

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

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BILL #: [HB 361](#)

TITLE: Mental Health Professionals

SPONSOR(S): Brackett, Nix

COMPANION BILL: [SB 122](#) (Burgess)

LINKED BILLS: None

RELATED BILLS: [SB 122](#) (Burgess)

Committee References

[Health Professions & Programs](#)

17 Y, 0 N



[Industries & Professional
Activities](#)



[Health & Human Services](#)

SUMMARY

Effect of the Bill:

HB 361 revises the title of “registered intern” to “registered associate” for post-master’s licensure candidates for clinical social workers, marriage and family therapists, and mental health counselors. For interns who are providing services while currently enrolled as students in a course of study leading to a degree relevant to the professions of clinical social work, marriage and family therapy, and mental health counseling, the bill changes their title from “student intern,” to “student associate.”

The bill also removes the requirement that a licensed mental health professional be present on the premises when registered interns provide clinical services in a private practice setting.

Fiscal or Economic Impact:

The bill has an indeterminant, negative fiscal impact on the Department of Health (DOH) which can be absorbed within existing resources.

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ANALYSIS

EFFECT OF THE BILL:

Mental Health Professions

Mental Health Professional Intern Registration

Before the Department of Health (DOH) licenses clinical social workers, marriage and family therapists, and mental health counselors, the prospective licensee, in addition to other prerequisites, must complete at least 1,500 hours of supervised clinical experience. Prospective licensees must register as an “intern” with DOH to receive credit for his or her supervised clinical experience.

HB 361 changes the title under which a post-master’s licensure candidate for clinical social work, marriage and family therapy, and mental health counseling practices for the two years of required supervised clinical practice before the candidate is eligible for full licensure.

The bill revises the titles of the following practitioners as described: (Section [1](#)).

- “Registered clinical social worker *intern*” becomes “registered *associate* clinical social worker;”
- “Registered marriage and family therapist intern” becomes “registered associate marriage and family therapist;” and
- “Registered mental health counselor intern” becomes “Registered associate mental health counselor.”

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DATE: 4/10/2025

The bill makes conforming changes to other statutory references to this class of practitioner. (Sections [4](#), [5](#), [6](#), and [7](#)).

The bill revises the title for interns who are providing services while currently enrolled as students in a course of study leading to a degree relevant to the professions of clinical social work, marriage and family therapy, and mental health counseling. For students providing services and exempt from licensure under [s. 491.014, F.S.](#), the bill changes their title from “student intern,” to “student associate.” (Section [2](#)).

Current law requires a licensed mental health professional be on the premises when a registered intern is providing clinical services in a private practice setting.¹ There is not a comparable requirement for registered interns providing clinical services at a public facility.² The bill also eliminates the statutory requirement that a fully licensed mental health professional be on the premises when clinical services are provided by a registered intern³ in a private practice setting. (Section [3](#)).

The bill provides an effective date of July 1, 2025. (Section [8](#)).

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill has an indeterminant, negative fiscal impact on DOH which can be absorbed within existing resources.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Mental Health Professions

Florida licenses three distinct mental health professions: marriage and family therapists, clinical social workers, and mental health counselors.⁴ All three of these professions are overseen by the Board of Social Work, Marriage and Family Therapy, and Mental Health Counseling within the Department of Health (DOH).

Marriage and Family Therapists

The practice of marriage and family therapy incorporates psychotherapy, hypnotherapy, sex therapy, counseling, behavior modification, consultation, client-centered advocacy, crisis intervention, and the provision of needed information and education to clients.⁵

To qualify for licensure as a marriage and family therapist, an applicant must:⁶

- Possess a master’s degree from a program accredited by either:
 - The Commission on Accreditation for Marriage and Family Therapy Education;

¹ S. [491.005\(1\)\(c\), F.S.](#), [s. 491.005\(3\)\(c\), F.S.](#) and s. [491.005\(4\)\(c\), F.S.](#)

² Public facilities include county health departments, social services agencies (such as the Department of Children & Families or the Department of Elder Affairs), or public hospitals. These entities may have their own policies regarding the on-site supervision of practitioners who are not fully licensed, but it is not expressly required by statute. For more information on where mental health professionals are employed, see U.S. Bureau of Labor Statistics, Occupational Employment and Wage Statistics (2022). Available at <https://www.bls.gov/oes/current/oes211019.htm> (last visited January 17, 2024).

