

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0336.01 Kristen Forrestal x4217

SENATE BILL 24-115

SENATE SPONSORSHIP

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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
3rd Reading Unamended
March 4, 2024

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~~
18 ~~may, 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~~ THREE
21 ~~years, the registration of the psychologist candidate expires and is not~~
22 ~~renewable unless the board, in its discretion, grants the candidate an~~
23 ~~extension. A person whose psychologist candidate registration expires is~~
24 ~~not precluded from applying for licensure or registration with any other~~
25 ~~mental health board for which the person is qualified~~ IS SUBJECT TO THE
26 RENEWAL, REINSTATEMENT, AND DELINQUENCY FEE PROVISIONS SPECIFIED
27 IN SECTION 12-20-202. PRIOR TO A SECOND OR SUBSEQUENT RENEWAL OF

1 A PSYCHOLOGIST CANDIDATE REGISTRATION, THE REGISTERED
2 PSYCHOLOGIST CANDIDATE SHALL COMPLETE CONTINUING PROFESSIONAL
3 DEVELOPMENT AND EDUCATIONAL HOURS TO MAINTAIN THE CANDIDATE'S
4 REGISTRATION AS A REGISTERED PSYCHOLOGIST CANDIDATE.

5 (c) 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 PSYCHOLOGISTS INTO ALIGNMENT WITH THIS PART
8 3, INCLUDING:

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

12 (II) THE RENEWAL, REINSTATEMENT, AND DELINQUENCY FEE
13 PROVISIONS SPECIFIED IN SECTION 12-20-202; AND

14 (III) THE CONTINUING PROFESSIONAL DEVELOPMENT AND
15 EDUCATIONAL HOURS SPECIFIED IN SUBSECTION (3)(b) OF THIS SECTION.

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

19 **12-245-404. Qualifications - examination - licensure and**
20 **registration - rules.** (1) The board shall license as a licensed social
21 worker a person who files an application in a form and manner required
22 by the board, submits the fee required by the board pursuant to section
23 12-245-205, and submits evidence satisfactory to the board that the
24 applicant:

25 (c) Demonstrates ~~professional~~ LEGAL AND ETHICAL competence
26 by satisfactorily passing ~~an examination in social work as prescribed by~~
27 ~~the board and~~ a jurisprudence examination administered by the division.

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

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

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

12 (III) HAS PASSED A JURISPRUDENCE EXAMINATION ADMINISTERED
13 BY THE DIVISION.

14 (b) A clinical social worker candidate registered pursuant to this
15 subsection (4) is under the jurisdiction of the board. If the requirements
16 of subsections (2)(c) and (2)(d) of this section are not met within ~~four~~
17 ~~THREE~~ years after the date of registration as a candidate, the registration
18 of the clinical social worker candidate ~~expires and is not renewable unless~~
19 ~~the~~ ~~board, in its discretion, grants the candidate an extension. A~~
20 ~~person whose clinical social worker candidate registration expires is not~~
21 ~~precluded from applying for licensure or registration with any other~~
22 ~~mental health board for which the person is qualified~~ SUBJECT TO THE
23 RENEWAL, REINSTATEMENT, AND DELINQUENCY FEE PROVISIONS SPECIFIED
24 IN SECTION 12-20-202. PRIOR TO A SECOND OR SUBSEQUENT RENEWAL OF
25 A CLINICAL SOCIAL WORKER CANDIDATE REGISTRATION, THE REGISTERED
26 CLINICAL SOCIAL WORKER CANDIDATE SHALL COMPLETE CONTINUING
27 PROFESSIONAL DEVELOPMENT AND EDUCATIONAL HOURS TO MAINTAIN

1 THE CANDIDATE'S REGISTRATION AS A REGISTERED CLINICAL SOCIAL
2 WORKER CANDIDATE.

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 SOCIAL WORKERS INTO ALIGNMENT WITH THIS PART
6 4, INCLUDING:

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

10 (II) THE RENEWAL, REINSTATEMENT, AND DELINQUENCY FEE
11 PROVISIONS SPECIFIED IN SECTION 12-20-202; AND

12 (III) THE CONTINUING PROFESSIONAL DEVELOPMENT AND
13 EDUCATIONAL HOURS SPECIFIED IN SUBSECTION (4)(b) OF THIS SECTION.

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

16 **12-245-408. Clinical social work practice of psychotherapy.**
17 For the purpose of licensure, the practice, under this part 4, of
18 psychotherapy and other clinical activities within the definition of social
19 work practice in section 12-245-403 is limited to licensed clinical social
20 workers or licensed social workers AND CLINICAL SOCIAL WORKER
21 CANDIDATES supervised in accordance with section 12-245-404 (2)(c).

