

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 24-0336.01 Kristen Forrestal x4217

SENATE BILL 24-115

SENATE SPONSORSHIP

Michaelson Jenet and Smallwood,

HOUSE SPONSORSHIP

Young,

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 **CONCERNING REQUIREMENTS TO PRACTICE AS A MENTAL HEALTH**
102 **PROFESSIONAL.**

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://leg.colorado.gov>.)

The bill removes the requirement that a mental health professional provide each client with an explanation of the levels of regulation and the differences between licensure, registration, and certification of mental health professionals.

The bill removes the requirement for an individual to take and pass the board of social work examiners' masters examination in order to

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
Amended 2nd Reading
February 27, 2024

obtain a licensed social worker license.

In order for an individual to obtain a registration as a psychologist candidate (PSYC), a clinical social worker candidate (SWC), a marriage and family therapist candidate (MFTC), a licensed professional counselor candidate (LPCC), or an addiction counselor candidate (ADDC), the bill requires the individual to pass the Colorado jurisprudence examination.

The bill authorizes PSYCs, SWCs, MFTCs, LPCCs, and ADDCs to renew their candidate registrations if they are unable to complete all the post-degree licensure requirements within the 4-year time frame that a registration is valid and allows candidates whose registrations have expired to reapply for the registration.

The bill updates the definition of "practice of licensed professional counseling".

On or before December 31, 2024, the state board of psychologist examiners, the state board of social work examiners, the state board of marriage and family therapist examiners, the state board of licensed professional counselor examiners, and the state board of addiction counselor examiners are required to begin the rule-making process to align their respective rules with their respective practice acts.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-245-216, **repeal**
3 (1)(b)(I) as follows:

4 **12-245-216. Mandatory disclosure of information to clients.**

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

8 (b) (I) ~~An explanation of the levels of regulation applicable to~~
9 ~~mental health professionals under this article 245 and the differences~~
10 ~~between licensure, registration, and certification, including the~~
11 ~~educational, experience, and training requirements applicable to the~~
12 ~~particular level of regulation; and~~

13 **SECTION 2.** In Colorado Revised Statutes, 12-245-232, **add** (3)
14 as follows:

1 **12-245-232. Minimum standards for testing.** (3) THE TESTING
2 REQUIRED PURSUANT TO THIS SECTION MAY BE ADMINISTERED BY A
3 QUALIFIED PSYCHOMETRICIAN OR STUDENT TRAINEE WORKING UNDER THE
4 DIRECT SUPERVISION OF A LICENSEE WHO MEETS THE REQUIREMENTS IN
5 THIS SECTION.

6 **SECTION 3.** In Colorado Revised Statutes, 12-245-304, **amend**
7 **(3)(b); repeal (3)(a)(II); and add (3)(a)(III) and (3)(c) as follows:**

8 **12-245-304. Qualifications - examinations - licensure and**
9 **registration - rules.** (3) (a) The board shall register as a psychologist
10 candidate a person who files an application for registration, accompanied
11 by the fee required by section 12-245-205, and who:

12 ~~(II) Has not been previously registered as a psychologist candidate~~
13 ~~by the board.~~

14 (III) HAS PASSED A JURISPRUDENCE EXAMINATION ADMINISTERED
15 BY THE DIVISION.

16 (b) A psychologist candidate registered pursuant to this subsection
17 (3) is under the jurisdiction of the board. The psychologist candidate may,
18 but is not required to, register with the database of unlicensed
19 psychotherapists pursuant to section 12-245-703. If the requirements of
20 subsections (1)(d) and (1)(e) of this section are not met within four years,
21 the registration of the psychologist candidate ~~expires and is not renewable~~
22 ~~unless the board, in its discretion, grants the candidate an extension~~ MAY
23 BE RENEWED FOR FOUR YEARS IF THE CANDIDATE SUBMITS A RENEWAL
24 APPLICATION TO THE BOARD BEFORE THE EXPIRATION DATE OF THE
25 CURRENT PSYCHOLOGIST CANDIDATE REGISTRATION. A person whose
26 psychologist candidate registration expires is not precluded from ~~applying~~
27 REAPPLYING for A PSYCHOLOGIST CANDIDATE REGISTRATION OR APPLYING

1 FOR licensure or registration with any other mental health board for which
2 the person is qualified.

3 (c) ON OR BEFORE DECEMBER 31, 2024, THE BOARD SHALL BEGIN
4 THE RULE-MAKING PROCESS TO PROMULGATE RULES THAT BRING THE
5 RULES PERTAINING TO PSYCHOLOGISTS INTO ALIGNMENT WITH THIS PART
6 3, INCLUDING:

