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Notes A: 2113

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AN ACT concerning licensed professional counselors and amending and supplementing P.L.1993, c.340.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 3 of P.L.1993, c.340 (C.45:8B-36) is amended to read as follows:

3. As used in this act:

"Art therapist" means a person who uses the creative process of art to improve and enhance the physical, mental and emotional well-being of a person and is board certified by the Art Therapy Credentials Board, or its successor organization.

"Board" means the State Board of Marriage and Family Therapy Examiners.

"Committee" means the Professional Counselor Examiners Committee.

"Counseling" means offering to assist or assisting, for a fee or other compensation, an individual or group through a counseling relationship to develop an understanding of interpersonal and intra personal problems and to plan and act on a course of action to restore optimal functioning to that individual or group but does not mean rehabilitation counseling.

"Counseling specialty" means a field of specialization in which counseling takes place and which has been designated as a counseling specialty by the committee.

"Dance and movement therapist" means a person who makes use of movement as a process to further the emotional, cognitive and physical integration of a person and is registered with the American Dance Therapy Association, or its successor organization, as a "Dance and Movement Therapist Registered."

"Drama therapist" means a person who makes intentional use of dramatic media or theater-based processes to facilitate a therapeutic process designed to achieve specific therapeutic goals and is registered with the National Association for Drama Therapy, or its successor organization, as a "Registered Drama Therapist."

"Licensed associate counselor" means an individual who holds a current, valid license as a licensed associate counselor pursuant to this act and who practices counseling under the direct supervision of a licensed professional counselor or a supervisor acceptable to the committee.

"Licensed professional counselor" means an individual who holds a current, valid license as a licensed professional counselor pursuant to this act.

"Licensed rehabilitation counselor" means an individual who holds a current, valid license as a licensed rehabilitation counselor pursuant to this amendatory and supplementary act.

EXPLANATION - Matter enclosed in bold-faced brackets ~~is new~~ in the act and is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

A 2-11-3
Susanna

"Rehabilitation counseling" means offering to assist or assisting, for a fee or other compensation, an individual through a rehabilitation counseling relationship to develop an understanding of the personal, social and vocational impact of the person's disabilities and to plan and implement a rehabilitation program, which may include training to help the person become more independent and employable.
(cf: P.L.1997, c.155, s.3)

2. Section 4 of P.L.1993, c.340 (C.45:8B-37) is amended to read as follows:

4. There is established a committee of the board to be known as the Professional Counselor Examiners Committee. The committee shall consist of ~~[six]~~ nine residents of this State, four of whom shall be licensed professional counselors engaged primarily in the practice of counseling, one of whom shall be a licensed professional counselor engaged primarily in teaching, training or research in counseling ~~[and]~~ , one of whom shall be a licensed rehabilitation counselor primarily engaged in the practice of rehabilitation counseling one of whom shall be a licensed professional counselor with a professional specialty designation as an art therapist, one of whom shall be a licensed professional counselor with a professional specialty designation as a dance and movement therapist, and one of whom shall be a licensed professional counselor with a professional specialty designation as a drama therapist.

The members of the committee shall be appointed by the Governor for terms of three years, except that the terms of the first six members of the committee shall be as follows: one member for a term of one year, two members for a term of two years, and three members for a term of three years. A member of the committee shall not be eligible to succeed himself more than once. Vacancies shall be filled for the unexpired term in the manner provided by the original appointment. The Governor may remove any member of the board for cause, upon notice and opportunity to be heard.

The first appointees shall become licensed as soon as practicable after their appointments.

Members of the committee shall receive no compensation for their services, but may be reimbursed for all necessary expenses incidental to performance of their duties as members of the committee.

The committee shall annually elect from its members a chairperson and a vice-chairperson. Regular meetings of the committee shall be held at least once during each quarter of the year and special meetings may be held upon the call of the chairperson or the vice-chairperson in the chairperson's absence. ~~[Four]~~ Five members of the committee shall constitute a quorum and no action shall be taken at a meeting without at least ~~[four]~~ five votes in accord.

