

**HF 2206 Summary Sheet**

Sections 1 & 4: Reciprocity

**What is the purpose of HF 2206 regarding licensure by *reciprocity*?**

1. HF 2206 is designed to *promote license portability* for experienced counselors from other states, *reduce barriers to licensure*, and *add to Minnesota’s mental health provider work force*. HF 2206 pertains to persons seeking licensure to practice in Minnesota as a Licensed Professional Clinical Counselor (LPCC), a Licensed Professional Counselor (LPC), or a Licensed Alcohol and Drug Counselor (LADC).
2. Minnesota already has provisions in the law for licensure by reciprocity. The Board may issue a license to an individual licensed in another state if the requirements for that credential are *substantially similar* to the requirements for a Minnesota license.
3. All states have education, supervision/experience, and examination requirements for licensure. However, variations in licensure requirements in other states sometimes cannot meet the *substantially similar* requirement. Example: LPCC licensure in Minnesota requires 4000 hours of post-master’s supervised practice. Most states require 3000 hours of post-master’s practice (a difference of six months of supervised practice).
4. HF 2206 will allow an individual *licensed for active practice* in another state for a *minimum of five years* to be licensed in Minnesota by reciprocity.
5. HF 2206 protects Minnesota citizens by requiring that the individual seeking licensure in Minnesota must *not have been subject to disciplinary action* in another state. If the individual has been the subject of disciplinary action, the applicant’s request for licensure will be reviewed by the Board for potential eligibility.

**How does reciprocity benefit the public?**

1. The goal of HF 2206 is to *increase public access* to LPCCs, LPCs, and LADCs in Minnesota.
2. HF 2206 is particularly *important for the border regions* which often have individuals licensed in the surrounding states requesting to be licensed in Minnesota.
3. HF 2206 is *budget neutral*. There is no cost to the Board to implement the language.

**How does reciprocity benefit the license applicant?**

1. HF 2206 is designed to *reduce barriers to obtaining licensure* by applicants from other states without impacting quality of service or protection to the citizens of Minnesota.
2. The bill is fashioned after similar bills in other states designed to move toward *increased license portability* for LPCCs, LPCs, and LADCs from state to state. Portability is considered to be the future of licensure models across multiple mental health disciplines.

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**HF 2206 Summary Sheet**

Sections 2, 3 and 5: Disclosure of Client Information in Duty to Warn Situations

**What is the purpose of HF 2206 related to the need to disclose client information?**

HF 2206 expands the duty to warn provision of care to an individual who is under supervision as a student or intern or in post-degree supervised practice to become a Licensed Professional Clinical Counselor (LPCC) or a Licensed Professional Counselor (LPC) in the State of Minnesota. This language already exists in statute for other mental health providers.

**What is *duty to warn*?**

1. Duty to warn is a professional obligation granted by statute to certain professions to act in the best interest of a client if the client gives the provider reasonable cause to believe that the client is potentially harmful to self or others.
2. Duty to warn allows a provider to disclose private information to other persons who can intervene with individuals that the provider has determined to be potentially at risk.

**Why is this provision being added to the licensure responsibilities of LPCCs and LPCs?**

In 2016, the Minnesota Legislature added to the duty to warn language for interns and those in post-degree practice under supervision preparing for the practices of Psychology, Marriage and Family Therapy, and Alcohol and Drug Counseling (*see* Minnesota Statutes sections 148.975 [Psychology], 148B.1751 [Marriage and Family Therapy], and 148F.13 [Alcohol and Drug Counseling]). Social work duty to warn language is found in 148E.240, subd. 6 [Social Work interns and students are not currently included in the law]. Licensed Professional Clinical Counselors and Licensed Professional Counselors are mental health providers that should be included in the duty to warn provisions, so all mental health providers are subject to the same requirements in the law.

**How does this provision benefit the public?**

1. Currently, supervised interns in graduate programs and post-master’s supervisees working to become LPCCs and LPCs are not specifically identified as individuals with the duty to warn designation.
2. Unless the law is changed, only supervisors of LPCC and LPC interns and those in post-degree practice are legally allowed to act in duty to warn instances, not the interns or supervisees alone.
3. Adding LPCC and LPC licensees, applicants, interns, and those in post-degree practice under supervision to the duty to warn designation completes the law currently in place and protects these providers from monetary liability arising out of good faith actions on behalf of their clients.
4. Sections 2, 3, and 5 are budget neutral. There is no cost to implement these technical changes to the law.