

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 522 – State Board of Professional Counselors and Therapists.

House Bill 522 authorizes the Board of Professional Counselors and Therapists ("Board") to adopt regulations that authorize a "licensed graduate marriage and family therapist" and a "licensed graduate professional counselor" to practice marriage and family therapy or professional counseling if the individual: (1) is of good moral character; and (2) is at least 18 years old. An individual is able to practice as a "licensed graduate marriage and family therapist" or a "licensed graduate professional counselor" without licensure for a limited period of time if the individual: (1) has passed a national examination approved by the Board; (2) is working under the supervision of a licensed practitioner; (3) is fulfilling experiential requirements for licensure; and (4) has a master's or doctoral degree in a professional counseling or marriage and family field that meets specified educational requirements. An individual who has been approved by the Board may represent to the public that the individual is approved to practice and may use the initials "L.G.P.C." or "L.G.M.F.T."

In general, an individual may not practice in a health care profession unless the individual has been issued a license to practice by the respective professional board. The issuance of a license indicates to the general public that the licensee has met certain regulatory requirements. In exchange for being issued a license to practice, the licensee is required to abide by the rules and regulations of the board and is subject to disciplinary actions for violations of the law.

As passed, House Bill 522 allows an individual to use the term "licensed graduate marriage and family therapist" and "licensed graduate professional counselor," as well as the corresponding initials without having to go through the actual licensure process. Most troubling to me is the fact that it does not appear that the Board is authorized to take action against an individual who has been approved by the Board to practice as a "licensed graduate marriage and family therapist" or "licensed graduate professional counselor" but who violates the Maryland Professional Counselors and Therapists Act. Rather, the Board is only authorized to take action against an individual who practices as a "licensed graduate marriage and family therapist" or as a "licensed professional counselor" without first obtaining Board approval to practice. Consequently, I am concerned that the use of the term "licensed" is misleading to the public and will cause the public to believe that these individuals are subject to the rules and regulations of the Board when, in fact, they are not.

While I do not support the use of the term "licensed" in the context of House Bill 522, I have supported similar legislation. For example, in 2000, I signed legislation to authorize the State Board of Social Work Examiners to issue a license to practice graduate social work to an individual who has received a master's degree and is working under the supervision of certain licensed individuals. This legislation clearly stipulated that a license includes a license issued by the State Board of Social Work Examiners to practice graduate social work. As such, a "licensed graduate social worker" is subject to all the rules and regulations bestowed on individuals who have been granted a license to practice certified social work or certified social work-clinical. In addition, House Bill 731, which I signed earlier this year, creates a