensee's, ~~registered intern's,~~ or
479 certificateholder's conduct or background.

480 (p) Being unable to practice the profession for which he or
481 she is licensed, ~~registered,~~ or certified under this chapter
482 with reasonable skill or competence as a result of any mental or
483 physical condition or by reason of illness; drunkenness; or
484 excessive use of drugs, narcotics, chemicals, or any other
485 substance. In enforcing this paragraph, upon a finding by the
486 State Surgeon General, the State Surgeon General's designee, or
487 the board that probable cause exists to believe that the
488 licensee, ~~registered intern,~~ or certificateholder is unable to
489 practice the profession because of the reasons stated in this
490 paragraph, the department shall have the authority to compel a
491 licensee, ~~registered intern,~~ or certificateholder to submit to a
492 mental or physical examination by psychologists, physicians, or
493 other licensees under this chapter, designated by the department

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494 or board. If the licensee, ~~registered intern,~~ or
495 certificateholder refuses to comply with such order, the
496 department's order directing the examination may be enforced by
497 filing a petition for enforcement in the circuit court in the
498 circuit in which the licensee, ~~registered intern,~~ or
499 certificateholder resides or does business. The licensee, ~~500 registered intern,~~ or certificateholder against whom the
501 petition is filed may not be named or identified by initials in
502 any public court records or documents, and the proceedings must
503 ~~shall~~ be closed to the public. The department is ~~shall be~~
504 entitled to the summary procedure provided in s. 51.011. A
505 licensee, ~~registered intern,~~ or certificateholder affected under
506 this paragraph must, shall at reasonable intervals, be afforded
507 an opportunity to demonstrate that he or she can resume the
508 competent practice for which he or she is licensed, ~~registered,~~
509 or certified with reasonable skill and safety to patients.

510 (q) Performing any treatment or prescribing any therapy
511 which, by the prevailing standards of the mental health
512 professions in the community, would constitute experimentation
513 on human subjects, without first obtaining full, informed, and
514 written consent.

515 (r) Failing to meet the minimum standards of performance in
516 professional activities when measured against generally
517 prevailing peer performance, including the undertaking of
518 activities for which the licensee, ~~registered intern,~~ or
519 certificateholder is not qualified by training or experience.

520 (s) Delegating professional responsibilities to a person
521 who the licensee, ~~registered intern,~~ or certificateholder knows
522 or has reason to know is not qualified by training or experience

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523 to perform such responsibilities.

524 (t) Violating a rule relating to the regulation of the
525 profession or a lawful order of the department or the board
526 previously entered in a disciplinary hearing.

527 (u) Failure of the licensee, ~~registered intern,~~ or
528 certificateholder to maintain in confidence a communication made
529 by a patient or client in the context of such services, except
530 as provided in s. 491.0147.

531 (v) Making public statements which are derived from test
532 data, client contacts, or behavioral research and which identify
533 or damage research subjects or clients.

534 (w) Violating any provision of this chapter or chapter 456,
535 or any rules adopted pursuant thereto.

536 Section 6. Paragraphs (i) through (l) of subsection (1) of
537 section 491.012, Florida Statutes, are amended to read:

538 491.012 Violations; penalty; injunction.—

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

541 (i) Practice clinical social work in this state for
542 compensation, unless the person holds a valid, active license to
543 practice clinical social work issued under ~~pursuant to~~ this
544 chapter or is a licensed associate clinical social worker ~~an~~
545 ~~intern registered~~ pursuant to s. 491.0045.

546 (j) Practice marriage and family therapy in this state for
547 compensation, unless the person holds a valid, active license to
548 practice marriage and family therapy issued under ~~pursuant to~~
549 this chapter or is a licensed associate marriage and family
550 therapist licensed ~~an intern registered~~ pursuant to s. 491.0045.

551 (k) Practice mental health counseling in this state for

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552 compensation, unless the person holds a valid, active license to
553 practice mental health counseling issued under ~~pursuant to~~ this
554 chapter or is a licensed associate mental health counselor
555 licensed ~~an intern registered~~ pursuant to s. 491.0045.

556 (1) Use the following titles or any combination thereof,
557 unless he or she holds a valid associate license ~~registration as~~
558 ~~an intern~~ issued under ~~pursuant to~~ this chapter:

559 1. "Licensed associate ~~Registered~~ clinical social worker
560 ~~intern.~~"

561 2. "Licensed associate ~~Registered~~ marriage and family
562 therapist ~~intern.~~"

563 3. "Licensed associate ~~Registered~~ mental health counselor
564 ~~intern.~~"

565 Section 7. Subsections (1), (2), and (4) of section
566 491.014, Florida Statutes, are amended to read:

567 491.014 Exemptions.—

568 (1) No provision of this chapter shall be construed to
569 limit the practice of physicians licensed pursuant to chapter
570 458 or chapter 459, or psychologists licensed pursuant to
571 chapter 490, so long as they do not unlawfully hold themselves
572 out to the public as possessing a license, provisional license,
573 ~~registration~~, or certificate issued pursuant to this chapter or
574 use a professional title protected by this chapter.

