

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. Senate Bill 837

PRINTER NO. 1671

AMOUNT

Minimal Revenue Increase

FUND

General Fund
Professional Licensure Augmentation Account

DATE INTRODUCED

May 20, 2015

PRIME SPONSOR

Senator Aument

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 837 amends Act 39 of 1987 known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act to restrict the use of the title "Licensed Marriage and Family Therapist".

This legislation amends the membership of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors (Board) to specify the Board position devoted to either a licensed marriage and family therapist or a licensed professional counselor shall rotate between those professions at the expiration of the member's second term.

This bill allows current Commonwealth and public or private school employees holding a marriage and family therapist position to continue to use the title without licensure during the time of their employment.

A person who provides faith-based marriage, family, or couples therapy is permitted to continue using the title without licensure provided the person clearly identifies they offer faith-based services and does not represent themselves as a licensed marriage or family therapist.

The maximum civil penalties the Board may levy on current licensees for violating the Act is increased from \$1,000 to \$10,000.

This act takes effect in 120 days.

FISCAL IMPACT:

Increasing the maximum civil penalty the Board may impose from \$1,000 to \$10,000 may increase the amount of fine revenue to the Board. Over the last 10 years, the Board has levied an average of 28 civil penalties per year. If we assume that half of the penalties are levied at the maximum level, there could be a revenue increase to the Board of approximately \$125,000. Fine revenue will vary depending on the penalty assessed by the Board.