

HOUSE BILL NO. HB0004

Mental health professions practice act-amendments.

Sponsored by: Joint Labor, Health & Social Services Interim
Committee

A BILL

for

1 AN ACT relating to the mental health professions practice
2 act; providing for criminal background checks as specified;
3 providing standards for certification as a certified mental
4 health worker and defining scope of practice; amending
5 reciprocity allowances; repealing obsolete provisions; and
6 providing for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 7-19-106(a) by creating a new
11 paragraph (xxxiv), 7-19-201(a) by creating a new paragraph
12 (xxx), 33-38-102(a)(xii) and by creating a new paragraph
13 (xvii), 33-38-105 by creating a new subsection (j),
14 33-38-106 by creating a new subsection (q) and 33-38-108(b)
15 and by creating a new subsection (d) are amended to read:

1

2 7-19-106. Access to, and dissemination of,
3 information.

4

5 (a) Criminal history record information shall be
6 disseminated by criminal justice agencies in this state,
7 whether directly or through any intermediary, only to:

8

9 (xxxiv) The mental health professions licensing
10 board for purposes of obtaining background information on
11 applicants for licensure or certification by the board.

12

13 7-19-201. State or national criminal history record
14 information.

15

16 (a) The following persons shall be required to submit
17 to fingerprinting in order to obtain state and national
18 criminal history record information:

19

20 (xxx) All persons applying for licensure or
21 certification to the mental health professions licensing
22 board under title 33, chapter 38 of the Wyoming statutes.

23

1 **33-38-102. Definitions.**

2

3 (a) As used in this act:

4

5 (xii) Certified mental health worker (CMHW)
6 means a person certified under this act to perform ~~mental~~
7 ~~health procedures~~ the application of human services or
8 psychological theory and methods to the assessment,
9 treatment or prevention of psychosocial dysfunction,
10 disability or impairment, including emotional or mental
11 disorders, under the supervision of a qualified clinical
12 supervisor licensed in the state of Wyoming. The practice
13 of a CMHW shall not include assigning a diagnosis or acting
14 as a primary treatment provider;

15

16 (xvii) "Human behavioral discipline" refers to a
17 degree in addictionology, chemical dependency, substance
18 use disorder, counseling, psychology, social work,
19 sociology or a related field.

20

21 **33-38-105. Powers and duties of the board; rules;**
22 **meetings; fees.**

23

1 (j) The board shall request criminal history
2 background information as authorized under W.S.
3 7-19-106(a)(xxxiv) on license and certificate applicants
4 for:

5
6 (i) All initial applicants; and

7
8 (ii) All renewal applicants once every four (4)
9 years.

10
11 **33-38-106. Requirements for licensure and**
12 **certification.**

13
14 (q) Certification under this subsection shall allow
15 practice as a certified mental health worker only under
16 the supervision of a qualified clinical supervisor and
17 subject to any other restrictions which may be specified by
18 the board. The board shall grant certification as a
19 certified mental health worker to any applicant who files
20 an application upon a form and in the manner prescribed by
21 the board, accompanied by the appropriate fee and who
22 furnishes satisfactory evidence to the board of the
23 following:

1

2 (i) The applicant has reached the age of
3 majority;

4

5 (ii) The applicant has no felony convictions and
6 no misdemeanor convictions that relate adversely to the
7 practice of clinical mental health work or to the ability
8 to practice clinical mental health work, although
9 exceptions to this requirement may be granted by the board
10 if consistent with the public interest;

11

12 (iii) The applicant has received a baccalaureate
13 degree in a human behavioral discipline from an accredited
14 program and institution of higher education, which is
15 professional in content and which meets the academic and
16 training content standards established by the board.
17 The board shall use the professional training and
18 experience standards of the appropriate professional
19 associations as established by the rules and regulations;

20

21 (iv) The applicant has demonstrated knowledge in
22 the field of mental health work in general by passing a
23 standard examination which may be written or situational,

1 as the board prescribes. The board may develop, adopt and
2 administer appropriate examinations. The board shall
3 establish specific provisions for examination of applicants
4 for certification in the specific discipline at reasonable
5 times and places at least twice each year;

6
7 (v) Unless extended, the applicant has six (6)
8 months from the date of employment to become certified. The
9 board may, for good cause shown, grant an extension of this
10 grace period.

11
12 **33-38-108. Reciprocity.**

13
14 (b) Any individual holding a certification in good
15 standing to engage in the practice of social work, ~~or~~
16 addictions therapy or mental health work under the laws of
17 another state having certification requirements
18 substantially similar to those required by this act may,
19 upon approval of the board, be issued certification to
20 practice in this state.

21
22 (d) For good cause shown the board shall issue a
23 license or certification to practice in this state to an

1 individual seeking reciprocity as a social worker,
2 addictions practitioner, addictions practitioner assistant
3 or mental health worker who does not otherwise meet the
4 reciprocity requirements under subsection (a) or (b) of
5 this section.

6

7 **Section 2.** W.S. 33-38-106(e) through (m) is repealed.

8

9 **Section 3.** This act is effective July 1, 2021.

10

11

(END)