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H.661

Introduced by Representatives Vyhovsky of Essex, Anthony of Barre City,
Bluemle of Burlington, Bos-Lun of Westminster, Burrows of
West Windsor, Christie of Hartford, Cina of Burlington,
Colburn of Burlington, Mulvaney-Stanak of Burlington,
Rachelson of Burlington, Surprenant of Barnard, and Troiano of
Stannard

Referred to Committee on

Date:

Subject: Professional regulation; Office of Professional Regulation; mental
health professionals; licensing; continuing education

Statement of purpose of bill as introduced: This bill proposes to amend
regulations pertaining to the licensure of mental health professionals in the
State, to require a mental health professional licensure study, to require a
mental health professional supervisor registry, and to create a new position
within the Office of Professional Regulation.

An act relating to licensure of mental health professionals

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

2 * * * Continuing Education Units; Psychologists * * *

3 Sec. 1. 26 V.S.A. § 3015 is amended to read:

4 § 3015. RENEWALS

5 (a) Licenses shall be renewed every two years upon payment of the
6 required fee.

7 * * *

8 (d) Continuing education units.

9 (1) As a condition of renewal, the Board ~~may~~ shall require that licensees
10 establish that they have satisfied continuing education requirements established
11 by Board rule and this subsection.

12 (2) At least three continuing education units shall be diversity, equity,
13 and inclusion learning.

14 (3) Synchronous virtual continuing education credits shall be approvable
15 and accepted as live in-person training.

16 (4) Upon application, the Board may exempt from continuing education
17 requirements a licensee on active duty in the U.S. Armed Forces, if obtaining
18 continuing education credits would be impossible in practice or a significant
19 hardship for the licensee.

20 (5) If the licensee is licensed in one or more other mental health
21 professions under this title, continuing education units completed for one

1 mental health profession shall count toward the required continuing education
2 units for the other mental health profession or professions for which the
3 licensee is licensed under this title.

4 * * * Continuing Education Units; Social Workers * * *

5 Sec. 2. 26 V.S.A. § 3208 is amended to read:

6 § 3208. RENEWALS

7 * * *

8 (d) As a condition of renewal, a licensee shall complete continuing
9 education, approved by the Director by rule, during the preceding two-year
10 period. For purposes of this subsection, the Director may require, by rule, not
11 more than 20 hours of approved continuing social work education as a
12 condition of renewal. Synchronous virtual continuing education credits shall
13 be approvable and accepted as live in-person training. At least three
14 continuing education units shall be diversity, equity, and inclusion learning. If
15 the licensee is licensed in one or more other mental health professions under
16 this title, continuing education units completed for one mental health
17 profession shall count toward the required continuing education units for the
18 other mental health profession or professions for which the licensee is licensed
19 under this title.

20 * * *

1 * * * Continuing Education Units; Alcohol and Drug Abuse
2 Counselors * * *

3 Sec. 3. 26 V.S.A. § 3238 is amended to read:

4 § 3238. BIENNIAL RENEWALS

5 (a) Licenses and certifications shall be renewed every two years on a
6 schedule set by the Office upon:

7 (1) ~~payment~~ Payment of the required fee; ~~and~~.

8 (2) ~~documentation~~ Documentation that the applicant has completed at
9 least 40 hours of continuing education, approved by the Director. Synchronous
10 virtual continuing education credits shall be approvable and accepted as live
11 in-person training. At least three continuing education units shall be diversity,
12 equity, and inclusion learning. If the licensee is licensed in one or more other
13 mental health professions under this title, continuing education units completed
14 for one mental health profession shall count toward the required continuing
15 education units for the other mental health profession or professions for which
16 the licensee is licensed under this title.

17 * * *

1 * * * Continuing Education Units; Clinical Mental Health

2 Counselors * * *

3 Sec. 4. 26 V.S.A. § 3269 is amended to read:

4 § 3269. RENEWALS

5 Licenses shall be renewed every two years upon payment of required fees
6 and proof of such continuing education as the Board may require by rule and
7 as required by this section. Synchronous virtual continuing education credits
8 shall be approvable and accepted as live in-person training. At least three
9 continuing education units shall be diversity, equity, and inclusion learning. If
10 the licensee is licensed in one or more other mental health professions under
11 this title, continuing education units completed for one mental health
12 profession shall count toward the required continuing education units for the
13 other mental health profession or professions for which the licensee is licensed
14 under this title.