575 (2) No provision of this chapter shall be construed to
576 limit the practice of nursing, school psychology, psychology, or
577 occupational therapy, or to prevent qualified members of other
578 professions from doing work of a nature consistent with their
579 training and licensure, so long as they do not hold themselves
580 out to the public as possessing a license, provisional license,

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581 ~~registration~~, or certificate issued pursuant to this chapter or
582 use a title protected by this chapter.

583 (4) No person shall be required to be licensed,
584 provisionally licensed, ~~registered~~, or certified under this
585 chapter who:

586 (a) Is a salaried employee of a government agency; a
587 developmental disability facility or program; a mental health,
588 alcohol, or drug abuse facility operating under chapter 393,
589 chapter 394, or chapter 397; the statewide child care resource
590 and referral network operating under s. 1002.92; a child-placing
591 or child-caring agency licensed pursuant to chapter 409; a
592 domestic violence center certified pursuant to chapter 39; an
593 accredited academic institution; or a research institution, if
594 such employee is performing duties for which he or she was
595 trained and hired solely within the confines of such agency,
596 facility, or institution, so long as the employee is not held
597 out to the public as a clinical social worker, mental health
598 counselor, or marriage and family therapist.

599 (b) Is a salaried employee of a private, nonprofit
600 organization providing counseling services to children, youth,
601 and families, if such services are provided for no charge, if
602 such employee is performing duties for which he or she was
603 trained and hired, so long as the employee is not held out to
604 the public as a clinical social worker, mental health counselor,
605 or marriage and family therapist.

606 (c) Is a student providing services regulated under this
607 chapter who is pursuing a course of study which leads to a
608 degree in a profession regulated by this chapter, is providing
609 services in a training setting, provided such services and

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610 associated activities constitute part of a supervised course of
611 study, and is designated by the title "student associate
612 ~~intern.~~"

613 (d) Is not a resident of this state but offers services in
614 this state, provided:

615 1. Such services are performed for no more than 15 days in
616 any calendar year; and

617 2. Such nonresident is licensed or certified to practice
618 the services provided by a state or territory of the United
619 States or by a foreign country or province.

620 Section 8. Subsection (2) of section 491.0149, Florida
621 Statutes, is amended to read:

622 491.0149 Display of license; use of professional title on
623 promotional materials.-

624 (2) (a) A person licensed ~~registered~~ under this chapter as
625 an associate ~~a~~ clinical social worker ~~intern~~, associate marriage
626 and family therapist ~~intern~~, or associate mental health
627 counselor ~~intern~~ shall conspicuously display the valid associate
628 license ~~registration~~ issued by the department or a true copy
629 thereof at each location at which the licensed associate
630 ~~registered intern~~ is completing the experience requirements.

631 (b) A licensed associate ~~registered~~ clinical social worker
632 ~~intern~~ shall include the words "licensed associate ~~registered~~
633 clinical social worker ~~intern~~," a licensed associate ~~registered~~
634 marriage and family therapist ~~intern~~ shall include the words
635 "licensed associate ~~registered~~ marriage and family therapist
636 ~~intern~~," and a licensed associate ~~registered~~ mental health
637 counselor ~~intern~~ shall include the words "licensed associate
638 ~~registered~~ mental health counselor ~~intern~~" on all promotional

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639 materials, including cards, brochures, stationery,
640 advertisements, and signs, naming the licensed associate
641 ~~registered intern~~.

642 Section 9. Paragraph (c) of subsection (4) of section
643 414.065, Florida Statutes, is amended to read:

644 414.065 Noncompliance with work requirements.—

645 (4) EXCEPTIONS TO NONCOMPLIANCE PENALTIES.—Unless otherwise
646 provided, the situations listed in this subsection shall
647 constitute exceptions to the penalties for noncompliance with
648 participation requirements, except that these situations do not
649 constitute exceptions to the applicable time limit for receipt
650 of temporary cash assistance:

651 (c) *Noncompliance related to treatment or remediation of*
652 *past effects of domestic violence.*—An individual who is
653 determined to be unable to comply with the work requirements
654 under this section due to mental or physical impairment related
655 to past incidents of domestic violence may be exempt from work
656 requirements, except that such individual shall comply with a
657 plan that specifies alternative requirements that prepare the
658 individual for self-sufficiency while providing for the safety
659 of the individual and the individual's dependents. A participant
660 who is determined to be out of compliance with the alternative
661 requirement plan shall be subject to the penalties under
662 subsection (1). The plan must include counseling or a course of
663 treatment necessary for the individual to resume participation.
664 The need for treatment and the expected duration of such
665 treatment must be verified by a physician licensed under chapter
666 458 or chapter 459; a psychologist licensed under s. 490.005(1),
667 s. 490.006, or the provision identified as s. 490.013(2) in s.

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668 1, chapter 81-235, Laws of Florida; a therapist as defined in s.
669 491.003(2) or (10) ~~(7)~~; or a treatment professional who is
670 registered under s. 39.905(1)(g), is authorized to maintain
671 confidentiality under s. 90.5036(1)(d), and has a minimum of 2
672 years' experience at a certified domestic violence center. An
673 exception granted under this paragraph does not automatically
674 constitute an exception from the time limitations on benefits
675 specified under s. 414.105.

676 Section 10. This act shall take effect July 1, 2024.