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

24 **12-245-504. Qualifications - examination - licensure and**
25 **registration.** (4) (a) The board shall register as a marriage and family
26 therapist candidate a person who:

27 (III) ~~Has not been previously registered as a marriage and family~~

1 ~~therapist candidate by the board.~~

2 (IV) HAS PASSED A JURISPRUDENCE EXAMINATION ADMINISTERED
3 BY THE DIVISION.

4 (c) If a candidate does not meet the requirements of ~~subsections~~
5 ~~(1)(d) and (1)(e)~~ SUBSECTION (1)(d) of this section within ~~four~~ THREE
6 years after initial registration, the candidate's registration ~~expires and is~~
7 ~~not renewable, unless the board, in its discretion, grants the candidate an~~
8 ~~extension. A person whose marriage and family therapist candidate~~
9 ~~registration expires is not precluded from applying to this board to or any~~
10 ~~other board for licensure or registration in a mental health profession for~~
11 ~~which the person is qualified~~ IS SUBJECT TO THE RENEWAL,
12 REINSTATEMENT, AND DELINQUENCY FEE PROVISIONS SPECIFIED IN
13 SECTION 12-20-202. PRIOR TO A SECOND OR SUBSEQUENT RENEWAL OF A
14 MARRIAGE AND FAMILY THERAPIST CANDIDATE REGISTRATION, THE
15 REGISTERED MARRIAGE AND FAMILY THERAPIST CANDIDATE SHALL
16 COMPLETE CONTINUING PROFESSIONAL DEVELOPMENT AND EDUCATIONAL
17 HOURS TO MAINTAIN THE MARRIAGE AND FAMILY THERAPIST
18 REGISTRATION AS A REGISTERED MARRIAGE AND FAMILY THERAPIST
19 CANDIDATE.

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

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

27 (II) THE RENEWAL, REINSTATEMENT, AND DELINQUENCY FEE

1 PROVISIONS SPECIFIED IN SECTION 12-20-202; AND

2 (III) THE CONTINUING PROFESSIONAL DEVELOPMENT AND
3 EDUCATIONAL HOURS SPECIFIED IN SUBSECTION (4)(c) OF THIS SECTION.

4

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

8 **12-245-604. Licensure - examination - licensed professional**
9 **counselors.** (1) The board shall issue a license as a licensed professional
10 counselor to each applicant who files an application in a form and manner
11 required by the board, submits the fee required by the board pursuant to
12 section 12-245-205, and furnishes evidence satisfactory to the board that
13 the applicant:

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

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

21 (III) FOR EACH ONE THOUSAND HOURS OF SUPERVISED PRACTICE
22 IN PROFESSIONAL COUNSELING, HAS RECEIVED A MINIMUM OF FIFTY HOURS
23 OF SUPERVISION. A MINIMUM OF TWENTY-FIVE OF THE FIFTY HOURS MUST
24 BE INDIVIDUAL SUPERVISION, WHICH MAY BE IN PERSON OR THROUGH
25 TELESUPERVISION. THE REMAINING TWENTY-FIVE OF THE FIFTY HOURS OF
26 SUPERVISION EARNED MAY BE EITHER TRIADIC SUPERVISION OR GROUP
27 SUPERVISION WITH A MAXIMUM RATIO OF ONE SUPERVISOR TO TEN

1 SUPERVISEES. NO OTHER MODES OF SUPERVISION WILL BE ACCEPTED.

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

4 (II) Submits evidence satisfactory to the board that the person
5 meets the requirements of subsections (1)(a), (1)(b), and (1)(c) of this
6 section and HAS PASSED A JURISPRUDENCE EXAMINATION ADMINISTERED
7 BY THE DIVISION.

8
9 (III) Has not been previously registered as a licensed professional
10 counselor candidate by the board.

11 (c) If a candidate does not meet the requirements of
12 subsections (1)(d) and (1)(e) of this section within ~~four~~ THREE years after
13 initial registration, the candidate's registration ~~expires and is not~~
14 ~~renewable, unless the board, in its discretion, grants the candidate an~~
15 ~~extension. A person whose licensed professional counselor candidate~~
16 ~~registration expires is not precluded from applying to this board or to any~~
17 ~~other board for licensure or registration in a mental health profession for~~
18 ~~which the person is qualified~~ IS SUBJECT TO THE RENEWAL, EXPIRATION,
19 REINSTATEMENT, AND DELINQUENCY FEE PROVISIONS SPECIFIED IN
20 SECTION 12-20-202. PRIOR TO A SECOND OR SUBSEQUENT RENEWAL OF A
21 CANDIDATE REGISTRATION, THE REGISTERED LICENSED PROFESSIONAL
22 COUNSELOR CANDIDATE SHALL COMPLETE CONTINUING PROFESSIONAL
23 COMPETENCY HOURS TO MAINTAIN THEIR REGISTRATION AS A REGISTERED
24 LICENSED PROFESSIONAL COUNSELOR CANDIDATE.

