

HOUSE GOVERNMENT AND URBAN AFFAIRS COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 168

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

AN ACT

RELATING TO MENTAL HEALTH; PROVIDING FOR SUBSTANCE ABUSE PEER  
MENTORING WITHIN THE CORRECTIONS DEPARTMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 61-9A-6 NMSA 1978 (being Laws 1993,  
Chapter 49, Section 6, as amended) is amended to read:

"61-9A-6. EXEMPTIONS. --

A. Nothing in the Counseling and Therapy Practice  
Act shall be construed to prevent:

(1) a person who is licensed, certified or  
regulated under the laws of this state from engaging in  
activities consistent with the standards and ethics of his  
profession or practice; or

(2) an alternative, metaphysical or holistic  
practitioner from engaging in nonclinical activities

1 consistent with the standards and codes of ethics of that  
2 practice.

3 B. Specifically exempted from the Counseling and  
4 Therapy Practice Act are:

5 (1) elementary and secondary school  
6 counselors acting on behalf of their employer who are  
7 otherwise regulated;

8 (2) peer counselors of domestic violence or  
9 independent-living peer counselors working under appropriate  
10 supervision in a nonprofit corporation, association or similar  
11 entity;

12 (3) duly ordained, commissioned or licensed  
13 ministers of a church or lay pastoral-care assistants  
14 providing pastoral services on behalf of a church;

15 (4) a person who is enrolled in an  
16 internship or practicum under appropriate supervision and is  
17 in the internship or practicum for the sole purpose of  
18 acquiring an advanced degree in mental health counseling,  
19 marriage and family therapy or art therapy or a degree in  
20 substance abuse counseling; [~~and~~]

21 (5) practitioners of Native American healing  
22 arts; and

23 (6) a person in a corrections department  
24 therapeutic community treatment program who is functioning as  
25 a peer mentor. "