

Recent Changes in Regulation of Mental Health Professionals

The Board of Behavioral Health and Therapy (BBHT) is a health licensing board, created in 2003, to regulate Licensed Professional Counselors (LPCs) and, eventually, Alcohol and Drug Counselors (ADCs).

Licensed Professional Counselors

Minnesota passed legislation to begin regulating LPCs in 2003 ([Laws 2003, ch. 118](#)). Professionals seeking licensure as LPCs may become licensed in one of two ways. First, a “transition period” extends until July 1, 2005, under which the board may issue a license to an applicant who has not passed the examination, if the applicant is licensed, or in the process of being licensed as a:

- psychological practitioner;
- marriage and family therapist; or
- alcohol and drug counselor ([Minn. Stat. § 148B.55](#)).

Other applicants must fulfill all the requirements for licensure, which include specified education requirements, 700 hours of supervised work, and passing a national examination ([Minn. Stat. § 148B.53](#)). BBHT is currently accepting applications for licensure.

Alcohol and Drug Counselors

Regulation. The Department of Health (MDH) currently regulates ADCs. In 2003, legislation passed that transfers the regulation of ADCs from MDH to BBHT. The transfer of regulatory authority will take place on July 1, 2005 ([Laws 2003, ch. 118, § 26](#)). In the meantime, the commissioner of health and the executive directors of the health-related licensing boards must develop a transition plan to transfer authority from MDH to BBHT ([Laws 2004, ch. 279, art. 5, § 11](#)).

Transition Period for Licensees. Currently, hospitals and city, county, and state agencies employing ADCs can employ unlicensed ADCs. But beginning January 1, 2006, those entities must employ only licensed ADCs. Until that time, professionals employed by those entities who are seeking licensure can become licensed under modified requirements ([Minn. Stat. § 148C.11, subs. 5-6](#)).

Unlicensed Mental Health Professionals

Currently, the Office of Unlicensed Mental Health Practice (OUMHP) at MDH regulates UMHPs by holding them to a standard of conduct ([Minn. Stat. §§ 148B.60 to 148B.71](#)). This office was due to expire on July 1, 2004, but the 2004 Legislature extended the date for another year. Legislation passed in 2004 that requires the commissioner of health and the executive directors of the health-related licensing boards to develop a plan to regulate UMHPs after the OUMHP expires on July 1, 2005 ([Laws 2004, ch. 279, art. 5, §§ 10-11](#)).

For more information: See the House Research publication *State Regulation of Health-Related Occupations*, July 2004.

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