

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 registrations for the
 6 professions of clinical social work, marriage and
 7 family therapy, and mental health counseling; amending
 8 s. 491.005, F.S.; deleting the requirement that a
 9 licensed mental health professional be present on the
 10 premises when registered associates, formerly
 11 classified as registered interns, are providing
 12 clinical services in a private practice setting;
 13 amending ss. 491.009, 491.012, 491.014, and 491.0149,
 14 F.S.; conforming provisions to changes made by the
 15 act; providing an effective date.

16
 17 Be It Enacted by the Legislature of the State of Florida:

18
 19 **Section 1. Subsections (15), (16), and (17) of section**
 20 **491.003, Florida Statutes, as amended by section 42 of chapter**
 21 **2024-243, Laws of Florida, are amended to read:**

22 491.003 Definitions.—As used in this chapter:
 23 (15) "Registered associate clinical social worker ~~intern~~"
 24 means a person registered under this chapter who is completing
 25 the postgraduate clinical social work experience requirement

26 | specified in s. 491.005(1)(d).

27 | (16) "Registered associate marriage and family therapist
28 | ~~intern~~" means a person registered under this chapter who is
29 | completing the post-master's clinical experience requirement
30 | specified in s. 491.005(3)(d).

31 | (17) "Registered associate mental health counselor ~~intern~~"
32 | means a person registered under this chapter who is completing
33 | the post-master's clinical experience requirement specified in
34 | s. 491.005(4)(d).

35 | **Section 2. Section 491.0045, Florida Statutes, as amended**
36 | **by section 37 of chapter 2024-243, Laws of Florida, is amended**
37 | **to read:**

38 | 491.0045 Associate Intern registration; requirements.—

39 | (1) An individual who has not satisfied the postgraduate
40 | or post-master's level experience requirements, as specified in
41 | s. 491.005(1)(d), (3)(d), or (4)(d), must register as an
42 | associate intern in the profession for which he or she is
43 | seeking full licensure before commencing the post-master's
44 | experience requirement or an individual who intends to satisfy
45 | part of the required graduate-level practicum, internship, or
46 | field experience, outside the academic arena for any profession,
47 | and must register as an associate intern in the profession for
48 | which he or she is seeking full licensure before commencing the
49 | practicum, internship, or field experience.

50 | (2) The department shall register as an associate a

51 clinical social worker ~~intern~~, an associate marriage and family
52 therapist ~~intern~~, or an associate mental health counselor ~~intern~~
53 each applicant who the board certifies has met all of the
54 following criteria:

55 (a) Completed the application form and remitted a
56 nonrefundable application fee not to exceed \$200, as set by
57 board rule.

58 (b) Submitted to background screening in accordance with
59 s. 456.0135.

60 (c)1. Completed the education requirements as specified in
61 s. 491.005(1)(d), (3)(d), or (4)(d) for the profession for which
62 he or she is applying for licensure, if needed; and

63 2. Submitted an acceptable supervision plan, as determined
64 by the board, for meeting the practicum, internship, or field
65 work required for licensure that was not satisfied in his or her
66 graduate program.

67 (d) Identified a qualified supervisor.

68 (3) An individual registered under this section must
69 remain under supervision while practicing under registered
70 associate ~~intern~~ status.

71 (4) An individual who fails to comply with this section
72 may not be granted a full license under this chapter, and any
73 time spent by the individual completing the experience
74 requirement as specified in s. 491.005(1)(d), (3)(d), or (4)(d)
75 before registering as an associate ~~intern~~ does not count toward

76 completion of the requirement.

77 (5) An associate ~~intern~~ registration is valid for 5 years.

78 (6) Any registration issued after March 31, 2017, expires
 79 60 months after the date it is issued. The board may make a one-
 80 time exception to the requirements of this subsection in
 81 emergency or hardship cases, as defined by board rule, if the
 82 candidate has passed the theory and practice examination
 83 described in s. 491.005(1)(e), (3)(e), and (4)(e).

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

87 **Section 3. Paragraph (d) of subsection (1), paragraph (d)**
 88 **of subsection (3), and paragraphs (c) and (d) of subsection (4)**
 89 **of section 491.005, Florida Statutes, as amended by section 39**
 90 **of chapter 2024-243, Laws of Florida, are amended to read:**

91 491.005 Licensure by examination.—

92 (1) CLINICAL SOCIAL WORK.—Upon verification of
 93 documentation and payment of a fee not to exceed \$200, as set by
 94 board rule, the department shall issue a license as a clinical
 95 social worker to an applicant whom the board certifies has met
 96 all of the following criteria:

