Introduced by Representatives Durfee of Shaftsbury and Houghton of Essex

Referred to Committee on

Date:

Subject: Health; professions and occupations; Office of Professional Regulation; licensed clinical mental health counselors; telemedicine

Statement of purpose of bill as introduced: This bill proposes to allow a health care professional who holds a valid license, certificate, or registration to provide clinical mental health counseling services in another U.S. jurisdiction to continue providing those services to a patient in located in Vermont using telemedicine without obtaining a Vermont license if certain conditions are met.

An act relating to allowing certain licensed out-of-state mental health professionals to treat Vermont patients using telemedicine

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 18 V.S.A. § 9362 is added to read:

§ 9362. CLINICAL MENTAL HEALTH COUNSELORS; OUT-OF-STATE HEALTH CARE PROFESSIONALS; TELEMEDICINE

(a) A health care professional who holds a valid license, certificate, or registration to provide clinical mental health counseling services, as defined in 26 V.S.A. § 3261, in another U.S. jurisdiction may continue to provide these
services to a patient located in Vermont using telemedicine without obtaining a Vermont license if the following conditions are met:

(1) the health care professional began providing clinical mental health counseling services to the patient while the patient was located in a U.S. jurisdiction in which the health care professional held a valid license, certificate, or registration at the time the services were provided;

(2) the health care professional is licensed, certified, or registered in good standing in the other U.S. jurisdiction or jurisdictions in which the health care professional holds a license, certificate, or registration;

(3) the health care professional is not subject to any professional disciplinary proceedings in any other U.S. jurisdiction; and

(4) the health care professional is not affirmatively barred from practice in Vermont for reasons of fraud or abuse, patient care, or public safety.

(b) A health care professional who provides clinical mental health counseling services to a patient located in Vermont in accordance with the provisions of subsection (a) of this section is deemed to consent to, and shall be subject to, the regulatory and disciplinary jurisdiction of the Board of Allied Mental Health Practitioners established under 26 V.S.A. chapter 65.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2021.