

1 H.661

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

8 Referred to Committee on

9 Date:

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

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

17 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
15 approvable 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.

10 Synchronous virtual continuing education credits shall be approvable and
11 accepted as live in-person training. At least three continuing education units
12 shall be diversity, equity, and inclusion learning. If the licensee is licensed in
13 one or more other mental health professions under this title, continuing
14 education units completed for one mental health profession shall count toward
15 the required continuing education units for the other mental health profession
16 or professions for which 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 ~~(1) The Director, with the advice of the advisor appointed, shall~~
2 establish, by rule, guidelines and criteria for continuing education credit.
3 Synchronous virtual continuing education credits shall be approvable and
4 accepted as live in-person training. At least three continuing education units
5 shall be diversity, equity, and inclusion learning.

6 (2) The education requirement shall not apply for the first renewal
7 period. 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 * * * Continuing Education Units; Applied Behavior Analysts * * *

14 Sec. 7. 26 V.S.A. § 4925 is amended to read:

15 § 4925. RENEWALS

16 * * *

17 (c) As a condition of renewal, the Director may by rule require that a
18 licensee establish that ~~he or she~~ the licensee has completed continuing
19 education.

20 (1) The Director may accept proof of current certification from the
21 Behavior Analyst Certification Board as evidence of continuing competency if

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~~
5 ~~approvable and accepted as live in-person training. At least three continuing~~
6 ~~education 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 ~~process 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 ~~(c) 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.~~

*** Continuing Education Units; Psychologists ***

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

§ 3015. RENEWALS

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

(d) Continuing education units.

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

(2) At least three continuing education units shall be in the area of systematic oppression and anti-oppressive practice.

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

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

~~(5) If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.~~

~~*** Continuing Education Units; Social Workers ***~~

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

~~§ 3208. RENEWALS~~

~~***~~

~~(d) As a condition of renewal, a licensee shall complete continuing education, approved by the Director by rule, during the preceding two-year period. For purposes of this subsection, the Director may require, by rule, not more than 20 hours of approved continuing social work education as a condition of renewal. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. At least three continuing education units shall be in the area of systematic oppression and anti-oppressive practice. If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.~~

* * *

* * * *Continuing Education Units; Alcohol and Drug Abuse*

*Counselors * * **

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

§ 3238. BIENNIAL RENEWALS

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

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

(2) ~~documentation~~ Documentation that the applicant has completed at least 40 hours of continuing education, approved by the Director. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. At least three continuing education units shall be in the area of systematic oppression and anti-oppressive practice. If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.

~~*** Continuing Education Units; Clinical Mental Health~~

~~Counselors ***~~

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

~~§ 3269. RENEWALS~~

~~Licenses shall be renewed every two years upon payment of required fees and proof of such continuing education as the Board may require by rule and as required by this section. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. At least three continuing education units shall be in the area of systematic oppression and anti-oppressive practice. If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.~~

~~*** Continuing Education Units; Marriage and Family~~

~~Therapists ***~~

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

~~§ 4040. RENEWALS~~

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

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

~~(1) The Board shall establish, by rule, guidelines and criteria for continuing education credit. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. At least three continuing education units shall be in the area of systematic oppression and anti-oppressive practice.~~

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

~~***~~

~~*** Continuing Education Units; Psychoanalysts ***~~

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

~~§ 4060. RENEWALS~~

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

~~(1) The Director, with the advice of the advisor appointees, shall establish, by rule, guidelines and criteria for continuing education credit. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. At least three continuing education units shall be in the area of systematic oppression and anti-oppressive practice.~~

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

~~***~~

~~*** Continuing Education Units; Applied Behavior Analysts ***~~

~~Sec. 7. 26 V.S.A. § 4925 is amended to read:~~

~~§ 4925. RENEWALS~~

~~***~~

~~(c) As a condition of renewal, the Director may by rule require that a licensee establish that ~~he or she~~ the licensee has completed continuing education.~~

