

JAN 23 2025

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# A BILL FOR AN ACT

RELATING TO LICENSURE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Section 451J-7, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "**§451J-7 Application for licensure.** Any person who files  
4 an application with the department after December 31, 1998,  
5 shall be issued a license by the department if the applicant  
6 provides satisfactory evidence to the department that the  
7 applicant is qualified for licensure pursuant to the  
8 requirements of this chapter and meets the following  
9 qualifications:

10 (1) Has completed a master's degree or doctoral degree  
11 from an accredited educational institution in marriage  
12 and family therapy or in an allied field related to  
13 the practice of mental health counseling which  
14 includes or is supplemented by graduate level course  
15 work comprising a minimum of [~~thirty-three~~] thirty-six  
16 semester, or [~~forty-four~~] forty-eight quarter hours in  
17 the following course areas:



- 1 (A) Marriage and family studies--nine semester or  
2 twelve quarter hours;
- 3 (B) Marriage and family therapy studies--nine  
4 semester or twelve quarter hours;
- 5 (C) Human development--nine semester or twelve  
6 quarter hours;
- 7 (D) Ethical and professional studies--three semester  
8 or four quarter hours; [~~and~~]
- 9 (E) Research--three semester or four quarter hours;  
10 and
- 11 (F) Courses related to domestic violence--three  
12 semester or four quarter hours;
- 13 (2) Has one year practicum with three hundred hours  
14 supervised client contact;
- 15 (3) Completes one thousand hours of direct marriage and  
16 family therapy, and two hundred hours clinical  
17 supervision in not less than twenty-four months; and
- 18 (4) Has passed the National Marriage and Family Therapy  
19 Exam in accordance with section 451J-8.



1 An individual who is a clinical member of the association  
2 shall be deemed to have met the educational and clinical  
3 experience requirements of this section."

4 SECTION 2. Section 451J-10, Hawaii Revised Statutes, is  
5 amended by amending subsection (b) to read as follows:

6 "(b) Beginning with the renewal for the licensing  
7 triennium commencing on January 1, 2017, through December 31,  
8 2019, and prior to every triennial renewal thereafter, each  
9 licensee shall:

- 10 (1) Pay all required fees; and  
11 (2) Complete a minimum of forty-five credit hours of  
12 continuing education courses within the three-year  
13 period preceding the renewal date; provided that a  
14 minimum of six credit hours shall be in ethics  
15 courses~~[ ]~~; provided further that a minimum of two  
16 credit hours shall be in courses related to domestic  
17 violence."

18 SECTION 3. Section 453D-7, Hawaii Revised Statutes, is  
19 amended by amending subsection (a) to read as follows:

20 "(a) An applicant shall be issued a license by the  
21 department if the applicant provides satisfactory evidence to



1 the department that the applicant is qualified for licensure  
2 pursuant to the requirements of this chapter and meets the  
3 following qualifications:

4 (1) Receipt of a master's degree or doctoral degree from  
5 an accredited educational institution in counseling or  
6 in an allied field related to the practice of mental  
7 health counseling that includes, or is supplemented  
8 by, graduate level course work in counseling  
9 comprising a minimum of forty-eight semester hours or  
10 seventy-two quarter hours in the following course  
11 areas, with a minimum of three semester hours or five  
12 quarter hours in each course area as indicated below:

13 (A) Human growth and development, including but not  
14 limited to the study of life span development,  
15 strategies to facilitate that development and  
16 transitions, theories of learning and personality  
17 development, and human behavior to include  
18 crisis, disabilities, addictive behavior, and  
19 environmental factors;

20 (B) Social and cultural foundations, including but  
21 not limited to the study of issues and trends in



1 a multicultural and diverse society, including  
2 characteristics of diverse groups that may  
3 include but are not limited to age, race,  
4 religious or sexual preference, physical  
5 disability, ethnicity and culture, gender,  
6 socioeconomics, intellectual ability, and  
7 individual, family, and group strategies with  
8 diverse populations;

9 (C) Counseling theories and applications, including  
10 but not limited to counseling and consultation,  
11 including both individual and systems  
12 perspectives, interviewing, assessment, and  
13 counseling skills, as well as applying  
14 principles, methods, and theories of counseling,  
15 treatment and counseling of mental and emotional  
16 disorders, and educational techniques aimed at  
17 preventing these disorders with individuals and  
18 families;