(cf: P.L.1997, c.155, s.4)

3. Section 7 of P.L.1993, c.340 (C.45:8B-40) is amended to read as follows:

7. Each person applying for licensure as a licensed professional counselor shall make application therefor to the board on the form and in the manner the committee prescribes and the board shall immediately refer each application to the committee for appropriate action. Each applicant shall furnish evidence satisfactory to the committee that he:

a. Is at least 18 years of age;

b. Is of good moral character;

c. Has completed a minimum of 60 graduate semester hours in a planned educational program, which includes a master's degree or doctorate in counseling, art therapy, dance and movement therapy, or drama therapy from a regionally accredited institution of higher education, of which 45 graduate semester hours are distributed in at least eight of the following areas:

- (1) Counseling theory and practice;
- (2) The helping relationship;
- (3) Human growth and development and maladaptive behavior;
- (4) Lifestyle and career development;
- (5) Group dynamics, processes, counseling, and consulting;
- (6) Appraisal of individuals;
- (7) Social and cultural foundations;
- (8) Research and evaluation;
- (9) The counseling profession;

d. Has had at least three years of supervised full-time counseling experience in a professional counseling setting acceptable to the committee, one year of which may be obtained prior to the granting of the master's degree. The committee shall establish criteria for determining the qualifications and status which may constitute supervised counseling experience. An applicant may eliminate one year of the required supervised counseling experience by substituting 30 graduate semester hours beyond the master's degree if those graduate semester hours are clearly related to counseling and are acceptable to the committee. In no case, however, may the applicant have less than one year of supervised professional counseling experience after the granting of the master's degree; and

e. Has passed the National Counselor Examination of the National Board for Certified Counselors.

(cf: P.L.1997, c.155, s.7)

4. Section 8 of P.L.1993, c.340 (C.45:8B-41) is amended to read as follows:

8. Each person applying for licensure as a licensed associate counselor shall make application therefor to the board on the form and in the manner the committee prescribes and the board shall immediately refer each application to the committee for appropriate

action. Each applicant shall furnish evidence satisfactory to the committee that he:

- a. Is at least 18 years of age;
- b. Is of good moral character;
- c. Has completed a minimum of 60 graduate semester hours in a planned educational program, which includes a master's degree or doctorate in counseling, art therapy, dance and movement therapy, or drama therapy from a regionally accredited institution of higher education, of which 45 graduate semester hours are distributed in at least eight of the following areas:
 - (1) Counseling theory and practice;
 - (2) The helping relationship;
 - (3) Human growth and development and maladaptive behavior;
 - (4) Lifestyle and career development;
 - (5) Group dynamics, processes, counseling, and consulting;
 - (6) Appraisal of individuals;
 - (7) Social and cultural foundations;
 - (8) Research and evaluation;
 - (9) The counseling profession; and
- d. Has passed the National Counselor Examination of the National Board for Certified Counselors.
(cf: P.L.1997, c.155, s.8)

5. Section 10 of P.L.1993, c.340 (C.45:8B-43) is amended to read as follows:

10. a. A professional specialty designation may be added by the board to the licensed professional counselor's credentials issued by the board upon demonstration to the committee that the applicant has met the recognized minimum standards as established by the National Board of Certified Counselors.

b. A professional specialty designation as an art therapist may be added by the board to the licensed professional counselor's credentials issued by the board upon demonstration to the committee that the applicant has passed the Art Therapy Credentials Board Certification Examination as administered by the Art Therapy Credentials Board, or its successor organization.

c. A professional specialty designation as a dance and movement therapist may be added by the board to the licensed professional counselor's credentials issued by the board upon demonstration to the committee that the applicant has met the recognized minimum standards as established by the National Board of Certified Counselors, including passage of the National Counselor Examination for Licensure and Certification and registration with the American Dance Therapy Association, or its successor organization, as a "Dance and Movement Therapist Registered."

