

ENROLLMENT(S)



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

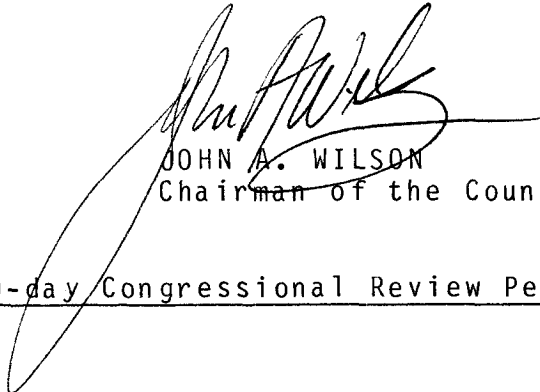
NOTICE

D.C. LAW 9-126

"District of Columbia Health Occupations
Revision Act of 1985 Professional Counselors
Amendment Act of 1992".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 9-197 on first and second readings, April 7, 1992, and May 6, 1992, respectively. Following the signature of the Mayor on May 28, 1992, this legislation was assigned Act No. 9-210, published in the June 5, 1992, edition of the D.C. Register, (Vol. 39 page 3824) and transmitted to Congress on May 29, 1992 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 9-126, effective July 22, 1992.



JOHN A. WILSON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

May 29

June 1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23,24,25,26,
29,30

July 1,2,7,8,9,20,21

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 28, 1992

To amend the District of Columbia Health Occupations Revision Act of 1985 to require that professional counselors be licensed, and to amend the Mental Health Information Act of 1978 to provide that a licensed professional counselor is a mental health professional.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Health Occupations Revision Act of 1985 Professional Counselors Amendment Act of 1992".

Sec. 2. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Code §2-3301 *et seq.*), is amended as follows:

(a) Section 101(1) (D.C. Code §2-3301.1(1)) is amended by adding the phrase "the Board of Professional Counseling," after the phrase "the Board of Podiatry,".

Section
2-3301.1

(b) Section 102 (D.C. Code §2-3301.2) is amended by adding a new paragraph (15A) to read as follows:

Section
2-3301.2

"(15A)(A) "Practice of professional counseling" means engaging in counseling activities, for compensation, by a person who represents by title or description of services that he or she is a "professional counselor" or "licensed professional counselor".

"(B) For the purposes of this paragraph, the term "professional counselor" or "licensed professional counselor" means a person trained in counseling and guidance services, with an emphasis on individual and group guidance and counseling designed to assist individuals in achieving effective personal, social, educational, and career development objectives and adjustment.

"(C) Nothing in subparagraph (B) of this paragraph shall be construed as preventing or restricting the practices, services, or activities of:

"(i) A professional counselor employed by and working in accordance with the rules of the District of Columbia Board of Education ("Board of Education");

"(ii) Any person employed as a professional counselor by an academic institution or research laboratory if the service offered by the person is within the scope of his or her employment, is related to the person's education, research, and training, and is provided to the employing organization or is offered to another academic institution or research laboratory; or

Enrolled Original

"(iii) A professional counselor employed by, or in a position funded by, the District or a private nonprofit organization sponsored or funded by a community-based organization.

"(D) Any person who is employed in accordance with subparagraph (C) of this paragraph and who is also engaged in private practice shall be required to obtain a license."

(c) Section 103(d)(7) (D.C. Code §2-3301.3(d)(7)) is amended to read as follows:

Section
2-3301.3

"(7) Marriage and family therapists, marriage counselors, art therapists, drama therapists, attorneys, or other professionals working within the standards and ethics of their respective professions."

(d) A new section 213 is added to read as follows:

"Sec. 213. Board of Professional Counseling.

New
Section
2-3302.13

"(a) There is established a Board of Professional Counseling to consist of 5 members appointed by the Mayor.

"(b) The Board shall regulate the practice of professional counseling.

"(c) Members of the Board shall serve a 3-year term. Of the members first appointed to the Board, 1 member shall be appointed to a 1-year term, 2 members shall be appointed to a 2-year term, and 2 members shall be appointed to a 3-year term.

"(d) Of the members of the Board, 3 shall be professional counselors licensed in the District, 1 shall be an educator engaged in teaching counseling, and 1 shall be a consumer member."

(e) Section 401(b)(2) (D.C. Code §2-3304.1(b)(2)) is amended as follows:

Section
2-3304.1

(1) By striking the word "and" after the phrase "Advisory Committee on Physician Assistants,"; and

(2) By adding the phrase ", and the professional counselor members initially appointed to the Board of Professional Counseling" after the phrase "Board of Social Work".

(f) Section 501 (D.C. Code §2-3305.1) is amended as follows:

Section
2-3305.1

(1) By striking the word "and" after the word "psychology,"; and

(2) By adding the phrase ", and professional counseling" after the phrase "social work".

(g) A new title VIIA is inserted to read as follows:

"TITLE VIIA

"QUALIFICATIONS FOR LICENSURE TO PRACTICE PROFESSIONAL COUNSELING; TRANSITION OF PROFESSIONAL COUNSELORS; WAIVER OF LICENSURE REQUIREMENTS.

"Sec. 710. Qualifications for licensure.

New
Section
2-3307.10

"The Board of Professional Counseling shall license as a professional counselor a person who, in addition to meeting the requirements of sections 501 through 521, has satisfactorily completed the examination process, has completed 60 hours of postgraduate education in counseling or a related subject from an accredited college or university, and has completed 2 years of supervised counseling experience.

