

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0540.02 Jane Ritter x4342

HOUSE BILL 16-1103

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HOUSE SPONSORSHIP

Kraft-Tharp and Landgraf,

SENATE SPONSORSHIP

Martinez Humenik and Todd,

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House Committees

Public Health Care & Human Services

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING CLARIFYING LICENSE PATHWAYS FOR THE MENTAL  
102 HEALTH PROFESSIONAL WORKFORCE.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

The bill clarifies that licensed psychologists, licensed clinical social workers, licensed marriage and family therapists, and licensed professional counselors (occupations collectively referred to as "mental health professions"); candidates for licensure in a mental health profession, including licensed social workers; and individuals enrolled in an appropriate professional program of study for a mental health

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

profession at an approved school or college may register with the database of registered psychotherapists; however, if they do register with such database, the hours accrued will not count toward licensure requirements. The bill also clarifies that a candidate in a mental health profession, including a licensed social worker, need only have completed his or her degree to satisfy the educational component of the licensing process.

The individual boards for the mental health professions are authorized to promulgate rules related to the requirements for hours accrued toward licensure.

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*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, 12-43-304, **amend** (7) (b) as follows:

**12-43-304. Qualifications - examinations - licensure.** (7) (b) A psychologist candidate registered pursuant to this subsection (7) ~~is not required to~~ IS UNDER THE JURISDICTION OF THE STATE BOARD OF PSYCHOLOGIST EXAMINERS. THE PSYCHOLOGIST CANDIDATE MAY register with the database of registered psychotherapists pursuant to section 12-43-702.5; ~~and is under the jurisdiction of the state board of psychologist examiners~~ HOWEVER, IF THE PSYCHOLOGIST CANDIDATE REGISTERS WITH THE DATABASE OF REGISTERED PSYCHOTHERAPISTS, ANY HOURS ACCRUED WHILE REGISTERED AS SUCH DO NOT COUNT TOWARD THE HOURS NECESSARY FOR LICENSURE AS A PSYCHOLOGIST PURSUANT TO THIS SECTION. If the requirements of paragraphs (d) and (e) of subsection (1) of this section are not met within four years, the registration of the psychologist candidate expires and is not renewable unless the board, in its discretion, grants the candidate an extension. A person whose psychologist candidate registration expires is not precluded from applying for licensure or registration with any other mental health board for which the person is qualified.

1           **SECTION 2.** In Colorado Revised Statutes, 12-43-404, **add** (8)  
2 as follows:

3           **12-43-404. Qualifications - examination - licensure and**  
4 **registration.** (8) A PERSON LICENSED AS A LICENSED SOCIAL WORKER  
5 PURSUANT TO SUBSECTION (1) OF THIS SECTION MAY REGISTER WITH THE  
6 DATABASE OF REGISTERED PSYCHOTHERAPISTS PURSUANT TO SECTION  
7 12-43-702.5; HOWEVER, IF THE LICENSED SOCIAL WORKER REGISTERS  
8 WITH THE DATABASE OF REGISTERED PSYCHOTHERAPISTS, ANY HOURS  
9 ACCRUED WHILE REGISTERED AS SUCH DO NOT COUNT TOWARD THE HOURS  
10 NECESSARY FOR LICENSURE AS A LICENSED CLINICAL SOCIAL WORKER  
11 PURSUANT TO SUBSECTION (2) OF THIS SECTION.

12           **SECTION 3.** In Colorado Revised Statutes, 12-43-504, **amend**  
13 (5) (b) as follows:

14           **12-43-504. Qualifications - examination - licensure and**  
15 **registration.** (5) (b) A marriage and family therapist candidate who  
16 registers with the board pursuant to this subsection (5) is under the  
17 jurisdiction of the board and ~~is not required to~~ MAY register with the  
18 database of registered psychotherapists pursuant to section 12-43-702.5;  
19 HOWEVER, IF THE MARRIAGE AND FAMILY THERAPIST CANDIDATE  
20 REGISTERS WITH THE DATABASE OF REGISTERED PSYCHOTHERAPISTS, ANY  
21 HOURS ACCRUED WHILE REGISTERED AS SUCH DO NOT COUNT TOWARD THE  
22 HOURS NECESSARY FOR LICENSURE AS A MARRIAGE AND FAMILY  
23 THERAPIST PURSUANT TO THIS SECTION.