7 (I) A REQUIREMENT TO TAKE AND PASS THE COLORADO
8 JURISPRUDENCE EXAMINATION TO OBTAIN A PSYCHOLOGIST CANDIDATE
9 REGISTRATION;

10 (II) ALLOWANCE OF A PSYCHOLOGIST CANDIDATE TO RENEW A
11 PSYCHOLOGIST CANDIDATE REGISTRATION FOR FOUR YEARS IF THE
12 CANDIDATE SUBMITS AN APPLICATION FOR RENEWAL TO THE BOARD
13 BEFORE THE EXPIRATION DATE OF THE CURRENT PSYCHOLOGIST
14 CANDIDATE REGISTRATION; AND

15 (III) ALLOWANCE OF A PSYCHOLOGIST CANDIDATE WHOSE
16 CANDIDATE REGISTRATION HAS EXPIRED TO REAPPLY FOR A PSYCHOLOGIST
17 CANDIDATE REGISTRATION.

18 **SECTION 4.** In Colorado Revised Statutes, 12-245-404, **amend**
19 (1)(c), (3)(a), and (4)(b); **repeal** (4)(a)(II); and **add** (4)(a)(III) and (4)(c)
20 as follows:

21 **12-245-404. Qualifications - examination - licensure and**
22 **registration - rules.** (1) The board shall license as a licensed social
23 worker a person who files an application in a form and manner required
24 by the board, submits the fee required by the board pursuant to section
25 12-245-205, and submits evidence satisfactory to the board that the
26 applicant:

27 (c) Demonstrates ~~professional~~ LEGAL AND ETHICAL competence

1 by satisfactorily passing ~~an examination in social work as prescribed by~~
2 ~~the board and~~ a jurisprudence examination administered by the division.

3 (3) (a) The board or its designated representative shall give the
4 examination described in ~~subsection (1)(c) of this section and in~~
5 subsection (2)(d) of this section at least twice per year at a time and place
6 and under the supervision determined by the board.

7 (4) (a) The board shall register as a clinical social worker
8 candidate a person who files an application for registration, accompanied
9 by the fee required by section 12-245-205, who is not in violation of any
10 provision of this article 245 or any rules promulgated by the board, and
11 who:

12 (II) ~~Has not been previously registered as a clinical social worker~~
13 ~~candidate by the board.~~

14 (III) HAS PASSED A JURISPRUDENCE EXAMINATION ADMINISTERED
15 BY THE DIVISION.

16 (b) A clinical social worker candidate registered pursuant to this
17 subsection (4) is under the jurisdiction of the board. If the requirements
18 of subsections (2)(c) and (2)(d) of this section are not met within four
19 years after the date of registration as a candidate, the registration of the
20 clinical social worker candidate ~~expires and is not renewable unless the~~
21 ~~board, in its discretion, grants the candidate an extension~~ MAY BE
22 RENEWED FOR FOUR YEARS IF THE CANDIDATE SUBMITS A RENEWAL
23 APPLICATION TO THE BOARD BEFORE THE EXPIRATION DATE OF THE
24 CURRENT CLINICAL SOCIAL WORKER CANDIDATE REGISTRATION. A person
25 whose clinical social worker candidate registration expires is not
26 precluded from ~~applying~~ REAPPLYING for A CLINICAL SOCIAL WORKER
27 CANDIDATE REGISTRATION OR APPLYING FOR licensure or registration with

1 any other mental health board for which the person is qualified.

2 (c) ON OR BEFORE DECEMBER 31, 2024, THE BOARD SHALL BEGIN
3 THE RULE-MAKING PROCESS TO PROMULGATE RULES THAT BRING THE
4 RULES PERTAINING TO SOCIAL WORKERS INTO ALIGNMENT WITH THIS PART
5 4, INCLUDING:

6 (I) A REQUIREMENT TO TAKE AND PASS THE COLORADO
7 JURISPRUDENCE EXAMINATION TO OBTAIN A CLINICAL SOCIAL WORKER
8 CANDIDATE REGISTRATION;

9 (II) ALLOWANCE OF A CLINICAL SOCIAL WORKER CANDIDATE TO
10 RENEW A CLINICAL SOCIAL WORKER CANDIDATE REGISTRATION FOR FOUR
11 YEARS IF THE CANDIDATE SUBMITS AN APPLICATION FOR RENEWAL TO THE
12 BOARD BEFORE THE EXPIRATION DATE OF THE CURRENT CLINICAL SOCIAL
13 WORKER CANDIDATE REGISTRATION; AND

14 (III) ALLOWANCE OF A CLINICAL SOCIAL WORKER CANDIDATE
15 WHOSE CANDIDATE REGISTRATION HAS EXPIRED TO REAPPLY FOR A
16 CLINICAL SOCIAL WORKER CANDIDATE REGISTRATION.

