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**HOUSE BILL NO. 2282**

Offered January 9, 2019

Prefiled January 8, 2019

*A BILL to amend and reenact §§ 54.1-3505 and 54.1-3506 of the Code of Virginia, relating to issuance of temporary licenses; individuals engaged in counseling residency.*

Patrons—Filler-Corn, Gooditis and Rodman

Referred to Committee on Health, Welfare and Institutions

**Be it enacted by the General Assembly of Virginia:**

- 1. That §§ 54.1-3505 and 54.1-3506 of the Code of Virginia are amended and reenacted as follows:**  
**§ 54.1-3505. Specific powers and duties of the Board.**

In addition to the powers granted in § 54.1-2400, the Board shall have the following specific powers and duties:

1. To cooperate with and maintain a close liaison with other professional boards and the community to ensure that regulatory systems stay abreast of community and professional needs.

2. To conduct inspections to ensure that licensees conduct their practices in a competent manner and in conformance with the relevant regulations.

3. To designate specialties within the profession.

4. To administer the certification of rehabilitation providers pursuant to Article 2 (§ 54.1-3510 et seq.) of this chapter, including prescribing fees for application processing, examinations, certification and certification renewal.

5. [Expired.]

6. To promulgate regulations for the qualifications, education, and experience for licensure of marriage and family therapists. The requirements for clinical membership in the American Association for Marriage and Family Therapy (AAMFT), and the professional examination service's national marriage and family therapy examination may be considered by the Board in the promulgation of these regulations. The educational credit hour, clinical experience hour, and clinical supervision hour requirements for marriage and family therapists shall not be less than the educational credit hour, clinical experience hour, and clinical supervision hour requirements for professional counselors.

7. To promulgate, subject to the requirements of Article 1.1 (§ 54.1-3507 et seq.) of this chapter, regulations for the qualifications, education, and experience for licensure of licensed substance abuse treatment practitioners and certification of certified substance abuse counselors and certified substance abuse counseling assistants. The requirements for membership in NAADAC: the Association for Addiction Professionals and its national examination may be considered by the Board in the promulgation of these regulations. The Board also may provide for the consideration and use of the accreditation and examination services offered by the Substance Abuse Certification Alliance of Virginia. The educational credit hour, clinical experience hour, and clinical supervision hour requirements for licensed substance abuse treatment practitioners shall not be less than the educational credit hour, clinical experience hour, and clinical supervision hour requirements for licensed professional counselors. Such regulations also shall establish standards and protocols for the clinical supervision of certified substance abuse counselors and the supervision or direction of certified substance abuse counseling assistants, and reasonable access to the persons providing that supervision or direction in settings other than a licensed facility.

8. To maintain a registry of persons who meet the requirements for supervision of residents. The Board shall make the registry of approved supervisors available to persons seeking residence status.

9. To promulgate regulations for the registration of qualified mental health professionals, including qualifications, education, and experience necessary for such registration.

10. To promulgate regulations for the registration of peer recovery specialists who meet the qualifications, education, and experience requirements established by regulations of the Board of Behavioral Health and Developmental Services pursuant to § 37.2-203.

*11. To promulgate regulations for the issuance of temporary licenses to individuals engaged in a counseling residency so that they may acquire the supervised, postgraduate experience required for licensure.*

**§ 54.1-3506. License required.**

A. In order to engage in the practice of counseling or marriage and family therapy or in the independent practice of substance abuse treatment, as defined in this chapter, it shall be necessary to hold a license issued by the Board.

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59       B. The Board may issue a license, without examination, for the practice of marriage and family  
60 therapy or the independent practice of substance abuse treatment to persons who hold a current and  
61 unrestricted license as a professional counselor within the Commonwealth and who meet the clinical and  
62 academic requirements for licensure as a marriage and family therapist or licensed substance abuse  
63 treatment practitioner, respectively. The applicant for such license shall present satisfactory evidence of  
64 qualifications equal to those required of applicants for licensure as marriage and family therapists or  
65 licensed substance abuse treatment practitioners, respectively, by examination in the Commonwealth.

66       C. Any person who renders substance abuse treatment services as defined in this chapter and who is  
67 not licensed to do so, other than a person who is exempt pursuant to § 54.1-3501, shall render such  
68 services only when he is (i) under the supervision and direction of a person licensed under this chapter  
69 who shall be responsible for the services performed by such unlicensed person, or (ii) in compliance  
70 with the regulations governing an organization or a facility licensed by the Department of Behavioral  
71 Health and Developmental Services.

72       D. *The Board may issue a temporary license, without examination, for the practice of counseling*  
73 *during the supervised residency period required by the Board for licensure.*