

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: S2/21/19

A Bill

SENATE BILL 164

5 By: Senator J. Cooper
6 *By: Representatives Ladyman, Payton*
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LICENSURE OF CERTAIN PROFESSIONS
10 LICENSED BY THE ARKANSAS BOARD OF EXAMINERS IN
11 COUNSELING; AND FOR OTHER PURPOSES.
12
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Subtitle

15 TO AMEND THE LICENSURE OF CERTAIN
16 PROFESSIONS LICENSED BY THE ARKANSAS
17 BOARD OF EXAMINERS IN COUNSELING.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 17-27-301(6), concerning the qualifications
23 for a licensed professional counselor, is amended to read as follows:

24 (6)(A) The applicant has ~~three (3) years~~ three thousand (3,000)
25 client contact hours of supervised full-time experience in professional
26 counseling acceptable to the board.

27 (B) ~~One (1) year~~ Two thousand (2,000) client contact hours
28 of experience may be gained for each ~~thirty (30)~~ sixty (60) graduate semester
29 hours earned beyond the master's degree, provided that the hours are clearly
30 related to the field of counseling and are acceptable to the board.

31 (C) ~~In no case may the applicant have less than one (1)~~
32 year The applicant may not have less than one thousand (1,000) client contact
33 hours of professional experience; and
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35 SECTION 2. Arkansas Code § 17-27-304(1)(B), concerning the
36 qualifications for a licensed marriage and family therapist, is amended to



1 read as follows:

2 (B) Experience Requirements. The applicant has ~~three (3)~~
 3 ~~years~~ three thousand (3,000) client contact hours of supervised full-time
 4 experience in marriage and family therapy acceptable to the board. ~~One (1)~~
 5 ~~year~~ Two thousand (2,000) client contact hours may be gained for each ~~thirty~~
 6 ~~(30)~~ sixty (60) graduate semester hours earned beyond the master's degree,
 7 provided that the hours are clearly related to the field of marriage and
 8 family therapy and are acceptable to the board. ~~In no case may the applicant~~
 9 ~~have less than one (1) year~~ The applicant may not have less than one thousand
 10 (1,000) client contact hours of professional supervised experience; and

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12 SECTION 3. Arkansas Code § 17-27-306 is amended to read as follows:
 13 17-27-306. Examination.

14 (a)(1) ~~The place of examination shall be designated in advance by the~~
 15 ~~Arkansas Board of Examiners in Counseling.~~

16 (2) ~~The examination shall be given:~~

17 (A) ~~Annually at the time and place and under the~~
 18 ~~supervision as the board may determine; and~~

19 (B) ~~Specifically at other times when in the opinion of the~~
 20 ~~board the number of applicants warrants.~~

21 (b) ~~The examination shall require that the applicant demonstrate his~~
 22 ~~or her knowledge and application thereof in those areas deemed relevant to~~
 23 ~~his or her specialty and identify those services he or she intends to offer~~
 24 ~~to the public.~~

25 (c) ~~To ensure impartiality, written examination documents shall be~~
 26 ~~identified by number. No paper shall be marked in the name of any applicant.~~

27 (d) ~~The board will report the results of the examination and recommend~~
 28 ~~to the Chair of the Arkansas Board of Examiners in Counseling action to be~~
 29 ~~taken.~~

30 The Arkansas Board of Examiners in Counseling shall provide approval
 31 before an applicant is allowed to sit for examination.

32 (2) The board shall designate the time and place of any
 33 examination in advance of any examination.

34 (e)(b) The board is required to preserve examination materials, ~~an~~
 35 ~~accurate transcript of the questions and answers to any examination, and the~~
 36 ~~applicant's performance on each section as part of its records for a period~~

1 ~~of two (2) years following the date of the examination~~ in accordance with
2 state regulations.

3 ~~(f)(1)(c)(1)~~ In the event that an applicant fails to pass ~~the entire~~
4 an examination, he or she may reapply and ~~shall~~ may be allowed to take a
5 subsequent examination.

6 (2) An applicant who ~~has failed two (2) successive examinations~~
7 ~~may not reapply for two (2) years from the date of the last examination~~ fails
8 an examination shall wait three (3) months before taking a subsequent
9 examination.

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11 SECTION 4. Arkansas Code § 17-27-308 is amended to read as follows:
12 17-27-308. Reciprocity.

13 ~~(a)~~ At its discretion, the Arkansas Board of Examiners in Counseling
14 may waive formal examination requirements of a candidate who is licensed or
15 certified to practice counseling or marriage and family therapy by a similar
16 board in another state if, in the opinion of the board, the standards and
17 qualifications required for the practice of counseling in the candidate's
18 licensing state are at least equal to those required by this chapter.

19 ~~(b) The board has the power to waive formal examination requirements~~
20 ~~only and does not have the power to waive any required period of supervision~~
21 ~~as provided in this chapter.~~

22
23 SECTION 5. Arkansas Code § 17-27-309 is amended to read as follows:
24 17-27-309. Suspension or revocation.

25 ~~(a)(1)~~ The Arkansas Board of Examiners in Counseling shall have the
26 power to suspend or revoke ~~the license of a license issued under this chapter~~
27 or impose other appropriate restrictions or additional sanctions, including
28 without limitation supervision, probation, counseling, or additional
29 education, for any person:

30 (1) ~~found~~ Found guilty of violating any ethical or professional
31 standard; or

32 (2) Placed upon a registry of this state or another state in
33 regards to public safety, including without limitation a child maltreatment
34 registry, an adult maltreatment registry, or a sex offender registry.

35 ~~(2) The sanction of suspension upon order of the board shall not~~
36 ~~be for a period greater than six (6) months. Any licensee thereby sanctioned~~

1 ~~shall not be allowed to practice counseling in this state until the~~
2 ~~termination of the suspension period and subsequent timely review by the~~
3 ~~board.~~

4 (b) The board shall revoke the license of any person who is found
5 guilty of or pleads guilty or nolo contendere to any offense listed in § 17-
6 27-313(e) unless the person requests and the board grants a waiver pursuant §
7 17-27-313(g).

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10 /s/J. Cooper

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13 **APPROVED: 3/8/19**
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