



SENATOR DENNIS G. RODRIGUEZ, JR.

APR 21 2016

Honorable Judith T. Won Pat, Ed.D.

Speaker

I Mina'Trentai Tres Na Liheslaturan Guåhan

155 Hesler Place  
Hagåtña, Guam 96910

*Rory J. Respicio*

VIA: The Honorable Rory J. Respicio  
Chairperson, Committee on Rules

RE: Committee Report – Bill No. 190-33(COR), as Substituted

Dear Speaker Won Pat:

Transmitted herewith, for your consideration, is the Committee Report on Bill 190-33(COR), as Substituted- AN ACT TO AMEND SECTION 9(c) OF PUBLIC LAW 32-054, RELATIVE TO REQUIRING THAT THE NATIONAL CLINICAL MENTAL HEALTH COUNSELOR EXAM IS THE SOLE REQUISITE EXAM FOR LICENSURE FOR LICENSED MENTAL HEALTH COUNSELOR; AND TO AMEND SECTIONS 1, 2, 9 AND 16 OF P.L. 32-054 FOR PURPOSES OF ESTABLISHING A LICENSED INTERN DESIGNATION DURING THE THREE THOUSAND (3,000) HOUR POST-GRADUATE CLINICAL EXPERIENCE PERIOD REQUIRED FOR MENTAL HEALTH PROFESSIONAL LICENSURE; AND AMENDING SECTIONS 14 AND 21 OF P.L. 32-054 TO PROVIDE FOR AN EIGHTEEN (18) MONTH LIMITATION ON GRANDFATHER PROVISION.; Sponsored by Senator Dennis G. Rodriguez, Jr., and referred to the Committee on Health, Economic Development, Homeland Security and Senior Citizens. Bill No. 190-33(COR) was publicly heard on December 10, 2015.

Committee votes are as follows:

- 3 TO PASS
- \_\_\_ NOT TO PASS
- \_\_\_ ABSTAIN
- 6 TO REPORT OUT ONLY
- \_\_\_ TO PLACE IN INACTIVE FILE

2016 APR 21 11:52 AM  
*DRR*

Senseramente,

Senator Dennis G. Rodriguez, Jr.

Attachments



SENATOR DENNIS G. RODRIGUEZ, JR.

## COMMITTEE REPORT ON

### BILL NO. 190-33 (COR), As Substituted

Sponsored by Senator Dennis G. Rodriguez, Jr.

**“AN ACT TO AMEND SECTION 9(c) OF PUBLIC LAW 32-054, RELATIVE TO REQUIRING THAT THE NATIONAL CLINICAL MENTAL HEALTH COUNSELOR EXAM IS THE SOLE REQUISITE EXAM FOR LICENSURE FOR LICENSED MENTAL HEALTH COUNSELOR; AND TO AMEND SECTIONS 1, 2, 9 AND 16 OF P.L. 32-054 FOR PURPOSES OF ESTABLISHING A LICENSED INTERN DESIGNATION DURING THE THREE THOUSAND (3,000) HOUR POST-GRADUATE CLINICAL EXPERIENCE PERIOD REQUIRED FOR MENTAL HEALTH PROFESSIONAL LICENSURE; AND AMENDING SECTIONS 14 AND 21 OF P.L. 32-054 TO PROVIDE FOR AN EIGHTEEN (18) MONTH LIMITATION ON GRANDFATHER PROVISION.”**




**SENATOR DENNIS G. RODRIGUEZ, JR.**

April 19, 2016

MEMORANDUM

**To: ALL MEMBERS**  
Committee on Health, Economic Development, Homeland Security and Senior Citizens

**From: Senator Dennis G. Rodriguez, Jr.**   
Committee Chairperson

**Subject: Committee Report on Bill no. 190-33(COR), as Substituted**

Transmitted herewith, for your consideration, is the **Committee Report on Bill 190-33(COR)- AN ACT TO AMEND SECTION 9(c) OF PUBLIC LAW 32-054, RELATIVE TO REQUIRING THAT THE NATIONAL CLINICAL MENTAL HEALTH COUNSELOR EXAM IS THE SOLE REQUISITE EXAM FOR LICENSURE FOR LICENSED MENTAL HEALTH COUNSELOR; AND TO AMEND SECTIONS 1, 2, 9 AND 16 OF P.L. 32-054 FOR PURPOSES OF ESTABLISHING A LICENSED INTERN DESIGNATION DURING THE THREE THOUSAND (3,000) HOUR POST-GRADUATE CLINICAL EXPERIENCE PERIOD REQUIRED FOR MENTAL HEALTH PROFESSIONAL LICENSURE; AND AMENDING SECTIONS 14 AND 21 OF P.L. 32-054 TO PROVIDE FOR AN EIGHTEEN (18) MONTH LIMITATION ON GRANDFATHER PROVISION.;** Sponsored by Senator Dennis G. Rodriguez, Jr.

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative/Digest
- Copy of Bill No. 190-33(COR)
- Copy of Bill 190-33 (COR) As substituted
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony and Supporting Documents
- Copy of Fiscal Note Requirement
- Copy of COR Referral of Bill No. 190-33(COR)
- Notices of Public Hearing (1<sup>st</sup> and 2<sup>nd</sup>)
- Copy of the Public Hearing Agenda
- Related News Articles (Public hearing publication of public notice)

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

*Si Yu'os Ma'ãse'!*



SENATOR DENNIS G. RODRIGUEZ, JR.

