

CHAPTER 40

PROFESSIONS AND OCCUPATIONS

HOUSE BILL 07-1017

BY REPRESENTATIVE(S) Kerr J., Borodkin, Carroll M., Casso, Frangas, Kefalas, Labuda, Lambert, Massey, Merrifield, Riesberg, Stafford, Summers, and Todd;
also SENATOR(S) Takis, Isgar, Spence, and Taylor.

AN ACT**CONCERNING EXAMINATION REQUIREMENTS FOR MENTAL HEALTH PROFESSIONALS.**

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

SECTION 1. 12-43-304 (2), (3), (4), (5), and (6), Colorado Revised Statutes, are amended, and the said 12-43-304 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

12-43-304. Qualifications - examinations - licensure. (1.5) (a) THE EXAMINATION BY THE BOARD DESCRIBED IN PARAGRAPH (e) OF SUBSECTION (1) OF THIS SECTION SHALL BE GIVEN NOT LESS THAN TWICE PER YEAR AT SUCH TIME AND PLACE AND UNDER SUCH SUPERVISION AS THE BOARD MAY DETERMINE.

(b) THE EXAMINATION SHALL TEST FOR KNOWLEDGE OF THE FOLLOWING THREE AREAS:

(I) GENERAL PSYCHOLOGY;

(II) CLINICAL AND COUNSELING PSYCHOLOGY; AND

(III) APPLICATION OF THE PRACTICE OF CLINICAL AND COUNSELING PSYCHOLOGY, INCLUDING KNOWLEDGE OF APPROPRIATE STATUTES AND PROFESSIONAL ETHICS.

(c) THE BOARD OR ITS DESIGNATED REPRESENTATIVES SHALL ADMINISTER AND SCORE THE EXAMINATION AND SHALL TAKE ANY ACTIONS NECESSARY TO ENSURE IMPARTIALITY. THE PASSING SCORE FOR THE EXAMINATION SHALL BE DETERMINED BY THE BOARD BASED UPON A LEVEL OF MINIMUM COMPETENCY TO ENGAGE IN THE PRACTICE OF PSYCHOLOGY.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

~~(2) Upon investigation of the application and other evidence submitted pursuant to subsection (1) of this section, the board, not less than thirty days prior to the examination, shall notify each applicant that such application and evidence are satisfactory and accepted or unsatisfactory and rejected. If the application is rejected, the notice shall state the reasons for such rejection.~~

~~(3) The place of examination shall be designated in advance by the board. Such examination shall be given not less than twice a year at such time and place and under such supervision as the board may determine, if there are applicants desiring to be examined. The examination shall be given at such other times as, in the opinion of the board, the number of applications warrants.~~

~~(4) The examination shall test for knowledge of the following three areas:~~

~~(a) General psychology;~~

~~(b) Clinical and counseling psychology; and~~

~~(c) Application of the practice of clinical and counseling psychology, including knowledge of appropriate statutes and professional ethics.~~

~~(5) The board or its designated representatives shall administer and score the examination. The board shall take any actions necessary to ensure impartiality. The passing score in each part of the examination shall be determined by the board based upon a level of minimum competency to engage in the practice of psychology.~~

~~(6) In the event that an applicant fails to receive a passing grade on any part of the examination, he or she may apply for reexamination on those parts of the examination he or she did not pass and shall be allowed to take a subsequent examination on such parts upon payment of a fee as set by the board.~~

SECTION 2. 12-43-404 (2) (d), (4), (5), and (6), Colorado Revised Statutes, are amended, and the said 12-43-404 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

12-43-404. Qualifications - examination - licensure and registration. (2) The board shall license as a licensed clinical social worker, and issue an appropriate certificate to, any person who files an application therefor, accompanied by such fee as is required by section 12-43-204, and who submits evidence satisfactory to the board that he or she:

(d) Demonstrates professional competence by satisfactorily passing an examination in social work ~~that may be written, oral, or both~~, as prescribed by the board and a written, mail-in jurisprudence examination administered by the department of regulatory agencies.

