

1 HOUSE BILL NO. 137  
 2 INTRODUCED BY G. OBLANDER  
 3 BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LICENSING AND CERTIFICATION  
 5 REQUIREMENTS FOR BEHAVIORAL HEALTH PRACTITIONERS; ESTABLISHING EXPERIENCE AND  
 6 EDUCATION REQUIREMENTS; PROVIDING CONFIDENTIALITY; PROVIDING IMMUNITY; PROVIDING  
 7 RULEMAKING AUTHORITY; AMENDING SECTIONS 20-4-502, 20-9-327, 27-1-1101, 33-30-1019, 33-30-  
 8 1020, 37-1-401, 37-17-104, 41-3-127, 45-5-231, 45-5-501, 45-5-601, 45-5-709, 53-6-101, AND 53-21-102,  
 9 MCA; AND REPEALING SECTIONS 37-22-101, 37-22-102, 37-22-103, 37-22-201, 37-22-301, 37-22-302, 37-  
 10 22-305, 37-22-307, 37-22-308, 37-22-313, 37-22-401, 37-22-411, 37-22-412, 37-23-101, 37-23-102, 37-23-  
 11 201, 37-23-202, 37-23-203, 37-23-206, 37-23-213, 37-23-301, 37-23-311, 37-23-312, 37-35-101, 37-35-102,  
 12 37-35-103, 37-35-201, 37-35-202, 37-35-204, 37-37-101, 37-37-102, 37-37-201, 37-37-202, 37-37-205, 37-37-  
 13 301, 37-37-302, 37-38-101, 37-38-102, 37-38-106, 37-38-201, AND 37-38-202, MCA."

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15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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17 NEW SECTION. Section 1. Purpose. The practices of social work, professional counseling, marriage  
 18 and family therapy, addiction counseling, and behavioral health peer support in the state of Montana are  
 19 professional behavioral health practices affecting the public health, safety, and welfare and are subject to  
 20 regulation and control in the public interest. It is a matter of public interest and concern that the collective  
 21 practices of these professions warrant and receive the confidence of the public and that only qualified persons  
 22 be permitted to practice in the behavioral health field from within or outside of Montana and engage with  
 23 behavioral health clients located within the state. [Sections 1 through 14] must be liberally construed to carry  
 24 out these objectives and purposes.

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26 NEW SECTION. Section 2. Definitions. As used in [sections 1 through 14], the following definitions  
 27 apply:

28 (1) "Addiction" means the condition or state in which an individual is physiologically or

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**NEW SECTION. Section 10. Social work license required -- qualifications.** (1) A person may not practice social work unless licensed under Title 37, chapter 1, and [sections 1 through 14].

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(2) Except as provided in subsection (6), an applicant for a clinical social work license must have:

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(a) completed a master's or doctoral degree in social work from an approved program;

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(b) successfully completed 3,000 hours of supervised social work practice; and

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(c) passed an approved examination.

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(3) An applicant for a master's social work license must have:

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(a) completed a master's degree in an approved program;

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(b) successfully completed ~~2,000~~ the required hours of supervised social work practice as

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determined by board rule; and

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(c) passed an approved examination.

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(4) An applicant for a baccalaureate social work license must have:

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(a) completed a bachelor's degree in social work from an approved program;

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(b) successfully completed ~~2,000~~ the required hours of supervised social work practice as

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determined by board rule; and

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(c) passed an approved examination.

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(5) A clinical social work licensee may engage in the independent practice of social work as

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defined in board rule.

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(6) An applicant for a clinical social work license who has not completed the degree requirements

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of subsection (2)(a) may be licensed if the applicant meets requirements established by the board by rule for

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additional postdegree social work experience equivalent to the provisions of subsections (2)(a) and (2)(b).

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(7) The supervised social work practice required by this section must be completed as provided in

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[section 9] and as prescribed by the board by rule.

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**NEW SECTION. Section 11. Clinical professional counseling license required -- qualifications.**

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(1) A person may not practice clinical professional counseling unless licensed under Title 37, chapter 1, and

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[sections 1 through 14].