COMMITTEE VOTING SHEET

Bill 190-33(COR), as Substituted- AN ACT TO AMEND SECTION 9(c) OF PUBLIC LAW 32-054, RELATIVE TO REQUIRING THAT THE NATIONAL CLINICAL MENTAL HEALTH COUNSELOR EXAM IS THE SOLE REQUISITE EXAM FOR LICENSURE FOR LICENSED MENTAL HEALTH COUNSELOR; AND TO AMEND SECTIONS 1, 2, 9 AND 16 OF P.L. 32-054 FOR PURPOSES OF ESTABLISHING A LICENSED INTERN DESIGNATION DURING THE THREE THOUSAND (3,000) HOUR POST-GRADUATE CLINICAL EXPERIENCE PERIOD REQUIRED FOR MENTAL HEALTH PROFESSIONAL LICENSURE; AND AMENDING SECTIONS 14 AND 21 OF P.L. 32-054 TO PROVIDE FOR AN EIGHTEEN (18) MONTH LIMITATION ON GRANDFATHER PROVISION.;  
Sponsored by Senator Dennis G. Rodriguez, Jr.

	SIGNATURE	TO PASS	NOT TO PASS	ABSTAIN	REPORT OUT ONLY	PLACE IN INACTIVE FILE
DENNIS G. RODRIGUEZ, Jr. Chairman		✓ 4/21				
V. ANTHONY ADA Vice Chairman		✓ 4/21				
BENJAMIN J.F. CRUZ					✓	
RORY J. RESPICIO		m 4.21.16				
TINA ROSE MUNA-BARNES						
THOMAS C. ADA					✓	
FRANK B. AGUON, Jr. 4/21/16					✓	
NERISSA B. UNDERWOOD					✓	
THOMAS A. MORRISON					✓	
FRANK F. BLAS, Jr.					✓	
BRANT T. MCCREADIE						



SENATOR DENNIS G. RODRIGUEZ, JR.

COMMITTEE REPORT DIGEST

Bill No. 190-33 (COR)

- I. **OVERVIEW:** The Committee on Health, Economic Development, Homeland Security and Senior Citizens conducted a public hearing on December 10, 2015. The hearing convened at 1:30pm in I Liheslatura's Public Hearing Room. Among the items on the agenda was the consideration of Bill 190-33(COR) - AN ACT TO AMEND SECTION 9(c) OF PUBLIC LAW 32-054, RELATIVE TO REQUIRING THAT THE NATIONAL CLINICAL MENTAL HEALTH COUNSELOR EXAM IS THE SOLE REQUISITE EXAM FOR LICENSURE FOR LICENSED MENTAL HEALTH COUNSELOR; AND TO AMEND SECTIONS 1, 2, 8, 9 AND 16 OF P.L. 32-054 FOR PURPOSES OF ESTABLISHING A LICENSED INTERN DESIGNATION DURING THE THREE THOUSAND (3,000) HOUR POST-GRADUATE CLINICAL EXPERIENCE PERIOD REQUIRED FOR MENTAL HEALTH PROFESSIONAL LICENSURE.; Sponsored by Senator Dennis G. Rodriguez, Jr.

Public Notice Requirements

Notices were disseminated via hand-delivery/fax and/or email to all senators and all main media broad casting outlets on December 2, 2015 (5-day notice), and again on December 4, 2015 (48-hour notice).

Senators Present

Senator Dennis G. Rodriguez, Jr., Chairman

The public hearing on agenda item Bill No. 48-33(COR) was called to order at 1:30pm.

II. SUMMARY OF TESTIMONY & DISCUSSION.

**Senator Dennis G. Rodriguez, Jr.: (Bill Title Read).**

**Mr. Wayne Butler:** Thank you Senator and thank you for you and your staff for working together with us on this Bill. Reading through this we found some minor difficulties, just really minor things we are in support of the bill. I do have written testimony and I'll go ahead and read that, please bear with me. (Read Written Testimony).

Thank you very much again I appreciate for you and your staffs work with us on this matter.

**Senator Dennis G. Rodriguez, Jr.:** Thank you very much Wayne. Yes we've been working actively with the group and so we'll take all of this into consideration and ensure that it's included in the final version that's reported out of committee. Thank you very much Wayne.



**SENATOR DENNIS G. RODRIGUEZ, JR.**

**Fiscal Note:** Fiscal note waiver, dated October 29, 2015 (attached).

**III. FINDINGS AND RECOMMENDATIONS**

The Committee on Health, Economic Development, Homeland Security and Senior Citizens, hereby **reports out Bill No. 190-33(COR), as Substituted** with the recommendation to To Report Out Only.

**MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN**  
**2015 (FIRST) Regular Session**

Bill No. 190 -33 (COR)

Introduced by:

D.G. RODRIGUEZ, JR. 