~~(1) The Director may accept proof of current certification from the Behavior Analyst Certification Board as evidence of continuing competency if~~

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

~~(2) Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. At least three continuing education units shall be in the area of systematic oppression and anti-oppressive practice.~~

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

~~***~~

~~*** Mental Health Professional Licensure: Study ***~~

~~Sec. 8. MENTAL HEALTH PROFESSIONAL LICENSURE: STUDY~~

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

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

~~(2) whether additional regulation of supervisors for mental health professionals in training is necessary, including a review of potential limits on areas of mental health work a supervisor may supervise based on the supervisor's own work experience and education, the rate or fee a supervisor may charge for providing supervision, and the number of supervisees assigned to one supervisor; and~~

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

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

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

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

~~(3) the Commissioner of Health Equity or designee;~~

~~(4) representatives of mental health care professional organizations;~~

~~(5) representatives of health insurers,~~

~~(6) individuals in mental health care professions or seeking to enter mental health care professions, selected by AALV, Inc., the Vermont Commission on Native American Affairs, the Vermont Center for Independent Living, and Outright Vermont; and~~

~~(7) other interested stakeholders, including individuals from diverse backgrounds to represent the interests of communities of color and other historically underrepresented populations in mental health care professions.~~

~~(c) Findings and recommendations. On or before December 15, 2024, the Director of the Office of Professional Regulation shall provide the Office's findings and recommendations to the House Committees on Health Care and on Government Operations and the Senate Committees on Health and Welfare and on Government Operations.~~

~~*** Mental Health Professional Supervisors Registry ***~~

~~Sec. 9. MENTAL HEALTH PROFESSIONAL SUPERVISORS; REGISTRY~~

~~The Office of Professional Regulation shall maintain a registry of mental health professionals who are available to serve as supervisors for mental health professionals in training. The registry shall begin upon passage and shall contain a complete list by 2025.~~

~~*** Effective Date ***~~

~~Sec. 10. EFFECTIVE DATE~~

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

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

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

§ 3015. RENEWALS

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

** * **

(d) Continuing education units.

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

(2) Continuing education requirements shall include requiring one or more continuing education units in the area of systematic oppression and anti-oppressive practice, or in related topic areas, consistent with the report recommendations from the Health Equity Advisory Commission required pursuant to 2021 Acts and Resolves No. 33, Sec. 5 for improving cultural competency, cultural humility, and antiracism in Vermont's health care system.

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

(4) Upon application, the Board may exempt from continuing education requirements a licensee on active duty in the U.S. Armed Forces, if obtaining

continuing education credits would be impossible in practice or a significant hardship for the licensee.

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

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

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

§ 3208. RENEWALS

** * **

(d) As a condition of renewal, a licensee shall complete continuing education, approved by the Director by rule, during the preceding two-year period. For purposes of this subsection, the Director may require, by rule, not more than 20 hours of approved continuing social work education as a condition of renewal. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. Continuing education requirements shall include requiring one or more continuing education units in the area of systematic oppression and anti-oppressive practice, or in related topic areas, consistent with the report recommendations from the Health Equity Advisory Commission required pursuant to 2021 Acts and Resolves No.

33, Sec. 5 for improving cultural competency, cultural humility, and antiracism in Vermont's health care system. If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.

* * *

* * * *Continuing Education Units; Alcohol and Drug Abuse*

*Counselors * * **

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

§ 3238. BIENNIAL RENEWALS

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

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

(2) ~~documentation~~ Documentation that the applicant has completed at least 40 hours of continuing education, approved by the Director. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. Continuing education requirements shall include requiring one or more continuing education units in the area of systematic oppression and anti-oppressive practice, or in related topic areas, consistent with the report recommendations from the Health Equity Advisory Commission required

pursuant to 2021 Acts and Resolves No. 33, Sec. 5 for improving cultural competency, cultural humility, and antiracism in Vermont's health care system. If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.

