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## FISCAL IMPACT REPORT



SPONSOR: HGUAC DATE TYPED: 02/11/02 HB 168/HGUACS

SHORT TITLE: Mental Health Counselor's Scope of Practice SB \_\_\_\_\_

ANALYST: Trujillo

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
	NFI			NFI	NFI

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

Responses Received From:  
Corrections Department (CD)

### SUMMARY

#### Synopsis of Bill

House Government and Urban Affairs Committee Substitute for House Bill 168 adds another exemption to the Counseling and Therapy Practice Act. The additional exemption from the Act is defined as "a person in a corrections department therapeutic community treatment program who is functioning as a peer mentor."

#### Significant Issues

According to CD the department currently contracts for substance abuse treatment services that are provided in a community setting. Some of the most effective counselors in these types of programs are peer mentors. This bill assists the CD in continuing to provide effective substance abuse and therapeutic community programs by exempting from the standard licensing requirements those persons providing such services in a CD therapeutic community treatment program.

### FISCAL IMPLICATIONS

CD reports the bill will not result in cost increases to the department.

### **ADMINISTRATIVE IMPLICATIONS**

CD reports the bill could result in a minor decrease in the administrative burden upon the department's probation program as well as prison program if the substance abuse services provided by these mentors is effective in the rehabilitation of these offenders.

### **TECHNICAL ISSUES**

The educational requirements for peer counselors and interns may need to be reviewed. Dual diagnosis counselors need extensive education and training. Substance abuse counselors should have a minimum of an associate degree and ninety hours of training.

### **OTHER SUBSTANTIVE ISSUES**

If there are peer counselors for persons that have dual diagnosis (people with mental health as well as drug problems) there may need to be some specific educational requirements such as a bachelor's degree; there needs to be specific educational and experience requirements for supervisors of peer counselors such as a Master Degree in Social Work or a Ph.D. in psychology.

Substance abuse counselors should meet minimum standards promulgated by an appropriate agency such as the Department of Health. These should include standards for education, training, experience and supervision of unlicensed peer counselors and interns.

### **POSSIBLE QUESTIONS**

- (1) What agency is going to promulgate the rules for the mental health counselors for dual diagnosis clients and mental counselor, i.e., DOH or a professional organization?
- (2) What organizations are considered "recognized forensic accreditation programs"?
- (3) Why are there no educational requirements for "peer counselors"?

**LAT/njw**