

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/HB 1521 — Professional Counselors Licensure Compact

by Professions and Public Health Subcommittee and Rep. Koster (CS/CS/SB 358 by Appropriations Committee; Health Policy Committee; and Senator Rodriguez)

The bill authorizes Florida to participate in the Professional Counselors Licensure Compact (counseling compact or compact) for the licensure of mental health counselors. Under the compact, and after the compact has been adopted by at least 10 member states, a Florida-licensed mental health professional is eligible to provide services to out-of-state patients either in person or through telehealth. It also allows out-of-state mental health professionals, who are licensed by member states, to provide services to Florida patients in person or through telehealth.

The bill also:

- Requires the Department of Health (DOH) to report any significant investigatory information relating to a health care practitioner practicing under the compact to the compact's licensure data system.
- Requires Florida-licensed counselors practicing under the compact to withdraw from all practice under the compact if the professional counselor is in an impaired practitioner program.
- Requires the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling (Board) to appoint an individual to serve as Florida's delegate on the Counseling Compact Commission (Commission).
- Exempts out-of-state licensed clinical social workers, marriage and family therapists, and mental health counselors who practice under the compact from licensure requirements in this state.
- Authorizes the Board to take adverse action against a mental health counselor's privilege to practice under the compact and authorizes the Board to impose grounds for discipline.
- Designates the state delegate and other members or employees of the Commission as state agents for the purpose of applying waivers of sovereign immunity.
- Requires the Commission to pay any claims or judgments up to the statutorily-waived amount of sovereign immunity and authorizes the Commission to maintain insurance coverage to pay any such claims or judgments.
- Requires the DOH to notify the Division of Law Review upon enactment of the compact into law by 10 states.

If approved by the Governor, these provisions take effect upon enactment of the Professional Counselors Licensure Compact into law by 10 states.

Vote: Senate 38-0; House 115-0