

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 2634

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5 By: Representative Rosenbaum
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For An Act To Be Entitled

8
9 AN ACT TO CLARIFY THE EXEMPTIONS TO THE COUNSELOR
10 LICENSING LAW; AND FOR OTHER PURPOSES.
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Subtitle

12
13 AN ACT TO CLARIFY THE EXEMPTIONS TO THE
14 COUNSELOR LICENSING LAW.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 17-27-103 is amended to read as follows:
20 17-27-103. Exemptions.

21 (a) This chapter ~~shall not be~~ is not applicable to persons engaged in
22 counseling individuals or groups concerning weight loss, weight control, or
23 nutrition education, nor to persons whose counseling activities are confined
24 to the area of alcohol and drug abuse.

25 (b) Nothing in § 17-27-104 shall be construed to preclude the
26 advertising of services or to limit:

27 (1) The professional pursuits of administrators, teachers, and
28 school counselors certified by the Department of Education within the scope
29 of their duties in recognized public and private schools;

30 (2) Nonresident persons engaged in consulting or research
31 activities in counseling for a period not greater than thirty (30) days in a
32 calendar year;

33 (3) ~~Clergymen insofar as their activities and services are a~~
34 ~~part of the official duties in salaried positions~~ A member of the clergy from
35 performing work within the standards and any code of ethics of the member of
36 the clergy's profession so long as the member of the clergy does not hold



1 himself or herself out to the public as being a licensed professional
2 counselor;

3 (4) Practitioners of medicine;

4 (5) Psychologists;

5 (6) Social workers;

6 (7) Listed Christian Science practitioners insofar as their
7 activities and services are a part of the official duties;

8 (8) Individuals offering volunteer services who are approved by
9 the organization or agency for whom the service is rendered;

10 (9) Persons in the employ of the federal, state, or local
11 government or accredited institutions of higher education, insofar as their
12 activities and services are a part of the official duties in salaried
13 positions; or

14 (10) Other professionals, provided that:

15 (A) Such persons hold valid licenses, certificates, or
16 registrations in the State of Arkansas and are operating within the scope of
17 their professional duties; and

18 (B) The title "licensed professional counselor", "licensed
19 associate counselor", "licensed marriage and family therapist", or "licensed
20 associate marriage and family therapist" is not used.

21 (c) Students engaged in counselor training programs and other persons
22 preparing for the profession of licensed counselor may perform as part of
23 their training the functions specified in § 17-27-102, provided that ~~such~~ the
24 functions are performed under the supervision of a licensed professional
25 counselor.

26 (d) Nothing contained in this subchapter prohibits an individual who
27 is not licensed under this chapter and who works in a self-help group, a
28 self-help program, or a not-for-profit organization or agency from providing
29 services or pastoral counseling in the self-help group, the self-help
30 program, or the not-for-profit organization or agency.

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