"Sec. 711. Transition of professional counselors.

New
Section
2-3307.11

"For a period of 2 years following the effective date of the District of Columbia Health Occupations Revision Act of 1985 Professional Counselors Amendment Act of 1992, all reference to a professional counselor shall be deemed to refer to a person meeting the requirements

for licensure in the District, regardless of whether that person is licensed.

"Sec. 712. Waiver of licensure requirements.

"(a) The Board of Professional Counseling shall waive the 60 hours of postgraduate education and examination requirements for any applicant for licensure as a professional counselor who can demonstrate, to the satisfaction of the Board, that he or she holds a bachelor's degree in counseling or a related subject from an accredited college or university and has been performing the functions of a professional counselor, as defined by this act, on a full-time or substantially full-time basis continually for at least 24 months immediately preceding the effective date of the District of Columbia Health Occupations Revision Act of 1985 Professional Counselors Amendment Act of 1992, and is qualified to do so on the basis of pertinent education, training, experience, and demonstrated current competence, provided that the application for licensure is made within 24 months of the effective date of the District of Columbia Health Occupations Revision Act of 1985 Professional Counselors Amendment Act of 1992.

"(b) The Board of Professional Counseling shall waive the examination requirement for any applicant who meets the educational requirements for licensure as a professional counselor if the person has practiced as a professional counselor or as a professional counselor administrator within a 3-year period immediately preceding the effective date of the District of Columbia Health Occupations Revision Act of 1985 Professional Counselors Amendment Act of 1992, and is qualified to do so on the basis of pertinent experience and demonstrated current competence, provided that the application for licensure is made within 12 months of the effective date of the District of Columbia Health Occupations Revision Act of 1985 Professional Counselors Amendment Act of 1992.

"(c) Applicants licensed under the waiver provisions of this section shall be eligible for license renewal on the same terms as all other licensed professional counselors."

(h) A new section 904 is added to read as follows:

"Sec. 904. Addiction counselor.

"(a) For the purposes of this section, the term "addiction counselor" means a person who possesses and utilizes a unique knowledge and skill base to assist (i) substance abusers; (ii) a person or group affected by a problem related to substance abuse; or (iii) the public for whom the prevention of substance abuse is a primary concern. This knowledge and skill base may be attained through a combination of specialized training, education, supervised work experience, and life experience.

"(b) A person who is engaged as an addiction counselor in the District shall register with the Mayor, renew the registration as required by rule, and pay the required registration fee established by the Mayor.

"(c) A person registered to practice as an addiction counselor may assist substance abusers, persons affected by problems related to substance abuse, and the public.

"(d) The Mayor, in accordance with the provisions of title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (62 Stat. 1204; D.C. Code §1-1501 *et seq.*), shall issue rules setting forth the required standards for education and experience needed to

New
Section
2-3307.12

New
Section
2-3309.4

qualify as a registered addiction counselor. The Mayor may adopt the standards of a recognized professional association of addiction counselors."

(i) Section 1003 (D.C. Code §2-3310.3) is amended by adding a new subsection (t) to read as follows:

Section
2-3310.3

"(t) Unless authorized to practice professional counseling pursuant to this act, a person shall not use the phrase "licensed professional counselor", or any similar title or description of services with the intent to represent that the person practices professional counseling. Nothing in this subsection shall restrict the use of the generic terms "counseling" or "counselor"."

Sec. 3. Section 101(k) of the Mental Health Information Act of 1978, effective March 3, 1979 (D.C. Law 2-136; D.C. Code §6-2001(11)), is amended as follows:

Section
6-2001

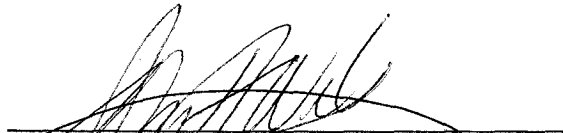
(a) Paragraph (5) is amended by striking the word "and" after the phrase "nurse;"


(b) A new paragraph (5A) is added to read as follows:

"(5A) a licensed professional counselor; and "

(c) Paragraph (6) is amended by striking the phrase "paragraphs (1) through (5)" and inserting the phrase "paragraphs (1) through (5A)" in its place.

Sec. 4. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code §1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.


Chairman
Council of the District of Columbia


Mayor
District of Columbia

APPROVED: May 28, 1992



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Nine

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B9-197

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 4-7-92

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT _____ (_____)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. WILSON					JARVIS					ROLARK				
BRAZIL					LIGHTFOOT					SMITH, JR.				
CRAWFORD					MASON					THOMAS, SR.				
CROPP					NATHANSON									
EVANS					RAY									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Phyllis Fine Secretary to the Council May 12, 1992 Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 5-6-92

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT _____ (_____)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. WILSON					JARVIS					ROLARK				
BRAZIL					LIGHTFOOT					SMITH, JR.				
CRAWFORD					MASON					THOMAS, SR.				
CROPP					NATHANSON									
EVANS					RAY									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Phyllis Fine Secretary to the Council May 12, 1992 Date

Item on Consent Calendar

ACTION & DATE: _____

VOICE VOTE: _____

Recorded vote on request

Absent: _____

ROLL CALL VOTE: — RESULT _____ (_____)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. WILSON					JARVIS					ROLARK				
BRAZIL					LIGHTFOOT					SMITH, JR.				
CRAWFORD					MASON					THOMAS, SR.				
CROPP					NATHANSON									
EVANS					RAY									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council _____
Date