19 (D) Group theory and practice, including but not  
20 limited to principles of group dynamics, group  
21 process, group leadership styles, theories and



- 1 methods of group counseling, and the application  
2 of theory to the group processes;
- 3 (E) Career and lifestyle development, including but  
4 not limited to the study of vocational  
5 development theories and decision-making models,  
6 assessment instruments, and techniques, types,  
7 sources, and uses of occupational and educational  
8 information systems, career development  
9 applications, and career counseling processes,  
10 techniques, and resources;
- 11 (F) Appraisal of human behavior, including but not  
12 limited to assessment and diagnosis of disorders  
13 with an emphasis on DSM categories and an  
14 understanding of these disorders relative to the  
15 counseling context;
- 16 (G) Tests and measurements, including but not limited  
17 to theoretical and historical bases for  
18 assessment techniques, and assessment methods,  
19 including analysis of various types of tests to  
20 select, administer, interpret, and use assessment



- 1                   and evaluation instruments and techniques in  
2                   counseling;
- 3           (H)    Research and program evaluation, including but  
4                   not limited to research design and methods,  
5                   statistical analysis, principles, practices, and  
6                   application of needs assessment, and program  
7                   evaluation;
- 8           (I)    Professional orientation and ethics, including  
9                   but not limited to the history of the helping  
10                  profession, professional roles and functions,  
11                  ethical standards, confidentiality, professional  
12                  organizations, and the public policy process,  
13                  including advocacy on behalf of the profession  
14                  and its clientele; [~~and~~]
- 15           (J)    At least two academic terms of supervised mental  
16                   health practicum intern experience for graduate  
17                   credit of at least six semester hours or ten  
18                   quarter hours in a mental health counseling  
19                   setting, with a total of three hundred hours of  
20                   supervised client contact. The practicum  
21                   experience shall be completed under the clinical



1 supervision of a person who is licensed as a  
2 mental health counselor, psychologist, clinical  
3 social worker, advanced practice registered nurse  
4 with a specialty in mental health, marriage and  
5 family therapist, or physician with a specialty  
6 in psychiatry; and  
7 (K) Courses related to domestic violence;  
8 (2) Completion of not less than three thousand hours of  
9 post-graduate experience in the practice of mental  
10 health counseling, with one hundred hours of face-to-  
11 face clinical supervision that shall be completed in  
12 no less than two years and in no more than four years,  
13 under the clinical supervision of a person who is a  
14 licensed mental health counselor, psychologist,  
15 clinical social worker, advanced practice registered  
16 nurse with a specialty in mental health, marriage and  
17 family therapist, or physician with a specialty in  
18 psychiatry. In collaboration with the supervisor, the  
19 applicant may elect to fulfill some or all of the  
20 supervision requirements through face-to-face  
21 supervision that is conducted electronically through a



1 videoconference service that complies with all federal  
2 and state privacy, security, and confidentiality laws,  
3 including the Health Insurance Portability and  
4 Accountability Act of 1996; provided that the  
5 applicant shall review the laws and rules of other  
6 jurisdictions to determine the impact, if any, that  
7 electronic supervision may have on licensure by  
8 endorsement or reciprocity in other states prior to  
9 electing electronic supervision; and

10 (3) Passage of the National Counselor Examination for  
11 Licensure and Certification."

12 SECTION 4. Section 453D-11, Hawaii Revised Statutes, is  
13 amended to read as follows:

14 "[~~f~~]~~\$~~453D-11[~~f~~] **Renewal of license; fees[~~-~~]; continuing**  
15 **education requirement.** (a) Licenses shall be renewed, upon the  
16 payment of a renewal fee, triennially not earlier than ninety  
17 days before June 30, with the first renewal deadline occurring  
18 on June 30, 2008. Failure to renew a license shall result in a  
19 forfeiture of the license. Licenses that have been forfeited  
20 may be restored within one year of the expiration date upon  
21 payment of renewal and restoration fees. Failure to restore a



1 forfeited license within one year of the date of its expiration  
2 shall result in the automatic termination of the license and the  
3 person may be required to reapply for licensure as a new  
4 applicant. All renewal and restoration fees shall be determined  
5 by the department.

6 (b) Prior to every triennial renewal, each licensee shall  
7 complete a minimum of two credit hours of continuing education  
8 within every licensing triennium in courses related to domestic  
9 violence.