* * *

* * * *Continuing Education Units; Clinical Mental Health*

Counselors * * *

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

§ 3269. RENEWALS

Licenses shall be renewed every two years upon payment of required fees and proof of such continuing education as the Board may require by rule and as required by this section. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. Continuing education requirements shall include requiring one or more continuing education units in the area of systematic oppression and anti-oppressive practice, or in related topic areas, consistent with the report recommendations from the Health Equity Advisory Commission required pursuant to 2021 Acts and Resolves No. 33, Sec. 5 for improving cultural competency, cultural

humility, and antiracism in Vermont's health care system. If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.

** * * Continuing Education Units; Marriage and Family*

*Therapists * * **

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

§ 4040. RENEWALS

(a) Licenses shall be renewed every two years upon payment of the required fee, provided the person applying for renewal has completed at least 20 hours of continuing education, approved by the Board, during the preceding two-year period.

(1) The Board shall establish, by rule, guidelines and criteria for continuing education credit. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. Continuing education requirements shall include requiring one or more continuing education units in the area of systematic oppression and anti-oppressive practice, or in related topic areas, consistent with the report recommendations from the Health Equity Advisory Commission required pursuant to 2021 Acts

and Resolves No. 33, Sec. 5 for improving cultural competency, cultural humility, and antiracism in Vermont's health care system.

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

* * *

* * * Continuing Education Units; Psychoanalysts * * *

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

§ 4060. RENEWALS

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

(1) The Director, with the advice of the advisor appointees, shall establish, by rule, guidelines and criteria for continuing education credit. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. Continuing education requirements shall include requiring one or more continuing education units in the area of

systematic oppression and anti-oppressive practice, or in related topic areas, consistent with the report recommendations from the Health Equity Advisory Commission required pursuant to 2021 Acts and Resolves No. 33, Sec. 5 for improving cultural competency, cultural humility, and antiracism in Vermont's health care system.

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

* * *

* * * Continuing Education Units; Applied Behavior Analysts * * *

Sec. 7. 26 V.S.A. § 4925 is amended to read:

§ 4925. RENEWALS

* * *

(c) As a condition of renewal, the Director may by rule require that a licensee establish that ~~he or she~~ the licensee has completed continuing education.

(1) The Director may accept proof of current certification from the Behavior Analyst Certification Board as evidence of continuing competency if

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

(2) Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. Continuing education requirements shall include requiring one or more continuing education units in the area of systematic oppression and anti-oppressive practice, or in related topic areas, consistent with the report recommendations from the Health Equity Advisory Commission required pursuant to 2021 Acts and Resolves No. 33, Sec. 5 for improving cultural competency, cultural humility, and antiracism in Vermont's health care system.

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

* * *

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

Sec. 8. MENTAL HEALTH PROFESSIONAL LICENSURE; STUDY

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

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

(2) whether additional regulation of supervisors for mental health professionals in training is necessary, including a review of potential limits on areas of mental health work a supervisor may supervise based on the supervisor's own work experience and education, the rate or fee a supervisor may charge for providing supervision, and the number of supervisees assigned to one supervisor; and

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

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

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

(2) the Commissioner of Mental Health or designee;

(3) the Chair of the Health Equity Advisory Commission established pursuant to 18 V.S.A. § 252 or designee;

(4) representatives of mental health care professional organizations;

(5) representatives of health insurers;

(6) individuals in mental health care professions or seeking to enter mental health care professions, selected by AALV, Inc., the Vermont Commission on Native American Affairs, the Vermont Center for Independent Living, and Outright Vermont; and

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

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

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

Sec. 9. MENTAL HEALTH PROFESSIONAL SUPERVISORS; REGISTRY

The Office of Professional Regulation shall maintain a registry of mental health professionals who are available to serve as supervisors for mental

health professionals in training. The registry shall begin upon passage and shall contain a complete list by 2025.

** * * Effective Date * * **

Sec. 10. EFFECTIVE DATE

This act shall take effect on July 1, 2022.