97 (d) Completed at least 2 years of clinical social work
 98 experience, which took place subsequent to completion of a
 99 graduate degree in social work at an institution meeting the
 100 accreditation requirements of this section, under the

101 supervision of a licensed clinical social worker or the
102 equivalent who is a qualified supervisor as determined by the
103 board. An individual who intends to practice in Florida to
104 satisfy clinical experience requirements must register pursuant
105 to s. 491.0045 before commencing practice. If the applicant's
106 graduate program was not a program that ~~which~~ emphasized direct
107 clinical patient or client health care services as described in
108 subparagraph (c)2., the supervised experience requirement must
109 take place after the applicant has completed a minimum of 15
110 semester hours or 22 quarter hours of the coursework required. A
111 doctoral internship may be applied toward the clinical social
112 work experience requirement. ~~A licensed mental health
113 professional must be on the premises when clinical services are
114 provided by a registered intern in a private practice setting.~~

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

120 (d) Completed at least 2 years of clinical experience
121 during which 50 percent of the applicant's clients were
122 receiving marriage and family therapy services, which must be at
123 the post-master's level under the supervision of a licensed
124 marriage and family therapist with at least 5 years of
125 experience, or the equivalent, who is a qualified supervisor as

126 | determined by the board. An individual who intends to practice
127 | in Florida to satisfy the clinical experience requirements must
128 | register pursuant to s. 491.0045 before commencing practice. If
129 | a graduate has a master's degree with a major emphasis in
130 | marriage and family therapy or a closely related field which did
131 | not include all of the coursework required by paragraph (c),
132 | credit for the post-master's level clinical experience may not
133 | commence until the applicant has completed a minimum of 10 of
134 | the courses required by paragraph (c), as determined by the
135 | board, and at least 6 semester hours or 9 quarter hours of the
136 | course credits must have been completed in the area of marriage
137 | and family systems, theories, or techniques. Within the 2 years
138 | of required experience, the applicant must ~~shall~~ provide direct
139 | individual, group, or family therapy and counseling to cases
140 | including those involving unmarried dyads, married couples,
141 | separating and divorcing couples, and family groups that include
142 | children. A doctoral internship may be applied toward the
143 | clinical experience requirement. ~~A licensed mental health~~
144 | ~~professional must be on the premises when clinical services are~~
145 | ~~provided by a registered intern in a private practice setting.~~
146 |
147 | For the purposes of dual licensure, the department shall license
148 | as a marriage and family therapist any person who meets the
149 | requirements of s. 491.0057. Fees for dual licensure may not
150 | exceed those stated in this subsection.

151 (4) MENTAL HEALTH COUNSELING.—Upon verification of
152 documentation and payment of a fee not to exceed \$200, as set by
153 board rule, the department shall issue a license as a mental
154 health counselor to an applicant whom the board certifies has
155 met all of the following criteria:

156 (c)1. Attained a minimum of an earned master's degree from
157 a mental health counseling program accredited by the Council for
158 the Accreditation of Counseling and Related Educational Programs
159 which consists of at least 60 semester hours or 80 quarter hours
160 of clinical and didactic instruction, including a course in
161 human sexuality and a course in substance abuse. If the master's
162 degree is earned from a program related to the practice of
163 mental health counseling which is not accredited by the Council
164 for the Accreditation of Counseling and Related Educational
165 Programs, ~~then~~ the coursework and practicum, internship, or
166 fieldwork must consist of at least 60 semester hours or 80
167 quarter hours and meet all of the following requirements:

168 a. Thirty-three semester hours or 44 quarter hours of
169 graduate coursework, which must include a minimum of 3 semester
170 hours or 4 quarter hours of graduate-level coursework in each of
171 the following 11 content areas: counseling theories and
172 practice; human growth and development; diagnosis and treatment
173 of psychopathology; human sexuality; group theories and
174 practice; individual evaluation and assessment; career and
175 lifestyle assessment; research and program evaluation; social

176 and cultural foundations; substance abuse; and legal, ethical,
177 and professional standards issues in the practice of mental
178 health counseling. Courses in research, thesis or dissertation
179 work, practicums, internships, or fieldwork may not be applied
180 toward this requirement.

181 b. A minimum of 3 semester hours or 4 quarter hours of
182 graduate-level coursework addressing diagnostic processes,
183 including differential diagnosis and the use of the current
184 diagnostic tools, such as the current edition of the American
185 Psychiatric Association's Diagnostic and Statistical Manual of
186 Mental Disorders. The graduate program must have emphasized the
187 common core curricular experience.

188 c. The equivalent, as determined by the board, of at least
189 700 hours of university-sponsored supervised clinical practicum,
190 internship, or field experience that includes at least 280 hours
191 of direct client services, as required in the accrediting
192 standards of the Council for Accreditation of Counseling and
193 Related Educational Programs for mental health counseling
194 programs. This experience may not be used to satisfy the post-
195 master's clinical experience requirement.

