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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2743

01/31/2022 Authored by Becker-Finn; Edelson; Fischer; Hanson, J.; Lippert and others
The bill was read for the first time and referred to the Committee on Health Finance and Policy
03/28/2022 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

1.1 A bill for an act
1.2 relating to health occupations; modifying supervision requirements for marriage
1.3 and family therapists, licensed professional clinical counselors, and social workers;
1.4 amending Minnesota Statutes 2020, sections 148B.33, by adding a subdivision;
1.5 148E.100, subdivision 3; 148E.105, subdivision 3; 148E.106, subdivision 3;
1.6 148E.110, subdivision 7; Minnesota Statutes 2021 Supplement, section 148B.5301,
1.7 subdivision 2.

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. Minnesota Statutes 2020, section 148B.33, is amended by adding a subdivision
1.10 to read:

1.11 Subd. 1a. Supervision requirement; postgraduate experience. The board must allow
1.12 an applicant to satisfy the requirement for supervised postgraduate experience in marriage
1.13 and family therapy with all required hours of supervision provided through real-time,
1.14 two-way interactive audio and visual communication.

1.15 EFFECTIVE DATE. This section is effective the day following final enactment and
1.16 applies to supervision requirements in effect on or after that date.

1.17 Sec. 2. Minnesota Statutes 2021 Supplement, section 148B.5301, subdivision 2, is amended
1.18 to read:

1.19 Subd. 2. Supervision. (a) To qualify as a LPCC, an applicant must have completed
1.20 4,000 hours of post-master's degree supervised professional practice in the delivery of
1.21 clinical services in the diagnosis and treatment of mental illnesses and disorders in both
1.22 children and adults. The supervised practice shall be conducted according to the requirements
1.23 in paragraphs (b) to (e).

2.1 (b) The supervision must have been received under a contract that defines clinical practice
2.2 and supervision from a mental health professional who is qualified according to section
2.3 245I.04, subdivision 2, or by a board-approved supervisor, who has at least two years of
2.4 postlicensure experience in the delivery of clinical services in the diagnosis and treatment
2.5 of mental illnesses and disorders. All supervisors must meet the supervisor requirements in
2.6 Minnesota Rules, part 2150.5010.

2.7 (c) The supervision must be obtained at the rate of two hours of supervision per 40 hours
2.8 of professional practice. The supervision must be evenly distributed over the course of the
2.9 supervised professional practice. At least 75 percent of the required supervision hours must
2.10 be received in person or through real-time, two-way interactive audio and visual
2.11 communication, and the board must allow an applicant to satisfy this supervision requirement
2.12 with all required hours of supervision received through real-time, two-way interactive audio
2.13 and visual communication. The remaining 25 percent of the required hours may be received
2.14 by telephone or by audio or audiovisual electronic device. At least 50 percent of the required
2.15 hours of supervision must be received on an individual basis. The remaining 50 percent
2.16 may be received in a group setting.

2.17 (d) The supervised practice must include at least 1,800 hours of clinical client contact.

2.18 (e) The supervised practice must be clinical practice. Supervision includes the observation
2.19 by the supervisor of the successful application of professional counseling knowledge, skills,
2.20 and values in the differential diagnosis and treatment of psychosocial function, disability,
2.21 or impairment, including addictions and emotional, mental, and behavioral disorders.

2.22 **EFFECTIVE DATE.** This section is effective the day following final enactment and
2.23 applies to supervision requirements in effect on or after that date.

2.24 Sec. 3. Minnesota Statutes 2020, section 148E.100, subdivision 3, is amended to read:

2.25 Subd. 3. **Types of supervision.** Of the 100 hours of supervision required under
2.26 subdivision 1:

2.27 (1) 50 hours must be provided through one-on-one supervision, ~~including: (i) a minimum~~
2.28 ~~of 25 hours of in-person supervision, and (ii) no more than 25 hours of supervision.~~ The
2.29 supervision must be provided either in person or via eye-to-eye electronic media, while
2.30 maintaining visual contact. The board must allow a licensed social worker to satisfy the
2.31 supervision requirement of this clause with all required hours of supervision provided via
2.32 eye-to-eye electronic media, while maintaining visual contact; and

3.1 (2) 50 hours must be provided through: (i) one-on-one supervision, or (ii) group
3.2 supervision. The supervision may be in person, by telephone, or via eye-to-eye electronic
3.3 media, while maintaining visual contact. The supervision must not be provided by e-mail.
3.4 Group supervision is limited to six supervisees.