**AN ACT TO AMEND SECTION 9(c) OF PUBLIC LAW 32-054, RELATIVE TO REQUIRING THAT THE NATIONAL CLINICAL MENTAL HEALTH COUNSELOR EXAM IS THE SOLE REQUISITE EXAM FOR LICENSURE FOR LICENSED MENTAL HEALTH COUNSELOR; AND TO AMEND SECTIONS 1, 2, 8, 9 AND 16 OF P.L. 32-054 FOR PURPOSES OF ESTABLISHING A LICENSED INTERN DESIGNATION DURING THE THREE THOUSAND (3,000) HOUR POST-GRADUATE CLINICAL EXPERIENCE PERIOD REQUIRED FOR MENTAL HEALTH PROFESSIONAL LICENSURE.**

2015 OCT 19 PM 2:54 

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Finding and Intent.** *I Liheslaturan Guåhan* finds  
3 that the requisite examination for licensure as a Licensed Mental Health Counselor  
4 (LMHC) may be appropriately accomplished with the National Clinical Mental  
5 Health Counselor Exam (NCMHCE) which is the "specialty license" for those  
6 specializing in mental health counseling. Further, that the National Counselor  
7 Examination (NCE) is a basic entry examination for the generalist license into the  
8 profession of Licensed Professional Counselor (LCE). According to the National  
9 Board of Certified Counselors (NBCC) the taking of both exams is usually not  
10 required in most states, unless the applicant is seeking national certification and  
11 licensure which would be 'portable' to most states, but still subject to any additional  
12 requirement(s) a state may mandate.

13 The Association of the Individual, Marriage and Family Therapists of Guam  
14 is requesting that *I Liheslaturan Guåhan* amend the requirement for both exams for

1 Licensed Mental Health Counselor, and that only the NCMHCE be required, but  
2 not the NCE.

3 *I Liheslaturan Guåhan* finds that there is an appropriate need to establish an  
4 *Intern license* designation for a qualified person pursuing an education and career  
5 as an Individual, Marriage and Family Therapist (IMFT), Certified Professional  
6 Counselor (CPC), Licensed Clinical Social Worker (LCSW), Licensed Mental  
7 Health Counselor (LMHC), Licensed Professional Counselor (LPC), or Marriage  
8 and Family Therapist (MFT). This limited license designation as a mental  
9 healthcare intern would only be applicable during the post-graduate period and the  
10 accumulation of the requisite three thousand (3,000) hours of clinical experience,  
11 and would allow for billable hours for services rendered during this period.

12 *I Liheslaturan Guåhan* further finds that notwithstanding the passage and  
13 enactment of P.L. 32-054 (July 05, 2013), that the existing provisions pursuant to  
14 Article 13 Individual, Marriage and Family Therapy (P.L. 24-329 – Aug. 14, 1998)  
15 were not repealed. This has created a dilemma for the Compiler of Laws who has  
16 not, to date, codified the provisions of P.L. 32-054. It is the intent of *I*  
17 *Liheslaturan Guåhan* to rectify this situation by repealing §§ 121301 et seq.  
18 121305 of Article 13, and reenact Article 13 with P.L. 32-054, as amended  
19 pursuant to this Act.

20 **Section 2.** Subsection 9(c) of Public Law 32-054, is amended to read:

21 "(c) Individuals who hold a current, valid license in a state of the United  
22 States, its territories or a foreign country approved by the Board on a case-by-case  
23 basis as a Licensed Clinical Counselor of Mental Health, Licensed Clinical Mental  
24 Health Counselor, Licensed Mental Health Counselor, Licensed Mental Health  
25 Practitioner, Licensed Professional Counselor of Mental Health, or other license



1 deemed by the Board to be substantially equivalent to the Guam License for  
2 Licensed Mental Health Counselor, and who has passed ~~both the NCE and the~~  
3 National Clinical Mental Health Counselor Exam (NCMHCE) in a manner  
4 approved by the National Board for Certified Counselors (NBCC) shall be eligible  
5 for the Guam license for a Licensed Mental Health Counselor."

6 **Section 3.** A new Subsection (j) is hereby added to Section 1 of P.L. 32-  
7 054, to read:

8 "(j) A *Licensed Mental Health Intern* designation shall mean a person who  
9 is seeking licensure and is acquiring the three thousand (3,000) hours of post-  
10 graduate clinical experience in accordance with this Article for purposes of  
11 acquiring and ultimately meeting the requisite requirements for full licensure as an  
12 Individual, Marriage and Family Therapist (IMFT), Certified Professional  
13 Counselor (CPC), Licensed Clinical Social Worker (LCSW), Licensed Mental  
14 Health Counselor (LMHC), Licensed Professional Counselor (LPC), Marriage and  
15 Family Therapist (MFT), or other Mental Health Professional, as a Licensed  
16 Mental Health Professional. To be legible for the intern license, the applicant shall  
17 have completed all of the other criteria required for qualification for his or her  
18 respective field for licensure pursuant to (a)(1) of Section 2, Section 8, Section 9 or  
19 Section 16, respectively, of this Article."

20 **Section 4.** A new Subsection (d) is hereby added to Section 2 of P.L. 32-  
21 054, to read:

22 "(d) The Board *shall* issue a 'Professional Counselor Intern License' and  
23 number to an applicant who has satisfied all of the applicable requisite provisions  
24 of qualifications for licensure pursuant to (a)(1) of this Section, and who is

1 acquiring the three thousand (3,000) hours of post-graduate clinical experience  
2 required for licensure, as provided pursuant to (a)(2) of this Section.

3 (1) The Board shall provide the application form to be completed by  
4 an applicant for a Mental Health Intern License.”

