

**Subject** Mental health professional licensing

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## Overview

This bill makes changes to the Board of Behavioral Health and Therapy (BBHT) licensing reciprocity requirements for licensed alcohol and drug counselors, licensed professional counselors, and licensed professional clinical counselors, and expands duty to warn and disclosure requirements for counselors.

## Summary

Section	Description
1	<p><b>Reciprocity.</b></p> <p>Amends § 148B.56. Allows the BBHT to grant licensing reciprocity as a licensed professional counselor or licensed professional clinical counselor to an individual who is licensed in another jurisdiction and has been actively practicing for at least five years. Does not require the requirements for licensure in the other jurisdiction to be substantially similar to the Minnesota requirements, for these applicants.</p>
2	<p><b>Disclosure of information.</b></p> <p>Amends § 148B.593. Specifies that a licensee, applicant, or student practicing licensed professional counseling or licensed professional clinical counseling may disclose private information without the client's consent when a duty to warn exists, or as otherwise provided by law or court order.</p> <p>Specifies the circumstances under which a duty to warn arises, and that a provider fulfills the duty to warn by making reasonable efforts to communicate the threat to law enforcement, the potential victim, the client's family, or other appropriate third parties. Exempts a provider from monetary liability or board discipline for an erroneous disclosure made in good faith.</p> <p>Defines "provider," "other person," and "reasonable efforts" for purposes of this section.</p>
3	<p><b>Duty to warn.</b></p> <p>Amends § 148E.240, subd. 6. Specifies that "licensee" includes interns and students, for purposes of the social worker duty to warn section.</p>

Section	Description
4	<p>Makes this section effective the day following final enactment.</p> <p><b>Reciprocity.</b> Amends § 148F.03. Allows the BBHT to grant licensing reciprocity for a credentialed alcohol and drug counselor from another jurisdiction who has been actively practicing for at least five years. Does not require the requirements for licensure in the other jurisdiction to be substantially similar to the Minnesota requirements, for these applicants.</p>
5	<p><b>Duty to warn; limitation on liability.</b> Amends § 148F.13, subd. 2. Adds cross-references for definitions of “other person” and “reasonable efforts,” for purposes of the alcohol and drug counselor duty to warn section.</p>



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