

## HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 671 (HF494/HF 90)	House State Gov:	<b>PASSED</b> Feb. 23 (22-0)
Committee:	State Government/Ways & Means	House Ways & Means:	<b>PASSED</b> March 16 (24-0)
Floor Manager:	Rep. Sexton	House Floor:	<b>PASSED</b> April 11 (98-0)
Date:	May 11, 2023	Senate Floor:	<b>PASSED</b> April 24 (49-0)
Staff:	Jason Covey (1-3626)	Governor:	

### Professional Counselors Licensure Compact

- This bill is a licensure compact for professional counselors to practice in their home state or a member state of the compact.
- Nothing in the compact shall affect the requirements of a member state for the issuance of a license.
- Licensees participating outside of their home state in member states shall follow the laws and rules of that state. Member states have authority to take adverse action against a licensee in that state.
- Currently, 17 states are members of the compact. Nebraska is the only neighboring state but Minnesota, Illinois, and Missouri have legislation pending.

### Section by Section Analysis

#### Section 1 – Professional counselors licensure compact (Iowa Code 17G.1)

To participate in the compact a state must do the following:

- License and regulate licensed professional counselors
- Require a licensee to pass a nationally recognized exam approved by the Counseling Compact Commission
- Require a licensee to have a sixty semester-hour master’s degree in counseling or 90 quarter-hours of graduate course work in relevant topics.
- Require a licensee to complete supervised postgraduate professional experience
- Have a mechanism for receiving and investigating complaints about licensees

Participating states shall fully participate in the commission’s data system, notify the commission of any adverse action or investigation information regarding a licensee, submit applicants’ criminal history record information, comply with the commission’s rules.

An applicant must obtain and retain a license in the home state and meet the home state’s qualifications for licensure. Nothing in the compact shall affect the requirements established by a member state for a single state license.

Licensees shall hold a license in the home state, notify the commission they are seeking the privilege to practice within a remote state and meet the requirements to practice in a remote state and adhere to the laws and regulations of that state. Member states shall recognize the right of a licensed professional counselor to practice in any member states via telehealth.

Remote states have the authority to take adverse action against a licensee within that member state and issue subpoenas for hearings and investigations. However, only the home state shall have the power to take adverse action against a licensee in the home state.

The compact members states create an establish the Counseling Compact Commission. Each state shall have one delegate selected by the member state's licensing board to vote on rules and bylaws of the commission. The commission shall meet at least once a year. All meetings shall be open to the public and publicly noticed.

The executive, legislative, and judicial branches of each member state's government shall enforce the compact. The compact shall be severable and if any phrase, clause, sentence, or provision of the compact is declared to be contrary to any constitution of any member state or the United States Constitution, the validity of the remainder of the compact shall remain unaffected.