5 **Section 5.** A new Subsection (d) is hereby added to Section 8 of P.L. 32-  
6 054, to read:

7 “(d) The Board shall issue a ‘Mental Health Counselor Intern License’ and  
8 number to an applicant who has satisfied all of the applicable requisite provisions  
9 of qualifications for licensure pursuant to (a)(1) of this Section, and who is  
10 acquiring the three thousand (3,000) hours of post-graduate clinical experience  
11 required for licensure, as provided pursuant to (a)(2) of this Section.

12 (1) The Board shall provide the application form to be completed  
13 by an applicant for a Mental Health Intern License.”  
14 Section 5.

15 **Section 6.** A new Subsection (d) is hereby added to Section 9 of P.L. 32-  
16 054, to read:

17 “(d) The Board shall issue a ‘Mental Health Intern License’ and number to  
18 an applicant who has satisfied all of the applicable requisite provisions of  
19 qualifications for licensure pursuant to (a)(1) of this Section, and who is acquiring  
20 the three thousand (3,000) hours of post-graduate clinical experience required for  
21 licensure, as provided pursuant to (a)(2) of this Section.”

22 (1) The Board shall provide the application form to be completed  
23 by an applicant for a Mental Health Intern License.”

1           **Section 7.** A new Subsection (d) is hereby added to Section 16 of P.L. 32-  
2 054, to read:

3           “(d) The Board shall issue a ‘Marriage and Family Therapist Intern License’  
4 and number to an applicant who has satisfied all of the applicable requisite  
5 provisions of qualifications for licensure pursuant to (a)(1) of this Section, and who  
6 is acquiring the three thousand (3,000) hours of post-graduate clinical experience  
7 required for licensure, as provided pursuant to (a)(2) of this Section.

8           (1) The Board shall provide the application form to be completed  
9 by an applicant for a Mental Health Intern License.”

10           **Section 8.** The following §§ 121301 et seq. 121305 of Article 13, Chapter  
11 12, Part 2, Division 1 of 10 GCA, as provided pursuant to P.L. 24-329:6 (Aug. 14,  
12 1998), are hereby repealed.

13           **Section 9.** The Compiler of Laws shall appropriately codify P.L. 32-054, as  
14 amended pursuant to this Act, under Article 13 of Chapter 12, Part 2, Division 1 of  
15 10 GCA.

16           **Section 10. Severability.** If any provision of this Act or its application to  
17 any person or circumstance is found to be invalid or contrary to law, such  
18 invalidity shall not affect other provisions or applications of this Act which can be  
19 given effect without the invalid provisions or application, and to this end the  
20 provisions of this Act are severable.

**MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN  
2015 (FIRST) Regular Session**

**Bill No. 190-33 (COR)**

As substituted by the Committee on Health,  
Economic Development, Homeland Security,  
and Senior Citizens

Introduced by:

D.G. RODRIGUEZ, JR.

**AN ACT TO AMEND SECTION 9(c) OF PUBLIC LAW 32-054, RELATIVE TO REQUIRING THAT THE NATIONAL CLINICAL MENTAL HEALTH COUNSELOR EXAM IS THE SOLE REQUISITE EXAM FOR LICENSURE FOR LICENSED MENTAL HEALTH COUNSELOR; AND TO AMEND SECTIONS 1, 2, 9 AND 16 OF P.L. 32-054 FOR PURPOSES OF ESTABLISHING A LICENSED INTERN DESIGNATION DURING THE THREE THOUSAND (3,000) HOUR POST-GRADUATE CLINICAL EXPERIENCE PERIOD REQUIRED FOR MENTAL HEALTH PROFESSIONAL LICENSURE; AND AMENDING SECTIONS 14 AND 21 OF P.L. 32-054 TO PROVIDE FOR AN EIGHTEEN (18) MONTH LIMITATION ON GRANDFATHER PROVISION.**

1        **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2        **Section 1. Legislative Finding and Intent.** *I Liheslaturan Guåhan* finds  
3 that the requisite examination for licensure as a Licensed Mental Health Counselor  
4 (LMHC) may be appropriately accomplished with the National Clinical Mental  
5 Health Counselor Exam (NCMHCE) which is the "specialty license" for those  
6 specializing in mental health counseling. Further, that the National Counselor  
7 Examination (NCE) is a basic entry examination for the generalist license into the  
8 profession of Licensed Professional Counselor (LCE). According to the National  
9 Board of Certified Counselors (NBCC) the taking of both exams is usually not  
10 required in most states, unless the applicant is seeking national certification and

1 licensure which would be 'portable' to most states, but still subject to any additional  
2 requirement(s) a state may mandate.

3 The Association of the Individual, Marriage and Family Therapists of Guam  
4 is requesting that *I Liheslaturan Guåhan* amend the requirement for both exams for  
5 Licensed Mental Health Counselor, and that only the NCMHCE be required, but  
6 not the NCE.

7 *I Liheslaturan Guåhan* finds that there is an appropriate need to establish an  
8 *Intern license* designation for a qualified person pursuing an education and career  
9 as an Individual, Marriage and Family Therapist (IMFT), Certified Professional  
10 Counselor (CPC), Licensed Clinical Social Worker (LCSW), Licensed Mental  
11 Health Counselor (LMHC), Licensed Professional Counselor (LPC), or Marriage  
12 and Family Therapist (MFT). This limited license designation as a mental  
13 healthcare intern would only be applicable during the post-graduate period and the  
14 accumulation of the requisite three thousand (3,000) hours of clinical experience,  
15 and would allow for billable hours for services rendered during this period.

