

# HOUSE . . . . . No. 4982

---

## The Commonwealth of Massachusetts

---

HOUSE OF REPRESENTATIVES, June 30, 2022.

The committee on Mental Health, Substance Use and Recovery to whom was referred the petition (accompanied by bill, House, No. 2076) of Josh S. Cutler and others relative to establishing a board of registration of licensed mental health counselors, reports recommending that the accompanying bill (House, No. 4982) ought to pass.

For the committee,

ADRIAN C. MADARO.

# HOUSE . . . . . No. 4982

---

## The Commonwealth of Massachusetts

\_\_\_\_\_  
In the One Hundred and Ninety-Second General Court  
(2021-2022)  
\_\_\_\_\_

An Act relative to mental health counselor licensure.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 88 of chapter 13 of the General Laws, as appearing in the 2020  
2   Official Edition, is hereby amended by striking out the figure “13”, in line 4, and inserting in  
3   place thereof the following figure:- 15.

4           SECTION 2. Section 89 of said chapter 13, as so appearing, is hereby amended by  
5   striking out paragraph (A) in its entirety and inserting in place thereof the following paragraphs:-

6           (A) 12 members shall be licensed practicing mental health and human services  
7   professionals and shall have been, for at least 5 years immediately preceding appointment,  
8   actively engaged as a practitioner rendering professional services in that field, in the education  
9   and training of graduate students or interns in the field, in appropriate human developmental  
10   research, or in another area substantially equivalent thereto, and shall, during the 2 years  
11   preceding the appointment, have spent the majority of their professional time in such activity in  
12   the commonwealth. One of the 12 shall also be a member of a union licensable under sections  
13   163 to 172, inclusive, of chapter 112.

Said members shall be appointed in such a manner as to proportionally represent the total number of active holders of each professional license type, as determined from time to time by the board; provided, that at least 1 member shall be a marriage and family therapist, at least 1 shall be a rehabilitation counselor, at least 1 shall be a clinical mental health counselor, at least 1 shall be an educational psychologist and at least 1 shall be a behavior analyst who meet the qualifications in the last 2 paragraphs of section 165 of chapter 112.

SECTION 3. Section 163 of chapter 112, as appearing in the 2020 Official Edition, is hereby amended by inserting after the definition of “Licensed mental health counselor” the following definition:- “Licensed supervised mental health counselor”, a person licensed or eligible for license under section 165.

SECTION 4. Section 164 of said chapter 112, as so appearing, is hereby amended by inserting after the word “consultant”, in line 7, the following words:- or licensed supervised mental health counselor, advisor or consultant.

SECTION 5. Section 165 of said chapter 112, as so appearing, is hereby amended by inserting after the word “health”, in line 16, the following words:- or the department of public health.

SECTION 6. Said section 165 of said chapter 112, as so appearing, is hereby further amended by adding the following 3 paragraphs:-

The board may issue a license to an applicant as a supervised mental health counselor; provided, however, that each applicant, in addition to complying with clauses (1) and (2) of the first paragraph, shall provide satisfactory evidence to the board that the applicant: (i) demonstrates to the board the successful completion of a master’s degree in a relevant field from

an educational institution licensed by the state in which it is located and meets national standards for granting of a master’s degree with a sub-specialization in counseling or a relevant sub-specialization approved by the board; and (ii) has successfully passed a board-approved examination.

A supervised mental health counselor shall practice under supervision of a clinician in a clinic or hospital licensed by the department of mental health or the department of public health or accredited by the Joint Commission on Accreditation of Hospitals or in an equivalent center or institute or under the direction of a supervisor approved by the board.

The board shall promulgate rules and regulations specifying the required qualifications of the supervising clinician.

SECTION 7. Section 47B of said chapter 175, as so appearing, is hereby amended by inserting after the word “specialist”, in line 122, the following words:-, a clinician practicing under the supervision of a licensed professional and working towards licensure in a clinic licensed under chapter 111.

SECTION 8. Section 8A of chapter 176A of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting after the word “specialist”, in line 125, the following words:- , a clinician practicing under the supervision of a licensed professional and working towards licensure in a clinic licensed under chapter 111.

SECTION 9. Section 4A of chapter 176B of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting after the word “specialist”, in line 120, the following words:- , a clinician practicing under the supervision of a licensed professional and working towards licensure in a clinic licensed under chapter 111.

SECTION 10. Section 4M of chapter 176G of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting after the word “specialist”, in line 117, the following words:- , a clinician practicing under the supervision of a licensed professional and working towards licensure in a clinic licensed under chapter 111.

SECTION 11. Notwithstanding any general or special law to the contrary, the executive office of health and human services and the department of public health shall conduct a study relative to the feasibility and cost, if any, of creating a board of registration of mental health counselors. The report shall be submitted not later than June 30, 2023 to the clerks of the senate and house of representatives, the joint committee on mental health, substance use and recovery and the joint committee on labor and workforce development.