15 * * * Continuing Education Units; Marriage and Family

16 Therapists * * *

17 Sec. 5. 26 V.S.A. § 4040 is amended to read:

18 § 4040. RENEWALS

19 (a) Licenses shall be renewed every two years upon payment of the
20 required fee, provided the person applying for renewal has completed at least

1 20 hours of continuing education, approved by the Board, during the preceding
2 two-year period.

3 (1) The Board shall establish, by rule, guidelines and criteria for
4 continuing education credit. Synchronous virtual continuing education credits
5 shall be approvable and accepted as live in-person training. At least three
6 continuing education units shall be diversity, equity, and inclusion learning.

7 (2) The continuing education requirement shall not apply for the first
8 renewal period. If the licensee is licensed in one or more other mental health
9 professions under this title, continuing education units completed for one
10 mental health profession shall count toward the required continuing education
11 units for the other mental health profession or professions for which the
12 licensee is licensed under this title.

13 * * *

14 * * * Continuing Education Units; Psychoanalysts * * *

15 Sec. 6. 26 V.S.A. § 4060 is amended to read:

16 § 4060. RENEWALS

17 (a) Certification shall be renewed every two years upon payment of the
18 required fee, provided the person applying for renewal completes at least 20
19 hours of continuing education, approved by the Director, during the preceding
20 two-year period.

1 the Director finds that the maintenance of such certification implies
2 appropriate continuing education consistent with this subsection and Board
3 rule.

4 (2) Synchronous virtual continuing education credits shall be approvable
5 and accepted as live in-person training. At least three continuing education
6 units shall be diversity, equity, and inclusion learning.

7 (3) If the licensee is licensed in one or more other mental health
8 professions under this title, continuing education units completed for one
9 mental health profession shall count toward the required continuing education
10 units for the other mental health profession or professions for which the
11 licensee is licensed under this title.

12 * * *

13 * * * Mental Health Professional Licensure; Study * * *

14 Sec. 8. MENTAL HEALTH PROFESSIONAL LICENSURE; STUDY

15 (a) Study. The Office of Professional Regulation shall conduct a study on:

16 (1) the possibility of streamlining the licensure of mental health
17 professionals practicing in the State, including a review of the feasibility of
18 creating one mental health professional license with endorsements for specific
19 mental health professions;

20 (2) whether additional regulation of supervisors for mental health
21 professionals in training is necessary, including a review of potential limits on

1 areas of mental health work a supervisor may supervise based on the
2 supervisor's own work experience and education, the rate or fee a supervisor
3 may charge for providing supervision, and the number of supervisees assigned
4 to one supervisor; and

5 (3) the barriers for individuals who are Black, Indigenous, or Persons of
6 Color (BIPOC), refugees and new Americans, individuals with low income,
7 and those with lived mental health and substance use experience entering
8 mental health professions regulated by the Office of Professional Regulation.

9 (b) Stakeholder input. The Director of the Office of Professional
10 Regulation shall seek the input and recommendations of the following
11 stakeholders in completing the study:

12 (1) representatives of each mental health care profession associated
13 with the Office of Professional Regulation, selected by their respective
14 licensing board or by the Director;

15 (2) the Commissioner of Mental Health or designee;

16 (3) representatives of mental health care professional organizations;

17 (4) representatives of health insurers;

18 (5) individuals in mental health care professions or seeking to enter
19 mental health care professions, selected by AALV, Inc., the Vermont
20 Commission on Native American Affairs, and Outright Vermont; and

1 (6) other interested stakeholders, including individuals from diverse
2 backgrounds to represent the interests of communities of color and other
3 historically underrepresented populations in mental health care professions.

4 (c) Findings and recommendations. On or before December 15, 2024, the
5 Director of the Office of Professional Regulation shall provide its findings
6 and recommendations to the House Committees on Health Care and on
7 Government Operations and the Senate Committees on Health and Welfare
8 and on Government Operations.

9 * * * Mental Health Professional Supervisors Registry * * *

10 Sec. 9. MENTAL HEALTH PROFESSIONAL SUPERVISORS; REGISTRY

11 The Office of Professional Regulation shall maintain a registry of mental
12 health professionals who are available to serve as supervisors for mental health
13 professionals in training.

14 * * * Position Created * * *

15 Sec. 10. CREATION OF POSITION WITHIN THE OFFICE OF

16 SECRETARY OF STATE; OFFICE OF PROFESSIONAL
17 REGULATION

18 There is created within the Secretary of State's office one new Licensing
19 Board Administrator position in the Office of Professional Regulation.

1 * * * Effective Date * * *

2 Sec. 11. EFFECTIVE DATE

3 This act shall take effect on July 1, 2022.