d. A professional specialty designation as a drama therapist may be added by the board to the licensed professional counselor's credentials issued by the board upon demonstration to the committee that the applicant has met the recognized minimum

standards as established by the National Board of Certified Counselors, including passage of the National Counselor Examination for Licensure and Certification and registration with the National Association for Drama Therapy, or its successor organization, as a "Registered Drama Therapist."

e. **[A licensed professional counselor]** No person shall [not] claim or advertise a counseling specialty, including, but not limited to, art therapist, dance and movement therapist, or drama therapist and shall not incorporate the specialty designation, including, but not limited to, "LPC, AT" for an art therapist, "LPC, DMT" for a dance and movement therapist, or "LPC, DT" for a drama therapist, into his professional title unless the qualifications of that specialty have been met as determined by the committee and the licensed professional counselor's competence in the specialty as approved by the National Board of Certified Counselors, the Art Therapy Credentials Board, National Association for Drama Therapy, or the American Dance Therapy Association, as the case may be.
(cf: P.L.1993, c.340, s.10)

6. (New section) Notwithstanding the provisions of P.L.1993, c.340 (C.45:8B-34 et seq.), a person may practice music therapy as a "Music Therapist – Board Certified," if that person has been certified by the Certification Board for Music Therapists and is working within the scope of practice defined by that board.

7. (New section) An art therapist, dance and movement therapist, or drama therapist who is not licensed as a professional counselor under P.L.1993, c.340 (C.45:8B-34 et seq.) shall not hold himself out to the public by any title or description of services incorporating the words professional counselor, nor shall he state or imply that he is licensed to practice professional counseling.

8. (New section) The Director of the Division of Consumer Affairs in the Department of Law and Public Safety, in consultation with the board and the committee, shall promulgate regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), necessary to effectuate the provisions of this act.

9. This act shall take effect on the 180th day following enactment.

STATEMENT

This bill provides that the professional specialty designations of art therapist, dance and movement therapist, or drama therapist may be added to a licensed professional counselor's credentials if that counselor satisfies certain minimum requirements established by the

bill. A professional specialty designation as an art therapist may be added by the board to the licensed professional counselor's credentials when the applicant has passed the Art Therapy Credentials Board Certification Examination as administered by the Art Therapy Credentials Board, or its successor organization.

A professional specialty designation as a dance and movement therapist or a drama therapist may be added by the board to the licensed professional counselor's credentials when the applicant has met the recognized minimum standards as established by the National Board of Certified Counselors, including passage of the National Counselor Examination for Licensure and Certification and registration with the National Association for Drama Therapy, or its successor organization, as a "Registered Drama Therapist" or registration with the American Dance Therapy Association, or its successor organization, as a "Dance and Movement Therapist Registered," as the case may be.

In addition, a licensed professional counselor may advertise a counseling specialty, such as art therapist, dance therapist, or drama therapist, or a specialty designation such as, "LPC, AT" for an art therapist, "LPC, DMT" for a dance and movement therapist or "LPC, DT" for a drama therapist, into his professional title if the qualifications of that specialty have been met.

The bill also provides that a music therapist who has been certified by the Certification Board for Music Therapists may practice music therapy, notwithstanding any provisions of the "Professional Counselor Licensing Act" to the contrary.

The bill also provides that a person not licensed as a professional counselor may still practice art therapy, dance and movement therapy, or drama therapy as long as that person does not hold himself out to the public by any title or description of services incorporating the words professional counselor, or imply that he is licensed to practice professional counseling.

Finally, the bill adds three members to the Professional Counselor Examiners Committee. The three additional members shall be a licensed professional counselor with a professional specialty designation as an art therapist, a licensed professional counselor with a professional specialty designation as a dance and movement therapist and a licensed professional counselor with a professional specialty designation as a drama therapist.

Allows licensed professional counselors to use certain professional specialty designations as part of credentials.