24           **SECTION 4.** In Colorado Revised Statutes, 12-43-603, **amend**  
25 (5) (b) as follows:

26           **12-43-603. Licensure - examination - licensed professional**  
27 **counselors.** (5) (b) A licensed professional counselor candidate who

1 registers with the state board of licensed professional counselor  
2 examiners pursuant to this subsection (5) is under the jurisdiction of the  
3 board and ~~is not required to~~ MAY register with the database of registered  
4 psychotherapists pursuant to section 12-43-702.5; HOWEVER, IF THE  
5 LICENSED PROFESSIONAL COUNSELOR CANDIDATE REGISTERS WITH THE  
6 DATABASE OF REGISTERED PSYCHOTHERAPISTS, ANY HOURS ACCRUED  
7 WHILE REGISTERED AS SUCH DO NOT COUNT TOWARD THE HOURS  
8 NECESSARY FOR LICENSURE AS A LICENSED PROFESSIONAL COUNSELOR  
9 PURSUANT TO THIS SECTION.

10 **SECTION 5.** In Colorado Revised Statutes, 12-43-702.5, **add**  
11 (1.5) as follows:

12 **12-43-702.5. Database of registered psychotherapists -**  
13 **unauthorized practice - penalties - data collection.** (1.5) A PERSON  
14 WHO IS LICENSED PURSUANT TO PART 3, 4, 5, 6, OR 8 OF THIS ARTICLE; IS  
15 REGISTERED AS A PSYCHOLOGIST CANDIDATE, LICENSED SOCIAL WORKER,  
16 MARRIAGE AND FAMILY THERAPIST CANDIDATE, PROFESSIONAL  
17 COUNSELOR CANDIDATE, OR ADDICTION COUNSELOR CANDIDATE; OR IS  
18 ENROLLED IN A PROFESSIONAL TRAINING PROGRAM AT AN APPROVED  
19 SCHOOL AND ACTIVELY WORKING TOWARD ACQUIRING AND  
20 DEMONSTRATING THE NECESSARY QUALIFICATIONS FOR LICENSURE SET  
21 FORTH IN SECTION 12-43-304, 12-43-404, 12-43-504, 12-43-603, OR  
22 12-43-804 MAY REGISTER WITH THE DATABASE OF REGISTERED  
23 PSYCHOTHERAPISTS AFTER THE DATE UPON WHICH THE PERSON'S DEGREE  
24 IS CONFERRED. HOWEVER, IF ANY SUCH LICENSEE CANDIDATE OR A  
25 LICENSED SOCIAL WORKER REGISTERS WITH THE DATABASE OF  
26 REGISTERED PSYCHOTHERAPISTS, ANY HOURS ACCRUED WHILE  
27 REGISTERED AS SUCH DO NOT COUNT TOWARD THE HOURS NECESSARY FOR

1 LICENSURE PURSUANT TO SECTION 12-43-304, 12-43-404, 12-43-504, OR  
2 12-43-603.

3 **SECTION 6.** In Colorado Revised Statutes, 12-43-221, **add** (3)  
4 as follows:

5 **12-43-221. Powers and duties of the boards - rules.** (3) EACH  
6 BOARD SHALL PROMULGATE RULES RELATED TO THE REQUIREMENTS FOR  
7 WORK PRACTICE HOURS ACCRUED BY AN INDIVIDUAL WHO IS PURSUING  
8 MULTIPLE LICENSURE DESIGNATIONS.

