

State of Arkansas  
76th General Assembly  
Regular Session, 1987  
By: Representative Landers

HOUSE BILL 1566

"AN ACT TO AMEND SECTION 15 OF ACT 593 OF 1979 TO CLARIFY  
THAT THE ACT IS NOT TO BE CONSTRUED TO LIMIT PASTORAL  
COUNSELORS AND CHAPLAINS."

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

SECTION 1. Section 15 of Act 593 of 1979 is hereby amended to read as follows:

"Section 15. PRACTICE WITHOUT LICENSE PROHIBITED - PENALTY. Any person who shall hold himself or herself out to the public as being engaged in the practice of counseling as defined in Section 3 of this Act or represents himself or herself by the title Licensed Professional Counselor or Licensed Associate Counselor and shall not then possess in full force and virtue a valid license to practice counseling as provided in this Act shall be deemed guilty of a class A misdemeanor and upon conviction thereof shall be punished by a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00) and may be imprisoned for a term not exceeding one (1) year. Each violation and conviction shall be deemed a separate offense. Notwithstanding the limits imposed for a class A misdemeanor, if the defendant has derived pecuniary gain in the form of client fees received for services in violation of this Act, such fees shall be refunded.

Nothing in this Section shall be construed to limit the professional pursuits of administrators, teachers, and school counselors certified by the State Department of Education within the scope of their duties in recognized public and private schools; nonresident persons engaged in consulting or research activities in counseling for a period not greater than thirty (30) days in a calendar year; clergymen; pastoral counselors and chaplains who have been endorsed by their respective denominations to the appropriate professional organizations; practitioners of medicine; psychologists; social

workers; listed Christian Science practitioners; or individuals offering volunteer services who are approved by the organization or agency for whom the service is rendered; persons in the employ of the federal, state, or local government or accredited institutions of higher education, insofar as such activities and services are a part of the official duties in salaried positions; or other professions; provided that such persons hold a valid license, certificate, or registration in the State of Arkansas and operating within the scope of their professional duties; provided that the title Licensed Professional Counselor or Licensed Associate Counselor is not used. Students engaged in counselor training programs and other persons preparing for the profession of licensed counselor may perform as part of their training the functions specified in Section 3 of this Act provided that such functions are performed only under supervision of a Licensed Professional Counselor.

No firm, partnership, or corporation may offer to the public or other firms, partnerships, or corporations any counseling services as specified in Section 3 hereof unless such services are performed or supervised by individuals fully and validly licensed under this Act.

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

