

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. Senate Bill 530

PRINTER NO. 1166

AMOUNT

Minimal Revenue Increase

FUND

General Fund
Professional Licensure Augmentation Account

DATE INTRODUCED

March 24, 2017

PRIME SPONSOR

Senator Killion

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 530 amends Act 39 of 1987 known as the Social Workers, Marriage and Family therapists and Professional Counselors Act to provide for the independent practice of clinical social work, marriage and family therapy and professional counseling. It also extends the practice of clinical social work, marriage and family therapy and professional counseling to include diagnosis.

Establishes the definition of "client", "clinical social work assessment", "diagnosis", "independent practice of clinical social work", "independent practice of marriage and family therapy", "independent practice of professional counseling", "marriage and family therapist assessment" and "professional counselor assessment".

Updates the definition of "licensed clinical social worker", "licensed professional counselor", and "licensed social worker". It also updates the definition of "practice of clinical social work", "practice of marriage and family therapy" and "practice of professional counseling" to include "diagnosis".

Enhances license requirements for the marriage and family therapist license and professional counselor license to require completed hours of supervised clinical experience after being granted a master's degree.

Allows for the board to grant reciprocity to a licensed or certified clinical social worker, marriage or family therapist, or professional counselor in another state for practice in this Commonwealth for no more than 60 days as part of a relief effort due to a state of emergency as declared by the Federal Government or the Governor.

Expands restrictions on the use of the title "Licensed Professional Counselor" to include when advertising or engaging in the independent practice of professional counseling.

Makes it unlawful to engage in the independent practice of clinical social work, marriage and family therapy or professional counseling and makes these violations subject to a penalty up to \$10,000.

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Repeals a provision under the Act which provided an \$85,000 appropriation from the Professional Licensure Augmentation Account to the Bureau of Professional and Occupational Affairs for the payment of initial costs of processing licenses and renewals and other general costs of the Board.

FISCAL IMPACT

Expanding the violations subject to civil penalty by the Board may increase the amount of fine revenue to the Board. Over the past 10 years, the Board has levied an average of 28 civil penalties per year. If we assume an increase in the number of violations due to the expansion of unlawful activities, there could be a revenue increase to the Board, which will vary depending on the number of violations and the penalty assessed by the Board.

There will be no fiscal impact due to the elimination of Section 21 regarding the \$85,000 appropriation from the Professional Licensure Augmentation Account to the Bureau of Professional and Occupational Affairs. This appropriation was necessary for the implementation of the act in 1987 and was repaid by the board.