16 *I Liheslaturan Guåhan* further finds that notwithstanding the passage and  
17 enactment of P.L. 32-054 (July 05, 2013), that the existing provisions pursuant to  
18 Article 13 Individual, Marriage and Family Therapy (P.L. 24-329 – Aug. 14, 1998)  
19 were not repealed. This has created a dilemma for the Compiler of Laws who has  
20 not, to date, codified the provisions of P.L. 32-054. It is the intent of *I*  
21 *Liheslaturan Guåhan* to rectify this situation by repealing §§ 121301 et seq.  
22 121305 of Article 13, and reenact Article 13 with P.L. 32-054, as amended  
23 pursuant to this Act.

24 **Section 2.** Subsection 9(c) of Public Law 32-054, is *amended* to read:

1           "(c) Individuals who hold a current, valid license in a state of the United  
2 States, its territories or a foreign country approved by the Board on a case-by-case  
3 basis as a Licensed Clinical Counselor of Mental Health, Licensed Clinical Mental  
4 Health Counselor, Licensed Mental Health Counselor, Licensed Mental Health  
5 Practitioner, Licensed Professional Counselor of Mental Health, or other license  
6 deemed by the Board to be substantially equivalent to the Guam License for  
7 Licensed Mental Health Counselor, and who has passed ~~both the NCE and the~~  
8 National Clinical Mental Health Counselor Exam (NCMHCE) in a manner  
9 approved by the National Board for Certified Counselors (NBCC) shall be eligible  
10 for the Guam license for a Licensed Mental Health Counselor."

11           **Section 3.** A new Subsection (j) is hereby added to Section 1 of P.L. 32-  
12 054, to read:

13           “(j) *A Mental Health Intern License* designation shall mean a person who is  
14 seeking licensure and is acquiring the three thousand (3,000) hours of post-  
15 graduate clinical experience in accordance with this Article for purposes of  
16 acquiring and ultimately meeting the requisite requirements for full licensure as an  
17 Individual, Marriage and Family Therapist (IMFT), Certified Professional  
18 Counselor (CPC), Licensed Clinical Social Worker (LCSW), Licensed Mental  
19 Health Counselor (LMHC), Licensed Professional Counselor (LPC), Marriage and  
20 Family Therapist (MFT), or other license deemed by the Board to be substantially  
21 equivalent to these professions, who is licensed and authorized to provide such  
22 supervision in the United States, its territories or a foreign country determined to  
23 be acceptable on a case by case basis by the Board. To be legible for the intern  
24 license, the applicant shall have completed all of the other criteria required for

1 qualification for his or her respective field for licensure pursuant to (a)(1) of  
2 Section 2, Section 8, Section 9 or Section 16, respectively, of this Article.”

3 **Section 4.** A new Subsection (d) is hereby added to Section 2 of P.L. 32-  
4 054, to read:

5 “(d) The Board *shall* issue a ‘Professional Counselor Intern License’ and  
6 number to an applicant who has satisfied all of the applicable requisite provisions  
7 of qualifications for licensure pursuant to (a)(1) of this Section, and who is  
8 acquiring the three thousand (3,000) hours of post-graduate clinical experience  
9 required for licensure, as provided pursuant to (a)(2) of this Section.

10 (1) The Board shall provide the application form to be completed by  
11 an applicant for a Mental Health Intern License.”

12 **Section 5.** A new Subsection (d) is hereby added to Section 9 of P.L. 32-  
13 054, to read:

14 “(d) The Board shall issue a ‘Mental Health Counselor Intern License’ and  
15 number to an applicant who has satisfied all of the applicable requisite provisions  
16 of qualifications for licensure pursuant to (a)(1) of this Section, and who is  
17 acquiring the three thousand (3,000) hours of post-graduate clinical experience  
18 required for licensure, as provided pursuant to (a)(2) of this Section.”

19 (1) The Board shall provide the application form to be completed  
20 by an applicant for a Mental Health Intern License.”

21 **Section 6.** A new Subsection (d) is hereby added to Section 16 of P.L. 32-  
22 054, to read:

1           “(d) The Board shall issue a ‘Marriage and Family Therapist Intern License’  
2 and number to an applicant who has satisfied all of the applicable requisite  
3 provisions of qualifications for licensure pursuant to (a)(1) of this Section, and who  
4 is acquiring the three thousand (3,000) hours of post-graduate clinical experience  
5 required for licensure, as provided pursuant to (a)(2) of this Section.

6           (1) The Board shall provide the application form to be completed  
7 by an applicant for a Mental Health Intern License.”

8           **Section 7.** The following §§ 121301 et seq. 121305 of Article 13, Chapter  
9 12, Part 2, Division 1 of 10 GCA, as provided pursuant to P.L. 24-329:6 (Aug. 14,  
10 1998), are hereby repealed.

11           **Section 8.** The Compiler of Laws shall appropriately codify P.L. 32-054, as  
12 amended pursuant to this Act, under Article 13 of Chapter 12, Part 2, Division I of  
13 10 GCA.