10 (c) A first-time licensee shall not be subject to the  
11 continuing education requirement established under  
12 subsection (b) for the first license renewal.

13 (d) Each licensee shall be responsible for maintaining the  
14 licensee's continuing education records. At the time of  
15 renewal, each licensee shall certify under oath that the  
16 licensee has complied with the continuing education requirement  
17 of this section. The director may require a licensee to submit  
18 evidence satisfactory to the director that demonstrates  
19 compliance with the continuing education requirement of this  
20 section.



1       (e) A licensee seeking renewal of a license without full  
2 compliance with the continuing education requirement shall  
3 submit the renewal application, required fee, a notarized  
4 affidavit setting forth the facts explaining the reasons for  
5 noncompliance, and a request for an extension on the basis of  
6 the facts; provided that the licensee shall complete at least  
7 ninety hours of continuing education, including at least twelve  
8 hours in ethics courses, prior to the next licensing triennium.  
9 The director shall consider each case on an individual basis and  
10 may grant an extension of the continuing education requirement  
11 based upon:

12       (1) Practice in an isolated geographical area with an  
13 absence of opportunities for continuing education by  
14 taped programs or otherwise; or

15       (2) Inability to devote sufficient hours to continuing  
16 education because of incapacity, undue hardship, or  
17 any other serious extenuating circumstances.

18       (f) The director may conduct random audits of licensees to  
19 determine compliance with the continuing education requirement.  
20 The director shall provide written notice of an audit to a  
21 licensee randomly selected for audit. Within sixty days of



1 notification, the licensee shall provide the director with  
2 documentation verifying compliance with the continuing education  
3 requirement established by this section."

4 SECTION 5. Section 465-7, Hawaii Revised Statutes, is  
5 amended by amending subsection (a) to read as follows:

6 "(a) Every applicant for a license as a psychologist shall  
7 submit evidence satisfactory to the board that the applicant  
8 meets the following requirements:

9 (1) The applicant for licensure shall possess a doctoral  
10 degree from:

11 (A) An American Psychological Association approved  
12 program in clinical psychology, counseling  
13 psychology, school psychology, or programs  
14 offering combinations of two or more of these  
15 areas; or

16 (B) A professional psychology training program,  
17 awarded by an institution of higher education, or  
18 from a regionally accredited institution;

19 provided that the applicant for licensure shall have  
20 completed a minimum of three semester hours of  
21 graduate-level courses related to domestic violence;



1 (2) The applicant for licensure shall demonstrate that the  
2 applicant has completed one year of post doctoral  
3 supervised experience in health service in psychology,  
4 and:

5 (A) An internship approved by the American  
6 Psychological Association; or

7 (B) One year of supervised experience in health  
8 service in psychology, in an internship or  
9 residency program in an organized health service  
10 training program; and

11 (3) The applicant for licensure has passed an examination  
12 as may be prescribed by the board."

13 SECTION 6. Section 465-11, Hawaii Revised Statutes, is  
14 amended by amending subsection (c) to read as follows:

15 "(c) Beginning with the July 1, 2016, through June 30,  
16 2018, biennium period and prior to every biennial renewal  
17 thereafter, each licensee shall:

18 (1) Pay all required fees; and

19 (2) Complete a minimum of eighteen credit hours of  
20 continuing education within every licensing  
21 biennium[-]; provided that a minimum of two credit



1           hours shall be in courses related to domestic  
2           violence."

3           SECTION 7. Section 467E-7, Hawaii Revised Statutes, is  
4 amended to read as follows:

5           "**§467E-7 Licensing requirements.** Every applicant for a  
6 license as a social worker shall submit evidence satisfactory to  
7 the director that the applicant meets the following  
8 requirements:

9           (1) For the licensed bachelor social worker, the  
10 applicant:

11           (A) Holds a bachelor's degree from a college or  
12 university in a social work program accredited by  
13 or deemed to be equivalent to a program  
14 accredited by the Council on Social Work  
15 Education; and

16           (B) Has passed the basic level national examination  
17 given by the Association of Social Work Boards;

18           (2) For the licensed social worker, the applicant:

19           (A) Holds a master's degree from a college or  
20 university in a social work program accredited by  
21 or deemed to be equivalent to an accredited



1 program by the Council on Social Work Education  
2 or a doctoral degree from a doctoral degree  
3 program in social work accredited by the Western  
4 Association of Schools and Colleges or a  
5 comparable regional accreditation body; and