9 **SECTION 7.** In Colorado Revised Statutes, 12-43-214, **amend**  
10 (1) (b) (II) as follows:

11 **12-43-214. Mandatory disclosure of information to clients.**

12 (1) Except as otherwise provided in subsection (4) of this section, every  
13 licensee, registrant, or certificate holder shall provide the following  
14 information in writing to each client during the initial client contact:

15 (b) (II) A listing of any degrees, credentials, certifications,  
16 registrations, and licenses held or ~~obtained~~ COMPLETED by the licensee,  
17 registrant, or certificate holder, including the education, experience, and  
18 training the licensee, registrant, or certificate holder was required to  
19 satisfy in order to ~~obtain~~ COMPLETE the degree, ~~credentials, certifications,~~  
20 ~~registrations, or licenses~~ CREDENTIAL, CERTIFICATION, REGISTRATION, OR  
21 LICENSE;

22 **SECTION 8.** In Colorado Revised Statutes, 12-43-304, **amend**  
23 (1) introductory portion and (1) (c) as follows:

24 **12-43-304. Qualifications - examinations - licensure.** (1) The  
25 board shall issue a license as a psychologist to ~~each applicant~~ A  
26 PSYCHOLOGIST CANDIDATE, AS DESCRIBED IN SUBSECTION (7) OF THIS  
27 SECTION, who files an application in a form and manner required by the

1 board, submits the fee required by the board pursuant to section  
2 12-43-204, and furnishes evidence satisfactory to the board that he or she:

3 (c) ~~Holder~~ HAS COMPLETED a doctorate degree with a major in  
4 psychology, or the equivalent to such major as determined by the board,  
5 from an approved school;

6 **SECTION 9.** In Colorado Revised Statutes, 12-43-306, **amend**  
7 (1) as follows:

8 **12-43-306. Exemptions.** (1) Nothing in this part 3 shall be  
9 construed to prevent the teaching of psychology, or the conduct of  
10 psychological research, if ~~such~~ THE teaching or research does not involve  
11 the delivery or supervision of direct psychological services to individuals  
12 who are themselves, rather than a third party, the intended beneficiaries  
13 of ~~such~~ THE services without regard to the source or extent of payment for  
14 services rendered. Nothing in this part 3 ~~shall prevent~~ PREVENTS the  
15 provision of expert testimony by psychologists who are exempted by this  
16 part 3. ~~Persons holding~~ A PERSON WHO HAS COMPLETED an earned  
17 doctoral degree in psychology from an approved school may use the title  
18 "psychologist" in conjunction with the activities permitted in this  
19 subsection (1).

20 **SECTION 10.** In Colorado Revised Statutes, 12-43-401, **amend**  
21 (11) as follows:

22 **12-43-401. Definitions.** As used in this part 4, unless the context  
23 otherwise requires:

24 (11) "Social worker" means a person who ~~possesses~~ HAS  
25 COMPLETED an earned master's or bachelor's degree in social work from  
26 a social work education program accredited by the council on social work  
27 education, or a doctoral degree in social work from a doctoral program

1 within a social work education program accredited by the council on  
2 social work education, and who is practicing within the scope of section  
3 12-43-403.

4 **SECTION 11.** In Colorado Revised Statutes, 12-43-403, **amend**  
5 (1) as follows:

6 **12-43-403. Social work practice defined.** (1) For the purposes  
7 of this part 4, "social work practice" means the professional application  
8 of social work theory and methods by a ~~graduate with~~ PERSON WHO HAS  
9 COMPLETED a master's degree in social work or a doctoral degree in social  
10 work or a bachelor's degree in social work from an accredited social work  
11 program, for the purpose of prevention, assessment, diagnosis, and  
12 intervention with individual, family, group, organizational, and societal  
13 problems, including alcohol and substance abuse and domestic violence,  
14 based on the promotion of biopsychosocial developmental processes,  
15 person-in environment transactions, and empowerment of the client  
16 system. Social work theory and methods are based on known accepted  
17 principles that are taught in professional schools of social work in  
18 colleges or universities accredited by the council on social work  
19 education.