3.5 EFFECTIVE DATE. This section is effective the day following final enactment and
3.6 applies to supervision requirements in effect on or after that date.

3.7 Sec. 4. Minnesota Statutes 2020, section 148E.105, subdivision 3, is amended to read:

3.8 Subd. 3. **Types of supervision.** Of the 100 hours of supervision required under
3.9 subdivision 1:

3.10 (1) 50 hours must be provided ~~through~~ through one-on-one supervision, ~~including: (i) a~~
3.11 ~~minimum of 25 hours of in-person supervision, and (ii) no more than 25 hours of supervision.~~
3.12 The supervision must be provided either in person or via eye-to-eye electronic media, while
3.13 maintaining visual contact. The board must allow a licensed graduate social worker to satisfy
3.14 the supervision requirement of this clause with all required hours of supervision provided
3.15 via eye-to-eye electronic media, while maintaining visual contact; and

3.16 (2) 50 hours must be provided through: (i) one-on-one supervision, or (ii) group
3.17 supervision. The supervision may be in person, by telephone, or via eye-to-eye electronic
3.18 media, while maintaining visual contact. The supervision must not be provided by e-mail.
3.19 Group supervision is limited to six supervisees.

3.20 EFFECTIVE DATE. This section is effective the day following final enactment and
3.21 applies to supervision requirements in effect on or after that date.

3.22 Sec. 5. Minnesota Statutes 2020, section 148E.106, subdivision 3, is amended to read:

3.23 Subd. 3. **Types of supervision.** Of the 200 hours of supervision required under
3.24 subdivision 1:

3.25 (1) 100 hours must be provided through one-on-one supervision, ~~including: (i) a minimum~~
3.26 ~~of 50 hours of in-person supervision, and (ii) no more than 50 hours of supervision.~~ The
3.27 supervision must be provided either in person or via eye-to-eye electronic media, while
3.28 maintaining visual contact. The board must allow a licensed graduate social worker to satisfy
3.29 the supervision requirement of this clause with all required hours of supervision provided
3.30 via eye-to-eye electronic media, while maintaining visual contact; and

3.31 (2) 100 hours must be provided through: (i) one-on-one supervision, or (ii) group
3.32 supervision. The supervision may be in person, by telephone, or via eye-to-eye electronic

4.1 media, while maintaining visual contact. The supervision must not be provided by e-mail.
4.2 Group supervision is limited to six supervisees.

4.3 **EFFECTIVE DATE.** This section is effective the day following final enactment and
4.4 applies to supervision requirements in effect on or after that date.

4.5 Sec. 6. Minnesota Statutes 2020, section 148E.110, subdivision 7, is amended to read:

4.6 Subd. 7. **Supervision; clinical social work practice after licensure as licensed**
4.7 **independent social worker.** Of the 200 hours of supervision required under subdivision
4.8 5:

4.9 (1) 100 hours must be provided through one-on-one supervision, ~~including~~. The
4.10 supervision must be provided either in person or via eye-to-eye electronic media, while
4.11 maintaining visual contact. The board must allow a licensed independent social worker to
4.12 satisfy the supervision requirement of this clause with all required hours of supervision
4.13 provided via eye-to-eye electronic media, while maintaining visual contact; and

4.14 ~~(i) a minimum of 50 hours of in-person supervision; and~~

4.15 ~~(ii) no more than 50 hours of supervision via eye-to-eye electronic media, while~~
4.16 ~~maintaining visual contact; and~~

4.17 (2) 100 hours must be provided through:

4.18 (i) one-on-one supervision; or

4.19 (ii) group supervision.

4.20 The supervision may be in person, by telephone, or via eye-to-eye electronic media, while
4.21 maintaining visual contact. The supervision must not be provided by e-mail. Group
4.22 supervision is limited to six supervisees.

4.23 **EFFECTIVE DATE.** This section is effective the day following final enactment and
4.24 applies to supervision requirements in effect on or after that date.