196 2. Provided additional documentation if a course title
197 that appears on the applicant's transcript does not clearly
198 identify the content of the coursework. The documentation must
199 include, but is not limited to, a syllabus or catalog
200 description published for the course.

201
202 Education and training in mental health counseling must have
203 been received in an institution of higher education that, at the
204 time the applicant graduated, was fully accredited by an
205 institutional accrediting body recognized by the Council for
206 Higher Education Accreditation or its successor organization or
207 was a member in good standing with Universities Canada, or an
208 institution of higher education located outside the United
209 States and Canada which, at the time the applicant was enrolled
210 and at the time the applicant graduated, maintained a standard
211 of training substantially equivalent to the standards of
212 training of those institutions in the United States which are
213 accredited by an institutional accrediting body recognized by
214 the Council for Higher Education Accreditation or its successor
215 organization. Such foreign education and training must have been
216 received in an institution or program of higher education
217 officially recognized by the government of the country in which
218 it is located as an institution or program to train students to
219 practice as mental health counselors. The applicant has the
220 burden of establishing that the requirements of this provision
221 have been met, and the board shall require documentation, such
222 as an evaluation by a foreign equivalency determination service,
223 as evidence that the applicant's graduate degree program and
224 education were equivalent to an accredited program in this
225 country. Beginning July 1, 2025, an applicant must have a

226 master's degree from a program that is accredited by the Council
227 for Accreditation of Counseling and Related Educational
228 Programs, the Masters in Psychology and Counseling Accreditation
229 Council, or an equivalent accrediting body which consists of at
230 least 60 semester hours or 80 quarter hours to apply for
231 licensure under this paragraph.

232 (d) Completed at least 2 years of clinical experience in
233 mental health counseling, which must be at the post-master's
234 level under the supervision of a licensed mental health
235 counselor or the equivalent who is a qualified supervisor as
236 determined by the board. An individual who intends to practice
237 in Florida to satisfy the clinical experience requirements must
238 register pursuant to s. 491.0045 before commencing practice. If
239 a graduate has a master's degree with a major related to the
240 practice of mental health counseling which did not include all
241 the coursework required under sub-subparagraphs (c)1.a. and b.,
242 credit for the post-master's level clinical experience may not
243 commence until the applicant has completed a minimum of seven of
244 the courses required under sub-subparagraphs (c)1.a. and b., as
245 determined by the board, one of which must be a course in
246 psychopathology or abnormal psychology. A doctoral internship
247 may be applied toward the clinical experience requirement. A
248 ~~licensed mental health professional must be on the premises when~~
249 ~~clinical services are provided by a registered intern in a~~
250 ~~private practice setting.~~

251 **Section 4. Paragraphs (f), (n), (o), (p), (r), (s), and**
 252 **(u) of subsection (1) of section 491.009, Florida Statutes, are**
 253 **amended to read:**

254 491.009 Discipline.—

255 (1) The following acts constitute grounds for denial of a
 256 license or disciplinary action, as specified in s. 456.072(2) or
 257 s. 491.017:

258 (f) Maintaining a professional association with any person
 259 who the applicant, licensee, registered associate ~~intern~~, or
 260 certificateholder knows, or has reason to believe, is in
 261 violation of this chapter or of a rule of the department or the
 262 board.

263 (n) Failing to make available to a patient or client, upon
 264 written request, copies of tests, reports, or documents in the
 265 possession or under the control of the licensee, registered
 266 associate ~~intern~~, or certificateholder which have been prepared
 267 for and paid for by the patient or client.

268 (o) Failing to respond within 30 days to a written
 269 communication from the department or the board concerning any
 270 investigation by the department or the board, or failing to make
 271 available any relevant records with respect to any investigation
 272 about the licensee's, registered associate's ~~intern's~~, or
 273 certificateholder's conduct or background.

274 (p) Being unable to practice the profession for which he
 275 or she is licensed, registered, or certified under this chapter

