

**HF 3822 Summary Sheet**

Sections 1 & 3: Reciprocity

**What is the purpose of HF 3822 in relationship to licensure *reciprocity*?**

1. HF 3822 is designed to *increase the portability* of equivalently licensed individuals from other states 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. The individual must have *qualifications and expertise substantially equivalent* to the requirements for a Minnesota license as determined by the Board.
3. The individual must have *been licensed for active practice* in another state for a *minimum of five years*.
4. The individual must *not have been subject to disciplinary action* in another state in order to be eligible for the granting of a license in Minnesota by reciprocity. 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 3822 is to *increase public access* to LPCCs, LPCs, and LADCs in Minnesota.
2. HF 3822 is particularly *important for the border regions* which often have individuals licensed in the surrounding states requesting to be licensed in Minnesota.
3. Sections 1 & 3 are *revenue neutral* on the budgets of the board and the state.

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

1. HF 3822 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 portability* of 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 3822 Summary Sheet**

Section 2: Disclosure of Client Information in Duty to Warn Situations

**What is the purpose of HF 3822 in relationship to the need to disclose client information?**

HF 3822 expands the duty to warn provision of care to an individual who is under supervision as an 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.

**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 clients if those individuals give the professional reasonable cause to believe that the client is potentially harmful to oneself or others.
2. Duty to warn allows for the disclosure of relevant information to relevant parties who can intervene with an individual determined by the professional 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], 148E.240, subd. 6 [Social Work] and 148F.13 [Alcohol and Drug Counseling]). Licensed Professional Clinical Counselors and Licensed Professional Counselors are the only mental health providers missing from the duty to warn provisions.

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

1. Currently, supervised interns in programs to become LPCCs and LPCs and related counselor education programs are not specifically identified as individuals with duty to warn designation.
2. Unless this provision 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 allows the current oversight to be corrected and protects them from monetary liability arising out of good faith actions on behalf of their clients.
4. Section 2 is *revenue neutral* on the budgets of the board and the state.