20 **SECTION 12.** In Colorado Revised Statutes, 12-43-404, **amend**  
21 (1) introductory portion, (1) (b), (2) introductory portion, and (2) (b) as  
22 follows:

23 **12-43-404. Qualifications - examination - licensure and**  
24 **registration.** (1) The board shall license as a licensed social worker ~~any~~  
25 A person who files an application in a form and manner required by the  
26 board, submits the fee required by the board pursuant to section  
27 12-43-204, and submits evidence satisfactory to the board that he or she:

1 (b) Has ~~obtained~~ COMPLETED a master's degree from a graduate  
2 school of social work; and

3 (2) The board shall license as a licensed clinical social worker ~~any~~  
4 A person who files an application, in a form and manner required by the  
5 board, submits the fee required by the board pursuant to section  
6 12-43-204, and submits evidence satisfactory to the board that he or she:

7 (b) Has ~~obtained~~ COMPLETED a master's or doctorate degree from  
8 a graduate school of social work;

9 **SECTION 13.** In Colorado Revised Statutes, 12-43-405, **amend**  
10 (5) as follows:

11 **12-43-405. Rights and privileges of licensure and a social work**  
12 **degree.** (5) Any person ~~possessing~~ WHO HAS COMPLETED an earned  
13 master's or bachelor's degree in social work from a social work education  
14 program accredited by the council on social work education, or a doctoral  
15 degree in social work from a doctoral program within a social work  
16 education program accredited by the council on social work education,  
17 has the right to practice social work and to use the title "social worker".  
18 Only a person licensed as a clinical social worker or practicing under the  
19 supervision of a licensed clinical social worker may assert that he or she  
20 is practicing clinical social work or use the title of "clinical social  
21 worker".

22 **SECTION 14.** In Colorado Revised Statutes, 12-43-406, **amend**  
23 (2) as follows:

24 **12-43-406. Scope of part.** (2) ~~No~~ A person may NOT state that he  
25 or she is engaged in the practice of social work as a social worker, or  
26 refer to himself or herself as a social worker, unless the person is licensed  
27 pursuant to this part 4 or ~~possesses~~ HAS COMPLETED an earned social work



1 degree, as defined in section 12-43-401 (11). ~~No~~ A person may NOT  
2 practice as a clinical social worker unless licensed pursuant to section  
3 12-43-404 (2) or licensed to practice social work and supervised pursuant  
4 to section 12-43-404 (1) or (2).

5 **SECTION 15.** In Colorado Revised Statutes, **amend** 12-43-407  
6 as follows:

7 **12-43-407. Exemptions.** Nothing in this part 4 shall be construed  
8 to prevent the teaching of social work, or the conduct of social work  
9 research, if ~~such~~ THE teaching or research does not involve the delivery  
10 or supervision of direct social work services to individuals who are  
11 themselves, rather than a third party, the intended beneficiaries of ~~such~~  
12 THE services without regard to the source or extent of payment for  
13 services rendered. Nothing in this part 4 ~~shall prevent~~ PREVENTS the  
14 provision of expert testimony by social workers who are exempted by this  
15 part 4. ~~Persons holding~~ A PERSON WHO HAS COMPLETED an earned  
16 doctoral degree in social work from an approved school may use the title  
17 "social worker" in conjunction with activities permitted in this section.

18 **SECTION 16.** In Colorado Revised Statutes, 12-43-410, **amend**  
19 (1) and (3) as follows:

20 **12-43-410. Employees of social services.** (1) Notwithstanding  
21 the exemption in section 12-43-215 (3), an employee of the department  
22 of human services, employee of a county department of HUMAN OR social  
23 services, or personnel under the direct control or supervision of ~~such~~  
24 THOSE departments, shall not state that he or she is engaged in the  
25 practice of social work as a social worker or refer to himself or herself as  
26 a social worker unless the person is licensed pursuant to this part 4 or  
27 ~~possesses~~ HAS COMPLETED an earned social work degree, as defined in

1 section 12-43-401 (11).

