

ALASKA STATE LEGISLATURE

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Juneau, Alaska 99801 (Jan. -April)

State Capitol, Room 412

907.465.2095

CS for House Bill 126 (vsn R)

"An Act relating to the Board of Professional Counselors; relating to licensing of associate counselors; relating to marital and family therapists; relating to telehealth; relating to the health care professional workforce enhancement program; prohibiting unfair discrimination under group health insurance against associate counselors; relating to medial assistance for professional counseling services; relating to mental health professional; relating to health care provider liability; and providing for an effective date."

SECTIONAL ANALYSIS

Section 1. (Page 1) Amends AS 08.02.110(a)

Professional designation requirements

Includes associate counselors in the same chapter as other professions and requires them to use appropriate professional title designation that represents their field of practice

Section 2. (Page 2) Amends AS 08.02.130(j)(1)

Telehealth

Adds associate counselor to list of health care providers authorized to provide telehealth services

Section 3. (Page 3) Amends AS 08.29.020

Duties of the Board

(a) to include Associate Counselors to be licensed by the Board of Professional Counselors.

Section 4. (Page 3) Amends AS 08.29.100

Unlicensed use of title prohibited

(a) to prohibit those without licenses to declare themselves an Associate Counselors, use language that may be confused with the title of "Associate Counselor."

Section 5. (Page 3-4) Amends AS 08.29.110

Qualifications for Licensure

(a) to establish that the board shall issue a professional counselor license if the applicant has successfully completed an associate counselor program authorized by the board and meets all other requirements of the board, including the supervision of a supervisor approved under regulations of the board. Furthermore, at least 100 hours of face-to-face supervision are required.

Section 6. (Pages 4-5) Amends AS 08.29.120

Licensure by credentials

(a) to establish that the board may issue a license for professional or associate counselor to practice if they are licensed in another jurisdiction and if the board finds the other jurisdiction has an equal or higher licensure requirement as those in this state.

Section 7. (Page 5) Amends AS 08.29.220

Disclosure Statement

Requires an Associate Counselor to furnish a disclosure statement including the name, title, business address and business telephone number to clients before providing services. The disclosure statement must include the Associate Counselor's educational description, areas of specialization, services available, and fee schedule listed by type of service or hourly rate. It also must include that the information provided is required by the Board of Professional Counselors which regulates their activities.

Section 8. (Pages 5-6) Amends AS 08.29.400 Grounds for denial of license or for disciplinary sanctions

(a) to include that Associate Counselors may be subject to disciplinary sanctions imposed by the Board of Professional Counselors if they are incompetent, or have committed misconduct, fraud, misrepresentation, or dishonesty in the functions of a licensed Associate Counselor.

A licensed Associate Counselor is also subject to disciplinary sanctions if they assist another person who is not licensed under this chapter in an attempt to represent the person to the public as a licensed Associate Counselor.

Sections 9,10,11,12 (Pages 6-8) Amends AS 08.63.100(a) Qualifications for license to practice - Marital and Family Therapy

Changes the requirements for the Board of Marital and Family Therapy to issue a license

by removing the requirement for a specific number of courses. It retains the requirement

for the number of semester or quarter hours of course work.

Clarifies that the required clinical practice can be in this state or another jurisdiction.

Adds a requirement that the 100 required hours of individual supervision must be approved by the board. Adds the board's discretion to extend a license for supervised practice beyond four years because of extenuating circumstances. This is found in Sections 9, 10, 11, and 12.

Section 13. (Page 8) Amends AS 08.86.180(d)

Practice of

psychology

Defines titles that a licensed associate counselor can use to describe their services

Section 14-15. (Pages 8-10) Amends AS 09.65.300(a) Immunity for providing free health care services

Allows a licensed associate counselor to be free from civil liability when offering services for free from a clinic or private office, either in person or via telehealth

Section 16. (Page 10) Amends AS 18.29.190(9) Health Care Professionals Workforce Enhancement Program

Includes an associate counselor to be eligible under the workforce enhancement program

Section 17. (Page 10) Amends AS 21.36.090(d) Unfair Discrimination

Includes associate counselors as a service provider that is protected under existing insurance statute relating to insurance plans

Section 18. (Pages 10-11) Amends AS 47.07.900(16) Definitions

Includes associate counselors among those providers who can provide services and who must follow all the guidelines, laws and regulations under the state medical assistance program

Section 19. (Page 11) Amends AS 47.30.915(16)

Includes an associate counselor under definition of a "mental health professional" under the Mental Health statute.

Section 20. (Page 11)

- Repeals 08.29.210: Supervisor certification – this function will be administered by regulation by the Board of Licensed Professional Counselors
- Repeals 08.63.130. This removes the temporary license provision for marital and family therapists.
- Repeals 08.63.900(3). This removes the definition of "course" under licensing for marital and family therapists

Section 21. (Page 11) Provides for overall effective date of the bill to be July 1, 2025.