³ “Registered associate,” under the bill.

⁴ Ch. 491, F.S.

⁵ S. [491.003\(9\), F.S.](#)

⁶ S. [491.005\(3\), F.S.](#) An individual may qualify for a dual license in marriage and family therapy if he or she passes an examination in marriage and family therapy and has held an active license for at least three years as a psychologist, clinical social worker, mental health counselor, or advanced registered nurse practitioner who is determined by the Board of Nursing to be a specialist in psychiatric mental health ([s. 491.0057, F.S.](#))

- The Council on Accreditation of Counseling and Related Educational Programs (CACREP) with coursework with an emphasis in marriage and family therapy and approved by the board; or
- For master's degrees conferred before September 1, 2027, programs may be institutionally accredited with graduate courses approved by the board.
- Pass a board-approved examination;⁷ and
- Demonstrate knowledge of laws and rules governing the practice.⁸

DOH may also issue a dual license in marriage and family therapy to anyone who meets the following requirements:⁹

- Holds a valid, active license as a psychologist,¹⁰ a clinical social worker or mental health counselor,¹¹ or is a licensed advanced practice registered nurse with a specialty in psychiatric nursing;¹²
- Has held a valid, active license for at least three years; and
- Has passed the examination required for licensure as a marriage and family therapist.

There are approximately 3,289 marriage and family therapists with active licenses to practice in Florida.¹³

Mental Health Counselors

A mental health counselor is an individual who uses scientific and applied behavioral science theories, methods, and techniques to describe, prevent, and treat undesired behavior and enhance mental health and human development and is based on research and theory in personality, family, group, and organizational dynamics and development, career planning, cultural diversity, human growth and development, human sexuality, normal and abnormal behavior, psychopathology, psychotherapy, and rehabilitation.¹⁴

To qualify for licensure as a mental health counselor, an applicant must:¹⁵

- Possess a master's degree from a mental health counseling program accredited by CACREP, or a program related to the practice of mental health counseling that meets specific coursework and experiential learning requirements;
- Pass a board-approved examination;¹⁶ and
- Demonstrate knowledge of laws and rules governing the practice.¹⁷

There are approximately 18,116 licensed mental health counselors with active licenses to practice in Florida.¹⁸

Clinical Social Workers

⁷ Rule 64B4-3.003, F.A.C., establishes the examination developed by the Examination Advisory Committee of the Association of Marital and Family Therapy Regulatory Board as the approved exam.

⁸ Rule 64B4-3.0035, F.A.C., requires licensure applicants complete a course on the laws and rules of Florida as they pertain to the relevant profession. The course must include a testing mechanism on which the applicant must obtain a passing score of at least 80 percent.

⁹ [s. 491.0057, F.S.](#)

¹⁰ Psychologists are licensed under ch. 490, F.S.

¹¹ Clinical social workers and mental health counselors are licensed under ch. 491, F.S.

¹² Advanced practice registered nurses are licensed under [s. 464.012, F.S.](#)

¹³ Department of Health, *Division of Medical Quality Assurance Annual Report and Long Range Plan for Fiscal Year 2023-24*, <https://www.floridahealth.gov/licensing-and-regulation/reports-and-publications/2024.10.28.FY23-24AR-FINAL.pdf> (last visited Apr. 4, 2025). The number of those with active DOH licenses who are located in-state is 2,790, out-of-state is 498, and in military is 1.

¹⁴ [S. 491.003\(6\), F.S.](#), [S. 491.003\(9\), F.S.](#)

¹⁵ [S. 491.005\(4\), F.S.](#)

¹⁶ Rule 64B4-3.003, F.A.C., establishes the National Clinical Mental Health Counseling Examination (NCMHCE) developed by the National Board for Certified Counselors (NBCC) as the approved exam.

¹⁷ *Supra*, note 8.

¹⁸ *Supra*, note 11. The number of those with active DOH licenses who are located in-state is 16,174, out-of-state is 1,929, and in military is 13.