6 (B) Has passed the intermediate or higher level  
7 national examination given by the Association of  
8 Social Work Boards; and

9 (3) For the licensed clinical social worker, the  
10 applicant:

11 (A) Has met the educational requirements in  
12 paragraph (2) [†] and completed a minimum of three  
13 semester hours of graduate-level courses related  
14 to domestic violence;

15 (B) Has passed the clinical level national  
16 examination given by the Association of Social  
17 Work Boards;

18 (C) Has provided evidence of successful completion of  
19 at least three thousand hours of post masters  
20 clinical social work experience under supervision  
21 completed within no fewer than two years, but



1           within no more than five years. Clinical social  
2           work experience shall include a minimum of two  
3           thousand hours of assessment, clinical diagnosis,  
4           and psychotherapy; no more than a maximum of nine  
5           hundred hours of client-centered advocacy,  
6           consultation, and evaluation; and at least one  
7           hundred hours of supervision as follows:

- 8           (i) At least sixty of the one hundred hours of  
9                 direct face-to-face supervision shall have  
10                been individualized supervision; and  
11           (ii) Not more than forty hours of direct  
12                 face-to-face supervision may have been under  
13                 small group (up to six supervisees)  
14                 supervision.

15           An applicant who submits evidence of  
16           certification as a qualified clinical social  
17           worker or diplomate in clinical social work by  
18           the National Association of Social Workers or as  
19           a board certified diplomate by the American Board  
20           of Examiners shall be deemed to have satisfied  
21           the experience requirements of this subparagraph;



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1 (D) For the purposes of subparagraph (C), shall have  
2 had clinical supervision as follows:  
3 (i) The supervisor shall have been a licensed  
4 clinical social worker with at least four  
5 thousand five hundred hours of post masters  
6 clinical social work experience;  
7 (ii) For the first five years after July 1, 2004,  
8 the following individuals shall be deemed to  
9 have satisfied the requirements of a  
10 supervisor: a person with a master's degree  
11 in social work with at least four thousand  
12 five hundred hours post masters clinical  
13 social work experience; an individual who  
14 holds a diplomate in clinical social work or  
15 a board certified diplomate certification;  
16 or a board certified psychiatrist,  
17 psychologist, advanced practice registered  
18 nurse who has a minimum of four thousand  
19 five hundred hours of post masters clinical  
20 experience in assessment, clinical  
21 diagnosis, and psychotherapy; and

1                   (iii) Supervision shall have included review of  
2                                   assessment, clinical diagnosis, and  
3                                   psychotherapy; and  
4                   (E) In collaboration with the supervisor, may elect  
5                                   to fulfill some or all of the supervision  
6                                   requirements set forth in subparagraph (C)  
7                                   through face-to-face supervision that is  
8                                   conducted electronically through a video  
9                                   conference service that is compliant with all  
10                                  federal and state privacy, security, and  
11                                  confidentiality laws, including the Health  
12                                  Insurance Portability and Accountability Act of  
13                                  1996. Prior to making such an election, it is  
14                                  incumbent upon the applicant to review the laws  
15                                  and rules of other jurisdictions to determine the  
16                                  impact, if any, that electronic supervision may  
17                                  have on license by endorsement in other states."

18                   SECTION 8. Section 467E-11, Hawaii Revised Statutes, is  
19 amended by amending subsection (c) to read as follows:

20                   "(c) Beginning with the renewal for the licensing  
21 triennium commencing on July 1, 2016, through June 30, 2019, and



1 prior to every triennial renewal thereafter, each licensee  
2 shall:

- 3 (1) Pay all required fees; and  
4 (2) Complete a minimum of forty-five credit hours of  
5 continuing education courses within the three-year  
6 period preceding the renewal date; provided that a  
7 minimum of three credit hours shall be in ethic  
8 courses~~[+]~~ and a minimum of two credit hours shall be  
9 in courses related to domestic violence."

10 SECTION 9. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 10. This Act shall take effect upon its approval.

13

INTRODUCED BY: \_\_\_\_\_



# S.B. NO. 1635

**Report Title:**

Licensure Requirement; Renewal; Continuing Education Requirement; Domestic Violence; Marriage and Family Therapists; Mental Health Counselors; Psychologists; Clinical Social Workers

**Description:**

Requires marriage and family therapists, mental health counselors, psychologists, and clinical social workers to complete courses related to domestic violence for licensure and renewals.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