14           **Section 9.** Section 14 of Public Law 32-054 is *amended*, to read:

15           **“Section 14. Grandfather Provision.**

16           All licensees who hold a current, valid, license as an Individual, Marriage,  
17 and Family Therapist issued by the Guam Board of Allied Health Examiners or as  
18 a Licensed Professional Counselor issued by a Guam Board, within eighteen (18)  
19 months of at the time this aArticle is enacted into law, or by August 31, 2017,  
20 whichever is later, *shall* be eligible to apply for a license as a Licensed Mental  
21 Health Counselor. They may be granted a license as a Licensed Mental Health  
22 Counselor if:



1 (1) They can pass the NCMHCE developed by the NBCC (they shall be  
2 deemed eligible by the board to take the test), or

3 (2) They can document one thousand hours of post Masters clinical work  
4 which requires diagnosis and treatment planning, or

5 (3) They have held a license as an Individual, Marriage and Family  
6 Therapist in Guam, a Licensed Professional Counselor in Guam, or any  
7 combination of the two for a minimum of six years.”

8 **Section 10.** Section 21 of Public Law 32-54 is *amended*, to read:

9 **“Section 21. Grandfather Provision.**

10 All licensees who hold a current, valid license as an Individual, Marriage,  
11 and Family Therapist issued by the Guam Board of Allied Health Examiners, or as  
12 a Licensed Professional Counselor issued by a Guam Board, within eighteen (18)  
13 months of at the time this Article becomes law, or by August 31, 2017, whichever  
14 is later, shall be eligible to apply for a license as a Marriage and Family Therapist.  
15 They may be granted a license as a Marriage and Family Therapist if:

16 (a) they can pass the Marital and Family Therapy examination developed by  
17 the Association of Marital and Family Therapy Regulatory Boards (AMFTRB)  
18 (they shall be deemed eligible to take the test by the Board); or

19 (b) they can document one thousand hours of post Masters clinical work  
20 with couples and families; or

1           (c) they have held a license as an Individual, Marriage and Family Therapist  
2 on Guam, a Licensed Professional Counselor on Guam, or any combination of the  
3 two for a minimum of six years.”

4           **Section 11. Severability.** If any provision of this Act or its application to  
5 any person or circumstance is found to be invalid or contrary to law, such  
6 invalidity shall not affect other provisions or applications of this Act which can be  
7 given effect without the invalid provisions or application, and to this end the  
8 provisions of this Act are severable.



SENATOR DENNIS G. RODRIGUEZ, JR., CHAIRMAN  
COMMITTEE ON HEALTH, ECONOMIC DEVELOPMENT, HOMELAND SECURITY & SENIOR CITIZENS  
*Mina'trentai Tres Na Liheslaturan Guåhan* • 33<sup>rd</sup> Guam Legislature

**PUBLIC HEARING Thursday, December 10, 2015 1:30pm Legislature Public Hearing Room**

•Bill 190-33(COR)- An act to amend section 9(c) of public law 32-054, relative to requiring that the National Clinical Mental Health Counselor exam is the sole requisite exam for licensure for Licensed Mental Health Counselor; and to amend sections 1, 2, 8, 9 and 16 of P.L. 32-054 for purposes of establishing a licensed intern designation during the three thousand (3,000) hour post-graduate clinical experience period required for Mental Health Professional Licensure.

Introduced by Sen. Dennis G. Rodriguez, Jr.

PRINT NAME	SIGN INITIALS	AGENCY or ORGANIZATION	✓ ORAL TESTIMONY	✓ WRITTEN TESTIMONY	✓ NO TESTIMONY	✓ IN FAVOR	✓ OPPOSE	CONTACT NUMBERS	EMAIL ADDRESS
Wayne Butler		SW Board Association	✓	✓		✓			
-NONE FOLLOWS-									

December 10, 2015

Honorable Dennis G. Rodriguez Jr.,  
Chairperson, Committee on Health, Economic Development,  
Homeland Security, and Senior Citizens  
33<sup>rd</sup> Guam Legislature

Re: Testimony on Bill No. 190-33

Hafa Adai Chairperson Rodriguez,

I am in support of the proposed changes made by Bill No. 190-33. There are however a few corrections that need to be made to the document as written.

Page 1: Line 8: (LCE) should be (LPC).

Page 2: Lines 5 and 6: Individual, Marriage and Family Therapist (IMFT) is no longer a license available on Guam, so no Intern license designation is needed. It should be removed.

Certified Professional Counselor is not a current license available on Guam and is not contemplated as a license, so no Intern license designation is needed. It should be removed.

Licensed Clinical Social Worker is a license under the Social Work Board and not under the Allied Board, so an Intern license designation under the Allied Board is inappropriate. It should be removed.

Page 3: Lines 12 and 13 repeat the problems noted from page 2. As such, Individual, Marriage and Family Therapist, Certified Professional Counselor, and Licensed Clinical Social Worker should be removed.

Page 3: Line 15 and 16: The words "or other Mental Health Professional, as a Licensed Mental Health Professional " are problematic. There is no current or proposed license of Licensed Mental Health Professional and no current or proposed license for "other Mental Health Professional". Both should be removed.

Page 3: Line 16: The word "legible" should be "eligible".

Page 4: Lines 5 through 14: Section 5. Section 5 refers to a portion of the existing law that consists of definitions and is not an appropriate placement for this section and should be removed in its entirety.

Page 4: "Mental Health Intern License" should be "Mental Health Counselor Intern License".