The practice of clinical social work is the use of scientific and applied knowledge, theories, and methods for the purpose of describing, preventing, evaluating, and treating individual, couple, marital, family, or group behavior, based on the person-in-situation perspective of psychosocial development, normal and abnormal behavior, psychopathology, unconscious motivation, interpersonal relationships, environmental stress, differential assessment, differential planning, and data gathering.¹⁹

To qualify for licensure as a clinical social worker, an applicant must:

- Possess a master's degree in social work from an institution which, at the time the applicant graduated, was:
 - Accredited by the Council on Social Work Education;
 - Accredited by the Canadian Association for Social Work Education;
 - Has been determined to have been a program equivalent to programs approved by the Council on Social Work Education by the Foreign Equivalency Determination Service of the Council on Social Work Education; or
 - Otherwise met coursework requirements outlined in statute.
- Pass a board-approved examination;²⁰ and
- Demonstrate knowledge of laws and rules governing the practice.²¹

There are approximately 16,718 clinical social workers with active licenses to practice in Florida.²²

Mental Health Professional Intern Registration

In addition to the requirements described above, an individual seeking licensure as a clinical social worker, marriage and family therapist, or mental health counselor must register with DOH as an intern and complete at least two years of post-graduate or post-master's clinical practice supervised by a licensed practitioner before they are eligible for full licensure.²³ The supervised clinical experience may be met by providing at least 1,500 hours of face-to-face psychotherapy with clients, which may not be accrued in fewer than 100 weeks.²⁴

To become a registered intern, an applicant must:²⁵

- Submit a completed application form and the nonrefundable fee to DOH;
- Complete education requirements necessary for licensure in the relevant profession;
- Submit an acceptable supervision plan for meeting the practicum, internship, or field work required for licensure that was not satisfied by graduate studies; and
- Identify a qualified supervisor.

An intern registration expires 60 months after the date of issue and may only be renewed if the candidate has passed the theory and practice examination required for full licensure.²⁶

There are approximately 11,379 registered interns in the state: 5,125 Registered Clinical Social Worker Interns, 741 Registered Marriage and Family Therapy Interns, and 5,513 Registered Mental Health Counselor Interns.²⁷

¹⁹ S. [491.003\(8\), F.S.](#)

²⁰ Rule 64B4-3.003, F.A.C., establishes the Clinical Level objective multiple choice examination developed by the Association of Social Work Boards (ASWB) as the approved exam.

²¹ *Supra*, note 8.

²² *Supra*, note 11. The number of those with active DOH licenses who are located in-state is 13,916, out-of-state is 2,743, and in military is 19.

²³ S. 491.005, F.S., S. [491.0045, F.S.](#)

²⁴ Rule 64B4-2.001, F.A.C.; The 1,500 hours of face-to-face psychotherapy with clients are not required to be directly supervised. The requirement for "supervision" may be met through at least 1 hour of face-to-face contact with the supervisor every two weeks wherein the supervision focuses on the raw data from the intern's face-to-face psychotherapy with clients.

²⁵ S. [491.0045\(2\), F.S.](#)

²⁶ S. [491.0045\(6\), F.S.](#)

²⁷ *Supra*, note 11.

Current law requires a licensed mental health professional be on the premises when a registered intern is providing clinical services in a private practice setting.²⁸ There is not a comparable requirement for registered interns providing clinical services at a public facility.²⁹

RECENT LEGISLATION:

YEAR	BILL #	HOUSE SPONSOR(S)	SENATE SPONSOR	OTHER INFORMATION
2022	CS/SB 566	Koster	Gruters	Became law on April 6, 2022.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Health Professions & Programs Subcommittee	17 Y, 0 N	4/10/2025	McElroy	DesRochers
Industries & Professional Activities Subcommittee				
Health & Human Services Committee				

²⁸ S. [491.005\(1\)\(c\), F.S.](#), [s. 491.005\(3\)\(c\), F.S.](#) and [s. 491.005\(4\)\(c\), F.S.](#)

²⁹ Public facilities include county health departments, social services agencies (such as the Department of Children & Families or the Department of Elder Affairs), or public hospitals. These entities may have their own policies regarding the on-site supervision of practitioners who are not fully licensed, but it is not expressly required by statute. For more information on where mental health professionals are employed, see U.S. Bureau of Labor Statistics, Occupational Employment and Wage Statistics (2022). Available at <https://www.bls.gov/oes/current/oes211019.htm> (last visited January 17, 2024).