17 **SECTION 5.** In Colorado Revised Statutes, **amend** 12-245-408
18 as follows:

19 **12-245-408. Clinical social work practice of psychotherapy.**
20 For the purpose of licensure, the practice, under this part 4, of
21 psychotherapy and other clinical activities within the definition of social
22 work practice in section 12-245-403 is limited to licensed clinical social
23 workers or licensed social workers AND CLINICAL SOCIAL WORKER
24 CANDIDATES supervised in accordance with section 12-245-404 (2)(c).

25 **SECTION 6.** In Colorado Revised Statutes, 12-245-504, **amend**
26 (4)(c); **repeal** (4)(a)(III); and **add** (4)(a)(IV) and (4)(d) as follows:

27 **12-245-504. Qualifications - examination - licensure and**

1 **registration.** (4) (a) The board shall register as a marriage and family
2 therapist candidate a person who:

3 (III) ~~Has not been previously registered as a marriage and family~~
4 ~~therapist candidate by the board.~~

5 (IV) HAS PASSED A JURISPRUDENCE EXAMINATION ADMINISTERED
6 BY THE DIVISION.

7 (c) If a candidate does not meet the requirements of ~~subsections~~
8 ~~(1)(d) and (1)(e)~~ SUBSECTION (1)(d) of this section within four years after
9 initial registration, the candidate's registration ~~expires and is not~~
10 ~~renewable, unless the board, in its discretion, grants the candidate an~~
11 ~~extension~~ MAY BE RENEWED FOR FOUR YEARS IF THE CANDIDATE SUBMITS
12 A RENEWAL APPLICATION TO THE BOARD BEFORE THE EXPIRATION DATE OF
13 THE CURRENT MARRIAGE AND FAMILY THERAPIST CANDIDATE
14 REGISTRATION. A person whose marriage and family therapist candidate
15 registration expires is not precluded from ~~applying~~ REAPPLYING FOR A
16 MARRIAGE AND FAMILY THERAPIST CANDIDATE REGISTRATION to ~~this~~ THE
17 board or APPLYING to any other board for licensure or registration in a
18 mental health profession for which the person is qualified.

19 (d) ON OR BEFORE DECEMBER 31, 2024, THE BOARD SHALL BEGIN
20 THE RULE-MAKING PROCESS TO PROMULGATE RULES THAT BRING THE
21 RULES PERTAINING TO MARRIAGE AND FAMILY THERAPISTS INTO
22 ALIGNMENT WITH THIS PART 5, INCLUDING:

23 (I) A REQUIREMENT TO TAKE AND PASS THE COLORADO
24 JURISPRUDENCE EXAMINATION TO OBTAIN A MARRIAGE AND FAMILY
25 THERAPIST CANDIDATE REGISTRATION;

26 (II) ALLOWANCE OF A MARRIAGE AND FAMILY THERAPIST
27 CANDIDATE TO RENEW A MARRIAGE AND FAMILY THERAPIST CANDIDATE

1 REGISTRATION FOR FOUR YEARS IF THE CANDIDATE SUBMITS AN
2 APPLICATION FOR RENEWAL TO THE BOARD BEFORE THE EXPIRATION DATE
3 OF THE CURRENT MARRIAGE AND FAMILY THERAPIST CANDIDATE
4 REGISTRATION; AND

5 (III) ALLOWANCE OF A MARRIAGE AND FAMILY THERAPIST
6 CANDIDATE WHOSE CANDIDATE REGISTRATION HAS EXPIRED TO REAPPLY
7 FOR A MARRIAGE AND FAMILY THERAPIST CANDIDATE REGISTRATION.