(2.5) (a) THE EXAMINATION BY THE BOARD DESCRIBED IN PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION AND IN PARAGRAPH (d) OF SUBSECTION (2) OF THIS SECTION SHALL BE GIVEN NOT LESS THAN TWICE PER YEAR AT SUCH TIME AND PLACE AND UNDER SUCH SUPERVISION AS THE BOARD MAY DETERMINE.

(b) THE BOARD OR ITS DESIGNATED REPRESENTATIVES SHALL ADMINISTER AND SCORE THE EXAMINATION AND SHALL TAKE ANY ACTIONS NECESSARY TO ENSURE IMPARTIALITY. THE PASSING SCORE FOR THE EXAMINATION SHALL BE DETERMINED BY THE BOARD BASED UPON A LEVEL OF MINIMUM COMPETENCY TO ENGAGE IN SOCIAL WORK PRACTICE.

~~(4) Upon investigation of the application for a certificate and other evidence submitted, the board shall, not less than thirty days prior to the examination, notify each applicant that the application and evidence submitted for licensure are satisfactory and accepted or unsatisfactory and rejected. If the application is rejected, said notice shall state the reasons for such rejection and provide suggestions for the preparation of a new application.~~

~~(5) The place of examination shall be designated in advance by the board and such examination shall be given at least semiannually at such time and place and under such supervision as the board may determine. The board shall grade the examination and shall report the results to the applicant no later than thirty days following the examination.~~

~~(6) The director of the division of registrations may review any examination or procedure for granting a certificate by the board prior to the execution of such examination or procedure. After such review, if the director has reason to believe such examination or procedure to be unfair to the applicants or unreasonable in content, the director shall call on five people licensed in the occupation of social work under this part 4 to review the examination or procedure jointly with the director. The director and such licensed persons, acting jointly, may make findings of fact and recommendations to the board concerning any examination or procedure. The findings of fact and recommendations shall be public documents.~~

SECTION 3. 12-43-504 (2), (3), and (4), Colorado Revised Statutes, are amended to read:

12-43-504. Qualifications - examination - licensure and registration.

~~(2) Upon investigation of the application for licensure and other evidence submitted, the board shall, not less than thirty days prior to the examination, notify each applicant that such application and evidence are satisfactory and accepted or unsatisfactory and rejected. If the application is rejected, said notice shall state the reasons for such rejection and provide suggestions for the preparation of reapplying.~~

~~(3) The place of examination shall be designated in advance by the board, and such examination BY THE BOARD DESCRIBED IN PARAGRAPH (e) OF SUBSECTION (1) OF THIS SECTION shall be given not less than twice per year at such time and place and under such supervision as the board may determine. if there are applicants desiring to be examined, and shall be given at such other times as, in the opinion of the board, the number of applications warrants.~~

~~(4) The board or its designated representatives shall administer and score the examination ~~The board~~ AND shall take any actions necessary to ensure impartiality. The passing score ~~in each part of~~ FOR the examination shall be determined by the board based upon a level of minimum competency to engage in ~~the practice of~~ marriage and family therapy PRACTICE.~~

SECTION 4. 12-43-603 (2), (3), and (4), Colorado Revised Statutes, are amended to read:

12-43-603. Licensure - examination - licensed professional counselors.

~~(2) Upon investigation of the application and other evidence submitted, the board shall, not less than thirty days prior to the examination, notify each applicant that the application and evidence submitted under paragraphs (a) to (d) of subsection (1) of this section are satisfactory and accepted or unsatisfactory and rejected. If rejected, said notice shall state the reasons for such rejection.~~

~~(3) The place of examination shall be designated in advance by the board, and such examination BY THE BOARD DESCRIBED IN PARAGRAPH (e) OF SUBSECTION (1) OF THIS SECTION shall be given not less than twice each PER year at such time and place and under such supervision as the board may determine. if there are applicants desiring to be examined, and shall be given at such other times as, in the opinion of the board, the number of applicants warrants.~~

~~(4) The board or its designated representatives shall administer and score the examination The board AND shall take any actions necessary to ensure impartiality. The passing score in each part of FOR the examination shall be determined by the board based upon a level of minimum competency to engage in the practice of licensed professional counseling.~~

SECTION 5. Effective date - applicability. This act shall take effect July 1, 2007, and shall apply to examinations on or after said date.

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

Approved: March 21, 2007