Those are all of the corrections suggested for Bill No. 190-33.

There are however two (2) additions requested.

1) Public Law No. 32-054 Section 22 contains two (2) typographical errors. Section 22 creates two (2)

new positions on the Allied Board which would in context be for a Licensed Mental Health Counselor (LMHC) and a Marriage and Family Therapist (MFT). Instead already created positions, one (1) for Respiratory Therapist, and one (1) for Nutritionist/Clinical Dietician are named. The request is to replace the words "Respiratory Therapist" with "Licensed Mental Health Counselor" and "Nutritionist/Clinical Dietician" with "Marriage and Family Therapist".

2) Sections 14 and 21, the Grandfather provisions contained in the law have no sunset provision. It has been requested that such a provision be added. It is therefore requested that the words "Licensees deemed eligible under this provision have eighteen (18) months from the time this article is enacted into law to apply as a Licensed Mental Health Counselor" and "Licensees deemed eligible under this provision have eighteen (18) months from the time this article is enacted into law to apply as a Marriage and Family Therapist".

Thank you.



Wayne Butler, Chair Legislative Committee of the  
Association of Individual, Marriage & Family Therapists



# COMMITTEE ON RULES

*I Mina'trentai Tres na Liheslaturan Guåhan* • The 33rd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)

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CHAIRPERSON  
MAJORITY LEADER

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Thomas C. Ada  
VICE CHAIRPERSON  
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MINORITY LEADER

Mary C. Torres  
MINORITY MEMBER

November 18, 2015

## Memorandum

**To:** Rennae Meno  
*Clerk of the Legislature*

**From:** Senator Rory J. Respicio  
*Majority Leader & Rules Chair*

**Subject:** Fiscal Note Waivers

2015 NOV 19 AM 11:11



*Hafa Adai!*

Attached please find the fiscal note waivers for the bill numbers listed below. Please note that the fiscal note waivers are issued on the bills as introduced.

### FISCAL NOTE WAIVERS:

- Bill No. 190-33(COR)
- Bill No. 197-33(LS)
- Bill No. 200-33(COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

*Si Yu'os ma'åse'!*



**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932

**EDDIE BAZA CALVO**  
GOVERNOR

**RAY TENORIO**  
LIEUTENANT GOVERNOR

**JOSE S. CALVO**  
DIRECTOR

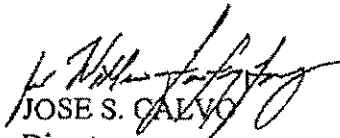
**LESTER L. CARLSON, JR.**  
DEPUTY DIRECTOR

**OCT 29 2015**

The Bureau requests that Bill No(s). 190-33 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Bill No. 190-33 (COR) is an act to amend Section 9(c) of Public Law 32-054, relative to requiring that the National Clinical Mental Health Counselor Exam is the sole requisite exam for licensure for Licensed Mental Health Counselor; and to amend Sections 1, 2, 8,9, and 16 of P.L. 32-054 for purposes of establishing a licensed intern designation during the three thousand (3,000) hour post-graduate clinical experience period required for mental health professional licensure.

The intent of the aforementioned bill is administrative in nature and poses no fiscal impact upon any funds of the Government of Guam.

  
JOSE S. CALVO  
Director



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Member

V. Anthony Ada  
MINORITY LEADER

Mary C. Torres  
MINORITY MEMBER

October 19, 2015

## MEMORANDUM

**To: Rennae Meno**  
*Clerk of the Legislature*

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

**From: Senator Rory J. Respicio**  
*Chairperson, Committee on Rules*

**Subject: Referral of Bill No. 190-33(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 190-33(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Tres Na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

*Si Yu'os Ma'åse!*

Attachment



*I Mina'Trentai Tres Na Liheslaturan Received*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
190-33 (COR)	Dennis G. Rodriguez, Jr.	AN ACT TO AMEND SECTION 9(c) OF PUBLIC LAW 32-054, RELATIVE TO REQUIRING THAT THE NATIONAL CLINICAL MENTAL HEALTH COUNSELOR EXAM IS THE SOLE REQUISITE EXAM FOR LICENSURE FOR LICENSED MENTAL HEALTH COUNSELOR; AND TO AMEND SECTIONS 1, 2, 8, 9 AND 16 OF P.L. 32-054 FOR PURPOSES OF ESTABLISHING A LICENSED INTERN DESIGNATION DURING THE THREE THOUSAND (3,000) HOUR POST-GRADUATE CLINICAL EXPERIENCE PERIOD REQUIRED FOR MENTAL HEALTH PROFESSIONAL LICENSURE.	10/19/15 2:52 p.m.	10/20/15	Committee on Health, Economic Development, Homeland Security, and Senior Citizens			



Joe Mesngon &lt;joe@toduguam.com&gt;

## FIRST NOTICE OF PUBLIC HEARING on Thursday, December 10, 2015

8 messages

Joe Mesngon &lt;joe@toduguam.com&gt;

Wed, Dec 2, 2015 at 11:23 AM

To: phnotice@guamlegislature.org

December 2, 2015

To: All Senators, Stakeholders and Media

From: Senator Dennis G. Rodriguez, Jr.

Subject: First Notice of Public Hearing on December 10, 2015

Hafa Adai!