276 | with reasonable skill or competence as a result of any mental or
277 | physical condition or by reason of illness; drunkenness; or
278 | excessive use of drugs, narcotics, chemicals, or any other
279 | substance. In enforcing this paragraph, upon a finding by the
280 | State Surgeon General, the State Surgeon General's designee, or
281 | the board that probable cause exists to believe that the
282 | licensee, registered associate intern, or certificateholder is
283 | unable to practice the profession because of the reasons stated
284 | in this paragraph, the department shall have the authority to
285 | compel a licensee, registered associate intern, or
286 | certificateholder to submit to a mental or physical examination
287 | by psychologists, physicians, or other licensees under this
288 | chapter, designated by the department or board. If the licensee,
289 | registered associate intern, or certificateholder refuses to
290 | comply with such order, the department's order directing the
291 | examination may be enforced by filing a petition for enforcement
292 | in the circuit court in the circuit in which the licensee,
293 | registered associate intern, or certificateholder resides or
294 | does business. The licensee, registered associate intern, or
295 | certificateholder against whom the petition is filed may not be
296 | named or identified by initials in any public court records or
297 | documents, and the proceedings must ~~shall~~ be closed to the
298 | public. The department is ~~shall be~~ entitled to the summary
299 | procedure provided in s. 51.011. A licensee, registered
300 | associate intern, or certificateholder affected under this

301 paragraph must, ~~shall~~ at reasonable intervals, be afforded an
302 opportunity to demonstrate that he or she can resume the
303 competent practice for which he or she is licensed, registered,
304 or certified with reasonable skill and safety to patients.

305 (r) Failing to meet the minimum standards of performance
306 in professional activities when measured against generally
307 prevailing peer performance, including the undertaking of
308 activities for which the licensee, registered associate intern,
309 or certificateholder is not qualified by training or experience.

310 (s) Delegating professional responsibilities to a person
311 who the licensee, registered associate intern, or
312 certificateholder knows or has reason to know is not qualified
313 by training or experience to perform such responsibilities.

314 (u) Failure of the licensee, registered associate intern,
315 or certificateholder to maintain in confidence a communication
316 made by a patient or client in the context of such services,
317 except as provided in s. 491.0147.

318 **Section 5. Paragraphs (i) through (l) of subsection (1) of**
319 **section 491.012, Florida Statutes, are amended to read:**

320 491.012 Violations; penalty; injunction.—

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

323 (i) Practice clinical social work in this state for
324 compensation, unless the person holds a valid, active license to
325 practice clinical social work issued under ~~pursuant to~~ this

326 chapter or is an associate ~~intern~~ registered pursuant to s.
327 491.0045.

328 (j) Practice marriage and family therapy in this state for
329 compensation, unless the person holds a valid, active license to
330 practice marriage and family therapy issued under ~~pursuant to~~
331 this chapter or is an associate ~~intern~~ registered pursuant to s.
332 491.0045.

333 (k) Practice mental health counseling in this state for
334 compensation, unless the person holds a valid, active license to
335 practice mental health counseling issued under ~~pursuant to~~ this
336 chapter or is an associate ~~intern~~ registered pursuant to s.
337 491.0045.

338 (l) Use the following titles or any combination thereof,
339 unless he or she holds a valid registration as an associate
340 ~~intern~~ issued under ~~pursuant to~~ this chapter:

- 341 1. "Registered associate clinical social worker ~~intern~~."
- 342 2. "Registered associate marriage and family therapist
343 ~~intern~~."
- 344 3. "Registered associate mental health counselor ~~intern~~."

345 **Section 6. Paragraph (c) of subsection (4) of section**
346 **491.014, Florida Statutes, is amended to read:**

347 491.014 Exemptions.—

348 (4) No person shall be required to be licensed,
349 provisionally licensed, registered, or certified under this
350 chapter who:

351 (c) Is a student providing services regulated under this
352 chapter who is pursuing a course of study which leads to a
353 degree in a profession regulated by this chapter, is providing
354 services in a training setting, provided such services and
355 associated activities constitute part of a supervised course of
356 study, and is designated by the title "student associate
357 ~~intern~~."

358 **Section 7. Subsection (2) of section 491.0149, Florida**
359 **Statutes, is amended to read:**

360 491.0149 Display of license; use of professional title on
361 promotional materials.—

362 (2) (a) A person registered under this chapter as an
363 associate ~~a~~ clinical social worker ~~intern~~, an associate marriage
364 and family therapist ~~intern~~, or an associate mental health
365 counselor ~~intern~~ shall conspicuously display the valid
366 registration issued by the department or a true copy thereof at
367 each location at which the registered associate ~~intern~~ is
368 completing the experience requirements.

369 (b) A registered associate clinical social worker ~~intern~~
370 shall include the words "registered associate clinical social
371 worker ~~intern~~," a registered associate marriage and family
372 therapist ~~intern~~ shall include the words "registered associate
373 marriage and family therapist ~~intern~~," and a registered
374 associate mental health counselor ~~intern~~ shall include the words
375 "registered associate mental health counselor ~~intern~~" on all

376 | promotional materials, including cards, brochures, stationery,
377 | advertisements, and signs, naming the registered associate
378 | ~~intern~~.

379 | **Section 8.** This act shall take effect July 1, 2025.