2 (3) An employee of the state department of human services or a  
3 county department of HUMAN OR social services who has ~~earned~~  
4 COMPLETED a bachelor's or master's degree in social work may apply to  
5 the board, for purposes related to licensure under this part 4, for approval  
6 for supervision by a person other than a licensed clinical social worker.  
7 The board shall consider input from representatives of the state  
8 department of human services and the county departments of HUMAN OR  
9 social services when promulgating the rule concerning what qualifications  
10 or experience a person is required to possess in order to supervise an  
11 employee pursuant to this subsection (3).

12 **SECTION 17.** In Colorado Revised Statutes, 12-43-504, **amend**  
13 (1) introductory portion, (1) (c), and (1) (d) as follows:

14 **12-43-504. Qualifications - examination - licensure and**  
15 **registration.** (1) The board shall issue a ~~license as a marriage and family~~  
16 ~~therapist to each applicant~~ MARRIAGE AND FAMILY THERAPIST LICENSE TO  
17 A MARRIAGE AND FAMILY THERAPIST CANDIDATE, AS DESCRIBED IN  
18 SUBSECTION (5) OF THIS SECTION, who files an application in a form and  
19 manner required by the board, submits the fee required by the board  
20 pursuant to section 12-43-204, and furnishes evidence satisfactory to the  
21 board that he or she:

22 (c) ~~Holds~~ HAS COMPLETED a master's or doctoral degree from an  
23 accredited school or college in marriage and family therapy or its  
24 equivalent as determined by the board, ~~such degree to include~~ AND THE  
25 DEGREE INCLUDES a practicum or internship in the principles and practice  
26 of marriage and family therapy;

27 (d) Subsequent to ~~receiving~~ COMPLETING his or her master's or

1 doctoral degree, has had at least two years of post-master's or one year  
2 postdoctoral practice in individual and marriage and family therapy,  
3 including at least one thousand five hundred hours of face-to-face direct  
4 client contact as determined by the board for the purpose of assessment  
5 and intervention under board-approved supervision; and

6 **SECTION 18.** In Colorado Revised Statutes, 12-43-603, **amend**  
7 (1) introductory portion and (1) (c) as follows:

8 **12-43-603. Licensure - examination - licensed professional**  
9 **counselors.** (1) The board shall issue a license as a licensed professional  
10 counselor to ~~each applicant~~ A LICENSED PROFESSIONAL COUNSELOR  
11 CANDIDATE, AS DESCRIBED IN SUBSECTION (5) OF THIS SECTION, who files  
12 an application in a form and manner required by the board, submits the  
13 fee required by the board pursuant to section 12-43-204, and furnishes  
14 evidence satisfactory to the board that he or she:

15 (c) ~~Holder~~ HAS COMPLETED a master's or doctoral degree in  
16 professional counseling from an accredited school or college or an  
17 equivalent program as determined by the board. ~~Such~~ THE degree or  
18 program ~~shall~~ MUST include a practicum or internship in the principles  
19 and the practice of professional counseling.

20 **SECTION 19.** In Colorado Revised Statutes, 12-43-804, **amend**  
21 (1) (c) as follows:

22 **12-43-804. Requirements for licensure and certification -**  
23 **rules.** (1) The board shall issue a license as an addiction counselor to an  
24 applicant who files an application in the form and manner required by the  
25 board, submits the fee required by the board pursuant to section  
26 12-43-204, and submits evidence satisfactory to the board that he or she:

27 (c) ~~Holder~~ HAS COMPLETED a master's or doctorate degree in the

1 behavioral health sciences from an accredited school, college, or  
2 university or an equivalent program as determined by the board;

3 **SECTION 20. Effective date.** (1) Sections 6 to 19 of this act take  
4 effect upon passage.

5 (2) Sections 1 to 5 of this act take effect September 1, 2017.

6 **SECTION 21. Safety clause.** The general assembly hereby finds,  
7 determines, and declares that this act is necessary for the immediate  
8 preservation of the public peace, health, and safety.