The Committee on Health will conduct a Public Hearing on Thursday, December 10, 2015 at 1:30pm in the Legislature's Public Hearing Room.

The Committee will accept oral and written testimony on the following:

**Bill 190-33 (COR)**- An act to amend Section 9(c) of Public Law 32-054, relative to requiring that the National Clinical Mental Health Counselor exam is the sole requisite exam for licensure for Licensed Mental Health Counselor; and to amend Sections 1, 2, 8, 9 and 16 of P.L. 32-054 for purposes of establishing a licensed intern designation during the three thousand (3,000) hour post-graduate clinical experience period required for Mental Health Professional Licensure; and

**Bill 211-33 (COR)**- An act to amend Subsections 122317 and 122318 of Article 23, Chapter 12, Part 2, Title 10, Guam Code Annotated relative to extending the timeline for obtaining exemptions and exceptions for Social Worker Licensure upon the promulgation and enactment of the Rules and Regulations.

Individuals who wish to submit written testimony may address Sen. Dennis G. Rodriguez, Jr., Chairman, and send via email to [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com), or hand deliver to his office at 176 Serenu Avenue Suite 107 Tamuning, Guam or to the Legislature's Mailroom at 155 Hesler Place Hagatna, Guam.

Individuals who may require special assistance are asked to contact the Office of Sen. Rodriguez at 649-8638/0511 no later than 48 hours prior to the hearing.

For more information, please contact 649-8638/0511.

Si Yu'os Ma'ase'!

*Joseph A. Q. Mesngon*

Office of Senator Dennis G. Rodriguez, Jr.  
 Committee on Health, Economic Development,  
 Homeland Security and Senior Citizens  
*I Mina'trentai Tres Na Libeslaturan Guaban*  
 33rd Guam Legislature  
 176 Serenu Ave. Suite 107  
 Tamuning, Guam 96931  
 649-8638/0511



Joe Mesngon &lt;joe@toduguan.com&gt;

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**SECOND NOTICE OF PUBLIC HEARING on Thursday, December 10, 2015**

1 message

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**Joe Mesngon** <joe@toduguan.com>  
To: phnotice@guamlegislature.org

Fri, Dec 4, 2015 at 9:23 AM

December 4, 2015

To: All Senators, Stakeholders and Media

From: Senator Dennis G. Rodriguez, Jr.

Subject: Second Notice of Public Hearing on December 10, 2015

Hafa Adai!

The Committee on Health will conduct a Public Hearing on Thursday, December 10, 2015 at 1:30pm in the Legislature's Public Hearing Room.

The Committee will accept oral and written testimony on the following:

**Bill 190-33 (COR)**- An act to amend Section 9(c) of Public Law 32-054, relative to requiring that the National Clinical Mental Health Counselor exam is the sole requisite exam for licensure for Licensed Mental Health Counselor; and to amend Sections 1, 2, 8, 9 and 16 of P.L. 32-054 for purposes of establishing a licensed intern designation during the three thousand (3,000) hour post-graduate clinical experience period required for Mental Health Professional Licensure; and

**Bill 211-33 (COR)**- An act to amend Subsections 122317 and 122318 of Article 23, Chapter 12, Part 2, Title 10, Guam Code Annotated relative to extending the timeline for obtaining exemptions and exceptions for Social Worker Licensure upon the promulgation and enactment of the Rules and Regulations.

Individuals who wish to submit written testimony may address Sen. Dennis G. Rodriguez, Jr., Chairman, and send via email to [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com), or hand deliver to his office at 176 Serenu Avenue Suite 107 Tamuning, Guam or to the Legislature's Mailroom at 155 Hesler Place Hagatna, Guam.

Individuals who may require special assistance are asked to contact the Office of Sen. Rodriguez at 649-8638/0511 no later than 48 hours prior to the hearing.

For more information, please contact 649-8638/0511.

Si Yu'os Ma'ase'!

*Joseph A. Q. Mesngon*

Office of Senator Dennis G. Rodriguez, Jr.  
Committee on Health, Economic Development,  
Homeland Security and Senior Citizens  
*I Mina'trentai Tres Na Libeslaturan Guahan*  
33rd Guam Legislature  
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Public Hearing Notice Listserv  
*phnotice@guamlegislature.org (Media, All Senators, and Staff)*

Updated: December 2, 2015

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Updated: December 2, 2015

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SENATOR DENNIS G. RODRIGUEZ, JR.

**PUBLIC HEARING AGENDA**

Thursday, December 10, 2015      1:30pm      Public Hearing Room, *I Liheslatura*

**I. Call to order**

**II. Items for public consideration:**

- **Bill 190-33(COR)- An act to amend section 9(c) of public law 32-054, relative to requiring that the National Clinical Mental Health Counselor exam is the sole requisite exam for licensure for Licensed Mental Health Counselor; and to amend sections 1, 2, 8, 9 and 16 of P.L. 32-054 for purposes of establishing a licensed intern designation during the three thousand (3,000) hour post-graduate clinical experience period required for Mental Health Professional Licensure.**
- **Bill 211-33(COR)- An act to amend §§ 122317 and 122318 of article 23, chapter 12, part 2, title 10, Guam Code Annotated relative to extending the timeline for obtaining exemptions and exceptions for social worker licensure upon the promulgation and enactment of the rules and regulations.**

**III. Adjournment**

**Thank you for your participation in today's hearing.**