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FISCAL IMPACT REPORT

SPONSOR: Kidd DATE TYPED: 03/02/03 HB _____

SHORT TITLE: Revise Counseling & Therapy Practice Act SB 773

ANALYST: Geisler

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
		NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Relates to: SB 614 and HB 714 also propose to amend the Counseling and Therapy Practice Act.

SOURCES OF INFORMATION

Regulation and Licensing Department (RLD)
Human Services Department (HSD)

SUMMARY

Synopsis of Bill

Senate Bill 773 seeks to revise the Counseling and Therapy Practice Act. SB 773 would update and streamline the Act, and sets forth that persons must be licensed and/or registered (as appropriate) to engage in the profession. SB 773 would strengthen the definition section, and deletes superseded nomenclature.

The Counseling and Therapy Board is revised from 9 to 7 members, and the Board's duties are more fully defined and set forth.

SB 773 would reclassify all licensed professional mental health counselors as licensed professional clinical mental health counselors, and then amends the requirements for professional clinical mental health counselors. SB 773 sets requirements for other counselors and therapists.

Significant Issues

RLD is concerned that the purpose of SB 773 is unclear. Although there have been ongoing discussions about reducing or consolidating the numbers of different kinds of licenses issued by the Board, SB 773 appears to strip the Act of most of its statutory authority.

FISCAL IMPLICATIONS

Per RLD, fiscal implications are unclear. HSD provides that the clarification of definitions of some practitioner categories will result in fewer people able to be licensed to practice, which might result in fewer claims being submitted for Medicaid mental health services.

ADMINISTRATIVE IMPLICATIONS

RLD notes that replacing existing statutory authority with rules would require a significant investment of staff time and effort in scheduling rule hearings, and in drafting, filing, and implementing rules.

HSD points out its staff will be required to review and update Medicaid policies based on changes in this bill. This process could be completed within six months of enactment.

RELATIONSHIP

SB 773 relates to SB 614 and HB 714 in that all three bills propose to amend the Counseling and Therapy Practice Act. However, RLD believes that SB614 and HB714 take a more measured approach to revising and streamlining the Act. RLD has been meeting with bill sponsors and a substitute bill may be introduced to supercede these bills.

AMENDMENTS

Provided by HSD:

In 61-9A-9, section A (3) of SB 773, the board may “establish the passing scores for examination”. HSD proposes that this should be amended to include the phrase “with consultation from appropriate educational testing agencies” or similar language.

GGG/yr