



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 1124 (as introduced 6-30-22)
Sponsor: Senator Douglas C. Wozniak
Committee: Health Policy and Human Services

Date Completed: 9-19-22

CONTENT

The bill would amend Article 15 (Occupations) of the Public Health Code to modify references to a limited licensed counselor to refer, instead, to a limited licensed *professional* counselor.

Limited Licensed Professional Counselors

Generally, Part 181 (Counseling) of the Code prescribes requirements for the issuance of professional counselor licenses. Part 181 also allows the Michigan Board of Counseling to issue a limited license to an individual who meets prescribed criteria, and prescribes the scope of practice for a limited licensed counselor. "Limited licensed counselor" means an individual who has been granted a limited license under Article 15 to engage in the practice of counseling under the supervision of a licensed professional counselor who meets the requirements of Section 18106.

The bill would refer to a limited licensed *professional* counselor throughout Part 181. Also, the definition of a "limited licensed counselor" also would apply to a "limited licensed professional counselor".

Title Protection

Under the bill, the following words, titles, or letters or combination of them, with or without qualifying words or phrases, would be restricted in use to only those individuals authorized to use the terms and in a way prescribed by Part 181: "limited licensed professional counselor" and "l.l.p.c.".

Child Abuse or Neglect Investigations; Release of Records

Under Section 16281 of the Code, if there is a compelling need for records or information to determine whether child abuse or child neglect has occurred or to take action to protect a child where there may be a substantial risk of harm, a DHHS caseworker or administrator directly involved in the child abuse or neglect investigation must notify a licensee or registrant that an investigation has been initiated regarding a child who has received services from the licensee or registrant and must request in writing the child's medical records and information that are pertinent to that investigation. After receiving the notification and request, the licensee or registrant must review all of the child's medical records and information in the licensee's or registrant's possession to determine if there are medical records or information that is pertinent to that investigation. Within 14 days after receiving a request, the licensee

or registrant must release those pertinent medical records and information to the caseworker or administrator directly involved in the child abuse or neglect investigation.

The following privileges do not apply to medical records or information released or made available under Section 16281:

- The physician-patient privilege.
- The dentist-patient privilege.
- The licensed professional counselor-client and limited licensed counselor-client privilege.
- The psychologist-patient privilege.
- Any other health professional-patient privilege created or recognized by law.

The bill would refer to the limited licensed *professional* counselor-client privilege.

MCL 333.16281 et al.

Legislative Analyst: Stephen P. Jackson

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco, Jr.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.