25 (d) 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 LICENSED PROFESSIONAL COUNSELORS INTO

1 ALIGNMENT WITH THIS PART 6, INCLUDING:

2 (I) ALLOWANCE OF A LICENSED PROFESSIONAL COUNSELOR
3 CANDIDATE TO RENEW A LICENSED PROFESSIONAL COUNSELOR CANDIDATE
4 REGISTRATION FOR FOUR YEARS IF THE CANDIDATE SUBMITS AN
5 APPLICATION FOR RENEWAL TO THE BOARD BEFORE THE EXPIRATION DATE
6 OF THE CURRENT LICENSED PROFESSIONAL COUNSELOR CANDIDATE
7 REGISTRATION; ■

8 (II) THE RENEWAL, REINSTATEMENT, AND DELINQUENCY FEE
9 PROVISIONS SPECIFIED IN SECTION 12-20-202;

10 (III) ALLOWANCE OF A PERSON WHILE IN THE FINAL SEMESTER OF
11 A MASTER'S OR DOCTORAL DEGREE IN PROFESSIONAL COUNSELING FROM
12 AN ACCREDITED SCHOOL, COLLEGE, OR EQUIVALENT PROGRAM TO
13 PRACTICE IN ACCORDANCE WITH SECTION 12-245-217 (2)(g) AFTER THE
14 PERSON'S PRACTICUM AND INTERNSHIP IS COMPLETED; AND

15 (IV) THE CONTINUING PROFESSIONAL COMPETENCY
16 REQUIREMENTS SPECIFIED IN SUBSECTION (4)(c) OF THIS SECTION.

17 **SECTION 8.** In Colorado Revised Statutes, 12-245-804, **amend**
18 (3.7) as follows:

19 **12-245-804. Requirements for licensure, certification, and**
20 **registration - rules.** (3.7) (a) The board shall register as an addiction
21 counselor candidate a person who files an application for registration,
22 accompanied by the fee required by section 12-245-205, who is not in
23 violation of any provision of this article 245 or any rules promulgated by
24 the board, and who:

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

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

3 (b) An addiction counselor candidate registered pursuant to this
4 subsection (3.7) is under the jurisdiction of the board. If the requirements
5 of subsections (1)(d) to (1)(g) of this section are not met within ~~four~~
6 ~~THREE~~ years after the date of registration as a candidate or within one year
7 if the candidate holds an equivalent credential from another state, the
8 registration of the addiction counselor candidate ~~expires and is not~~
9 ~~renewable unless the board, in its discretion, grants the candidate an~~
10 ~~extension. A person whose addiction counselor candidate registration~~
11 ~~expires is not precluded from applying for licensure or registration with~~
12 ~~any other mental health board for which the person is qualified~~ IS SUBJECT
13 TO THE RENEWAL, REINSTATEMENT, AND DELINQUENCY FEE PROVISIONS
14 SPECIFIED IN SECTION 12-20-202. PRIOR TO A SECOND OR SUBSEQUENT
15 RENEWAL OF AN ADDICTION COUNSELOR CANDIDATE REGISTRATION, THE
16 REGISTERED ADDICTION COUNSELOR CANDIDATE SHALL COMPLETE
17 CONTINUING PROFESSIONAL COMPETENCY HOURS TO MAINTAIN THE
18 REGISTERED ADDICTION COUNSELOR'S REGISTRATION AS A REGISTERED
19 ADDICTION COUNSELOR CANDIDATE.

20 (c) ON OR BEFORE DECEMBER 31, 2024, THE BOARD SHALL BEGIN
21 THE RULE-MAKING PROCESS TO PROMULGATE RULES THAT BRING THE
22 RULES PERTAINING TO ADDICTION COUNSELORS INTO ALIGNMENT WITH
23 THIS PART 8, INCLUDING:

24 (I) A REQUIREMENT TO TAKE AND PASS THE COLORADO
25 JURISPRUDENCE EXAMINATION TO OBTAIN AN ADDICTION COUNSELOR
26 CANDIDATE REGISTRATION;

27 (II) THE RENEWAL, REINSTATEMENT, AND DELINQUENCY FEE

1 PROVISIONS SPECIFIED IN SECTION 12-20-202; AND

2 (III) THE CONTINUING PROFESSIONAL COMPETENCY
3 REQUIREMENTS SPECIFIED IN SUBSECTION (3.7)(b) OF THIS SECTION.

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