

**HOUSE BILL NO. 208**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES MURKOWSKI, Smalley

Introduced: 4/21/99

Referred: Health, Education and Social Services, Labor and Commerce

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to professional counselors; and providing for an effective date."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 \* **Section 1.** AS 08.02.010(a) is amended to read:

4 (a) An acupuncturist licensed under AS 08.06, an audiologist licensed under  
5 AS 08.11, a person licensed in the state as a chiropractor under AS 08.20, **a**  
6 **professional counselor licensed under AS 08.29**, a dentist under AS 08.36, a marital  
7 and family therapist licensed under AS 08.63, a medical practitioner or osteopath under  
8 AS 08.64, a direct-entry midwife certified under AS 08.65, a registered nurse under  
9 AS 08.68, an optometrist under AS 08.72, a licensed pharmacist under AS 08.80, a  
10 physical therapist or occupational therapist licensed under AS 08.84, a psychologist  
11 under AS 08.86, or a clinical social worker licensed under AS 08.95, shall use as  
12 professional identification appropriate letters or a title after that person's name which  
13 represents that person's specific field of practice. The letters or title shall appear on  
14 all signs, stationery, or other advertising in which the person offers or displays  
15 personal professional services to the public. In addition, a person engaged in the

1 practice of medicine or osteopathy as defined in AS 08.64.380, or a person engaged  
 2 in any manner in the healing arts who diagnoses, treats, tests, or counsels other persons  
 3 in relation to human health or disease and uses the letters "M.D." or the title "doctor"  
 4 or "physician" or another title that tends to show that the person is willing or qualified  
 5 to diagnose, treat, test, or counsel another person, shall clarify the letters or title by  
 6 adding the appropriate specialist designation, if any, such as "dermatologist",  
 7 "radiologist", "audiologist", "naturopath", or the like.

8 \* **Sec. 2.** AS 08.29.020(a) is amended to read:

9 (a) In addition to the duties specified in AS 08.01, the board shall

10 (1) license professional counselors, establish criteria for supervisor  
 11 certification, and certify approved counselor supervisors under this chapter; the board  
 12 may provide for licensure in areas of counseling specialization;

13 (2) establish continuing education requirements for the renewal of a  
 14 license under this chapter;

15 (3) adopt, by regulation, a code of ethics that must be observed by  
 16 persons licensed under this chapter;

17 (4) establish education and training requirements that must be met  
 18 before a professional counselor can administer and use assessment instruments  
 19 described in AS 08.29.490(1)(C); **and**

20 **(5) enforce the provisions of this chapter and adopt regulations**  
 21 **necessary to carry out the board's duties under this chapter.**

22 \* **Sec. 3.** AS 08.29.110(a) is amended to read:

23 (a) The board shall issue a professional counselor license to a person who  
 24 applies for the license, submits the required fee, submits two letters of recommendation  
 25 from professional counselors who are familiar with the applicant's practice of  
 26 professional counseling, and presents evidence satisfactory to the board that the person

27 (1) is at least 18 years of age;

28 (2) is not under investigation in this or another jurisdiction for an act  
 29 that would constitute a violation of this chapter;

30 (3) has passed a written examination as required by the board; the  
 31 board may provide that passing a nationally recognized examination for professional

1 counselors is sufficient to meet the examination requirement of this paragraph;

2 (4) has successfully completed either

3 (A) an earned doctoral degree in counseling or a related  
4 professional field from a regionally accredited institution of higher education  
5 approved by the board; or

6 (B) an earned master's degree in counseling or a related  
7 professional field, **from a regionally accredited institution of higher**  
8 **education approved by the board**, consisting of at least 48 semester hours  
9 and at least 12 other graduate semester hours in counseling during or after  
10 earning the master's degree, for a total of at least 60 hours; and

11 (5) has, **after completing the requirement of either (4)(A) or (B) of**  
12 **this subsection, had** at least 3,000 hours of supervised experience in the practice of  
13 professional counseling performed over a period of at least two years under the  
14 supervision of a supervisor approved under AS 08.29.210, with at least 1,000 hours of  
15 direct counseling with individuals, couples, families, or groups and at least 100 hours  
16 of face-to-face supervision by a supervisor approved under AS 08.29.210 unless, under  
17 regulations of the board, the board allows the supervision to be by telephonic or  
18 electronic means because of the remote location of the counselor.

19 \* **Sec. 4.** AS 08.29.210(a) is amended to read:

20 (a) The board shall approve and certify a person as an approved counselor  
21 supervisor for the purposes of this chapter if the person

22 (1) is licensed under this chapter as a professional counselor or is a  
23 **licensed physician, licensed psychiatrist, licensed advanced nurse practitioner who**  
24 **is certified to provide psychiatric or mental health services**, licensed clinical social  
25 worker, licensed marital and family therapist, licensed psychologist, or licensed  
26 psychological associate;

27 (2) submits an application for certification and the appropriate fee;

28 (3) has five years of counseling experience;

29 (4) provides to the board for its approval or disapproval a statement  
30 that details the person's supervision philosophy, orientation, and experience; and

31 (5) meets other criteria that may be established by the board in

1 regulations.

2 \* **Sec. 5.** Section 6, ch. 75, SLA 1998, is amended to read:

3 TRANSITIONAL PROVISION. Notwithstanding this Act, the Board of  
4 Professional Counselors shall issue a license under AS 08.29, enacted by sec. 1 of this  
5 Act, to an applicant who

6 (1) applies by **June 30, 2000** [DECEMBER 31, 1999];

7 (2) submits documentation that the applicant holds a master's or  
8 doctorate degree in counseling or a related professional field;

9 (3) submits, on a form provided by the department, documentation from  
10 an employer, a supervisor, or a professional peer that, **after graduating with a**  
11 **master's or doctoral degree in counseling or a related field**, the applicant has  
12 practiced professional counseling in the state for at least 24 months during the five  
13 years immediately preceding the date of application;

14 (4) meets the requirements of AS 08.29.110(a)(1) and (2), enacted by  
15 sec. 1 of this Act, and is not subject to denial of a license under AS 08.29.400, enacted  
16 by sec. 1 of this Act;

17 (5) submits two letters of recommendation from professional counselors  
18 who are familiar with the applicant's work; and

19 (6) pays the required fee.

20 \* **Sec. 6.** APPLICABILITY. AS 08.29.110(a), as amended by sec. 3 of this Act, and  
21 sec. 6(3), ch. 75, SLA 1998, as amended by sec. 5 of this Act, apply to applications pending  
22 or filed with the Board of Professional Counselors on or after the effective date of secs. 2 -  
23 5 of this Act.

24 \* **Sec. 7.** Sections 2 - 6 of this Act take effect immediately under AS 01.10.070(c).