Stricken language would be deleted from and underlined language would be added to present law.
Act 370 of the Regular Session

State of Arkansas

As Engrossed: S2/21/19

A Bill

SENATE BILL 164

By: Senator J. Cooper

By: Representatives Ladyman, Payton

For An Act To Be Entitled

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

Subtitle

TO AMEND THE LICENSURE OF CERTAIN PROFESSIONS LICENSED BY THE ARKANSAS BOARD OF EXAMINERS IN COUNSELING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 17-27-301(6), concerning the qualifications for a licensed professional counselor, is amended to read as follows:

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

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

(C) In no case may the applicant have less than one (1) year The applicant may not have less than one thousand (1,000) client contact hours of professional experience; and

SECTION 2. Arkansas Code § 17-27-304(1)(B), concerning the qualifications for a licensed marriage and family therapist, is amended to
read as follows:

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

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


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

(2) The examination shall be given:

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

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

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

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

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

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

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

(e)(b) The board is required to preserve examination materials, an accurate transcript of the questions and answers to any examination, and the applicant’s performance on each section as part of its records for a period
of two (2) years following the date of the examination in accordance with
state regulations.

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

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

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

17-27-308. Reciprocity.

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

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

SECTION 5. Arkansas Code § 17-27-309 is amended to read as follows:

17-27-309. Suspension or revocation.

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

(1) found guilty of violating any ethical or professional
standard; or

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

(2) The sanction of suspension upon order of the board shall not
be for a period greater than six (6) months. Any licensee thereby sanctioned
shall not be allowed to practice counseling in this state until the termination of the suspension period and subsequent timely review by the board.

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

/s/J. Cooper

APPROVED: 3/8/19