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**HOUSE BILL 784**

**46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003**

**INTRODUCED BY**

Ray Begaye

**FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE**

**AN ACT**

**RELATING TO LICENSING; PROVIDING AN EXEMPTION FROM THE  
COUNSELING AND THERAPY PRACTICE ACT FOR PEER COUNSELORS IN  
CERTAIN ALCOHOL AND CHEMICAL DEPENDENCY PROGRAMS.**

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:**

**Section 1. Section 61-9A-6 NMSA 1978 (being Laws 1993,  
Chapter 49, Section 6, as amended) is amended to read:**

**"61-9A-6. EXEMPTIONS. --**

**A. Nothing in the Counseling and Therapy Practice  
Act shall be construed to prevent:**

**(1) a person who is licensed, certified or  
regulated under the laws of this state from engaging in  
activities consistent with the standards and ethics of his  
profession or practice; or**

**(2) an alternative, metaphysical or holistic**

underscored material = new  
[bracketed material] = delete

1 practitioner from engaging in nonclinical activities consistent  
2 with the standards and codes of ethics of that practice.

3 B. Specifically exempted from the Counseling and  
4 Therapy Practice Act are:

5 (1) elementary and secondary school counselors  
6 acting on behalf of their employer who are otherwise regulated;

7 (2) peer counselors of domestic violence or  
8 independent-living peer counselors working under appropriate  
9 supervision in a nonprofit corporation, association or similar  
10 entity;

11 (3) duly ordained, commissioned or licensed  
12 ministers of a church or lay pastoral-care assistants providing  
13 pastoral services on behalf of a church;

14 (4) a person who is enrolled in an internship  
15 or practicum under appropriate supervision and is in the  
16 internship or practicum for the sole purpose of acquiring an  
17 advanced degree in mental health counseling, marriage and  
18 family therapy or art therapy or a degree in substance abuse  
19 counseling; [~~and~~]

20 (5) practitioners of Native American healing  
21 arts; and

22 (6) individuals who serve as peer counselors  
23 in alcohol and chemical dependency treatment and recovery  
24 programs selected for exceptional modeling and communications  
25 skills by program administrators. "

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