8

9 SECTION 7. In Colorado Revised Statutes, 12-245-604, **amend**
10 (1)(d), (4)(a)(II), and (4)(c); **repeal** (4)(a)(III); and **add** (4)(d) and (6) as
11 follows:

12 **12-245-604. Licensure - examination - licensed professional**
13 **counselors.** (1) The board shall issue a license as a licensed professional
14 counselor to each applicant who files an application in a form and manner
15 required by the board, submits the fee required by the board pursuant to
16 section 12-245-205, and furnishes evidence satisfactory to the board that
17 the applicant:

18 (d) (I) Has at least two years of post-master's practice or one year
19 of postdoctoral practice in licensed professional counseling under clinical
20 supervision; ~~and~~

21 (II) Has at least two thousand hours of practice in counseling,
22 including at least one thousand five hundred hours of face-to-face direct
23 client contact, OR PRACTICE PURSUANT TO SECTION 12-245-603, under
24 clinical supervision that is in person or is telesupervision; and

25 (III) FOR EACH ONE THOUSAND HOURS OF SUPERVISED PRACTICE
26 IN PROFESSIONAL COUNSELING, HAS RECEIVED A MINIMUM OF FIFTY HOURS
27 OF SUPERVISION. A MINIMUM OF TWENTY-FIVE OF THE FIFTY HOURS MUST

1 BE INDIVIDUAL SUPERVISION, WHICH MAY BE IN PERSON OR THROUGH
2 TELESUPERVISION. THE REMAINING TWENTY-FIVE OF THE FIFTY HOURS OF
3 SUPERVISION EARNED MAY BE EITHER TRIADIC SUPERVISION OR GROUP
4 SUPERVISION WITH A MAXIMUM RATIO OF ONE SUPERVISOR TO TEN
5 SUPERVISEES. NO OTHER MODES OF SUPERVISION WILL BE ACCEPTED.

6 (4) (a) The board shall register as a licensed professional
7 counselor candidate a person who:

8 (II) Submits evidence satisfactory to the board that the person:

9 (A) Meets the requirements of subsections (1)(a), (1)(b), and
10 (1)(c) of this section and HAS PASSED A JURISPRUDENCE EXAMINATION
11 ADMINISTERED BY THE DIVISION; OR

12 (B) IS IN THE FINAL SEMESTER OF A MASTER'S OR DOCTORAL
13 DEGREE IN PROFESSIONAL COUNSELING FROM AN ACCREDITED SCHOOL,
14 COLLEGE, OR EQUIVALENT PROGRAM; HAS COMPLETED ALL PRACTICUM
15 AND INTERNSHIP REQUIREMENTS; HAS PASSED THE JURISPRUDENCE
16 EXAMINATION ADMINISTERED BY THE DIVISION; AND HAS MET THE
17 REQUIREMENTS OF SUBSECTIONS (1)(a) AND (1)(b) OF THIS SECTION. ==

18 (III) ~~Has not been previously registered as a licensed professional~~
19 ~~counselor candidate by the board.~~

20 (c) If a candidate does not meet the requirements of subsections
21 (1)(d) and (1)(e) of this section within four years after initial registration,
22 the candidate's registration ~~expires and is not renewable, unless the board,~~
23 ~~in its discretion, grants the candidate an extension~~ MAY BE RENEWED FOR
24 FOUR YEARS IF THE CANDIDATE SUBMITS A RENEWAL APPLICATION TO THE
25 BOARD BEFORE THE EXPIRATION DATE OF THE CURRENT LICENSED
26 PROFESSIONAL COUNSELOR CANDIDATE REGISTRATION. A person whose
27 licensed professional counselor candidate registration expires is not

1 precluded from ~~applying~~ REAPPLYING FOR A LICENSED PROFESSIONAL
2 COUNSELOR CANDIDATE REGISTRATION to ~~this~~ THE board or APPLYING to
3 any other board for licensure or registration in a mental health profession
4 for which the person is qualified.

5 (d) ON OR BEFORE DECEMBER 31, 2024, THE BOARD SHALL BEGIN
6 THE RULE-MAKING PROCESS TO PROMULGATE RULES THAT BRING THE
7 RULES PERTAINING TO LICENSED PROFESSIONAL COUNSELORS INTO
8 ALIGNMENT WITH THIS PART 6, INCLUDING:

9 (I) ALLOWANCE OF A LICENSED PROFESSIONAL COUNSELOR
10 CANDIDATE TO RENEW A LICENSED PROFESSIONAL COUNSELOR CANDIDATE
11 REGISTRATION FOR FOUR YEARS IF THE CANDIDATE SUBMITS AN
12 APPLICATION FOR RENEWAL TO THE BOARD BEFORE THE EXPIRATION DATE
13 OF THE CURRENT LICENSED PROFESSIONAL COUNSELOR CANDIDATE
14 REGISTRATION; AND

15 (II) ALLOWANCE OF A LICENSED PROFESSIONAL COUNSELOR
16 CANDIDATE WHOSE CANDIDATE REGISTRATION HAS EXPIRED TO REAPPLY
17 FOR A LICENSED PROFESSIONAL COUNSELOR CANDIDATE REGISTRATION.

18 (6) A PERSON WHO BECOMES A LICENSED PROFESSIONAL
19 COUNSELOR CANDIDATE WHILE IN THE FINAL SEMESTER OF A MASTER'S OR
20 DOCTORAL DEGREE IN PROFESSIONAL COUNSELING FROM AN ACCREDITED
21 SCHOOL, COLLEGE, OR EQUIVALENT PROGRAM SHALL SUBMIT TO THE
22 BOARD A TRANSCRIPT OR FORM, IN A FORM AND MANNER DETERMINED BY
23 THE BOARD, FROM THE APPLICABLE EDUCATIONAL INSTITUTION THAT
24 INDICATES THE PERSON RECEIVED THE MASTER'S OR DOCTORAL DEGREE.

25 **SECTION 8.** In Colorado Revised Statutes, 12-245-804, **amend**
26 (3.7) as follows:

27 **12-245-804. Requirements for licensure, certification, and**

1 **registration - rules.** (3.7) (a) The board shall register as an addiction
2 counselor candidate a person who files an application for registration,
3 accompanied by the fee required by section 12-245-205, who is not in
4 violation of any provision of this article 245 or any rules promulgated by
5 the board, and who:

6 (I) Submits evidence satisfactory to the board that the person has
7 met the requirements of subsections (1)(a), (1)(b), and (1)(c) of this
8 section. ~~and~~

9 (II) ~~Has not previously registered as an addiction counselor~~
10 ~~candidate with the board.~~

11 (b) An addiction counselor candidate registered pursuant to this
12 subsection (3.7) is under the jurisdiction of the board. If the requirements
13 of subsections (1)(d) to (1)(g) of this section are not met within four years
14 after the date of registration as a candidate or within one year if the
15 candidate holds an equivalent credential from another state, the
16 registration of the addiction counselor candidate ~~expires and is not~~
17 ~~renewable unless the board, in its discretion, grants the candidate an~~
18 ~~extension~~ MAY BE RENEWED FOR FOUR YEARS IF THE CANDIDATE SUBMITS
19 A RENEWAL APPLICATION TO THE BOARD BEFORE THE EXPIRATION DATE OF
20 THE CURRENT ADDICTION COUNSELOR CANDIDATE REGISTRATION. A
21 person whose addiction counselor candidate registration expires is not
22 precluded from ~~applying~~ REAPPLYING for AN ADDICTION COUNSELOR
23 CANDIDATE REGISTRATION OR APPLYING FOR licensure or registration with
24 any other mental health board for which the person is qualified.

25 (c) ON OR BEFORE DECEMBER 31, 2024, THE BOARD SHALL BEGIN
26 THE RULE-MAKING PROCESS TO PROMULGATE RULES THAT BRING THE
27 RULES PERTAINING TO ADDICTION COUNSELORS INTO ALIGNMENT WITH

1 THIS PART 8, INCLUDING:

2 (I) A REQUIREMENT TO TAKE AND PASS THE COLORADO
3 JURISPRUDENCE EXAMINATION TO OBTAIN AN ADDICTION COUNSELOR
4 CANDIDATE REGISTRATION;

5 (II) ALLOWANCE OF AN ADDICTION COUNSELOR CANDIDATE TO
6 RENEW AN ADDICTION COUNSELOR CANDIDATE REGISTRATION FOR FOUR
7 YEARS IF THE CANDIDATE SUBMITS AN APPLICATION FOR RENEWAL TO THE
8 BOARD BEFORE THE EXPIRATION DATE OF THE CURRENT ADDICTION
9 COUNSELOR CANDIDATE REGISTRATION; AND

10 (III) ALLOWANCE OF AN ADDICTION COUNSELOR CANDIDATE
11 WHOSE CANDIDATE REGISTRATION HAS EXPIRED TO REAPPLY FOR AN
12 ADDICTION COUNSELOR CANDIDATE REGISTRATION.

13 **SECTION 9.** Act subject to petition - effective date. This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly; except
16 that, if a referendum petition is filed pursuant to section 1 (3) of article V
17 of the state constitution against this act or an item, section, or part of this
18 act within such period, then the act, item, section, or part will not take
19 effect unless approved by the people at the general election to be held in
20 November 2024 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.