



## **Economic Impact Analysis Virginia Department of Planning and Budget**

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**18 VAC 115-20 – Regulations Governing the Practice of Counseling  
Department of Health Professions  
May 8, 2013**

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### **Summary of the Proposed Amendments to Regulation**

As part of the regulatory reform initiative, the Board of Counseling (Board) proposes to amend its Regulations Governing the Practice of Counseling to: 1) delete the requirement that a transcript be submitted with each licensure application so long as the transcript submitted for approval of residency shows all coursework completed, 2) reduce the clinical practice requirement for licensure by endorsement, 3) allow the use of real-time distance video technology to be used to fulfill face-to-face supervision requirements, 4) include local government entities, such as community service boards, as entities that can provide continuing education and 5) allow individuals' 600 hour supervised internship to automatically count toward the 4,000 hour of total practical experience required by the Board (and reduce the number of required residency hours, from 4,000 to 3,400, to account for the automatic credit of an individual's internship).

### **Result of Analysis**

Benefits likely outweigh costs for these proposed regulations.

### **Estimated Economic Impact**

Currently, applicants for licensure by examination must submit "official transcripts documenting the applicant's completion of the degree program and coursework requirements". Currently, individuals who are registering whom will be supervising their residency must also submit official transcripts. The Board now proposes to eliminate the need to submit official transcripts when applying for licensure so long as all coursework is reflected on the transcript that was previously submitted for registration of supervision. Individuals who are applying for

licensure will benefit from this change is it will save them the time and expense of submitting some paperwork twice.

Current regulations require applicants for licensure by endorsement to provide evidence of clinical practice in counseling during five of the last six years immediately preceding application. The Board proposes to change this requirement so that applicants will only have to provide evidence of clinical practice for 24 of the 60 months before application. This change will benefit applicants as they will qualify for licensure by endorsement with less recent experience (so more interested individuals will likely meet the active practice requirement). Applicants for licensure will still have to show that they have competently practiced their profession in the political jurisdiction they are coming from, so no future clients of these individuals are likely to be harmed on account of this change.

Current regulations require that counselors seeking licensure complete 4,000 hours of supervised experience during their residency with a set number of those hours being supervised face-to-face. The Board now proposes to revise these regulations so that individuals who are completing their experience requirements can be supervised face-to-face using secured, real-time visual technology like webcams. All individuals in supervisory relationships are likely to benefit from this change as it gives them greater flexibility to complete the experience requirement in the way that is most efficient for all involved parties. Because hours of face-to-face supervision are not changing, this requirement should remain as effective a means of training as it currently is. Consequently, no entity should be harmed or incur additional costs on account of this change.

Currently, licensed professional counselors are required to complete continuing education hours with providers that are approved by the Board as a requirement for license renewal. The Board proposes to add local government agencies to the list of approved providers. This change will benefit licensees as they will have more options to meet their continuing education requirements. Licensees will not be required to use these additional approved educational opportunities and likely will not use them unless they are the least costly, most efficient opportunities open to them.

Currently regulations require that individuals seeking licensure complete a 600 hour supervised internship and complete a 4,000 hour supervised residency. Individuals can currently count their internship hours toward meeting the 4,000 hour supervised residency requirement

only if their internship supervisor meets certain criteria, they provide documentation from their training program and they fill out a separate form for the Board. Board staff reports that currently approximately 30% of individuals who are applying for licensure will take the steps necessary to have their internship count toward residency hours. The Board now proposes to amend supervised experience requirements so that 600 hours of a supervised internship will automatically apply toward the total 4,000 hour experience requirement. Concurrently, the Board proposes to reduce the total hours of supervised residency to 3,400 to account for this automatic credit of internship hours. No entity is likely to incur costs on account of this change. Individuals who are undergoing required training before licensure will benefit from this change as to will save them the time and expense of either getting their internship counted toward their total hours of practical experience or repeating 600 of that experience.

### **Businesses and Entities Affected**

The Department of Health Professions (DHP) reports that there are 3,654 licensed professional counselors in the Commonwealth. All of these entities, as well as any applicants for licensure and individuals completing their supervised experience requirements, will be affected by these proposed regulations.

### **Localities Particularly Affected**

No localities will be particularly affected by these proposed regulations.

### **Projected Impact on Employment**

This proposed regulatory action is unlikely to have any effect on employment in the Commonwealth.

### **Effects on the Use and Value of Private Property**

These proposed regulatory changes are unlikely to affect the use or value of private property in the Commonwealth.

### **Small Businesses: Costs and Other Effects**

No small business is likely to incur and additional expense on account of these regulatory changes.

## **Small Businesses: Alternative Method that Minimizes Adverse Impact**

No small business is likely to incur an additional expense on account of these regulatory changes.

## **Real Estate Development Costs**

This regulatory action will likely have no effect on real estate development costs in the Commonwealth.

## **Legal Mandate**

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.04 of the Administrative Process Act and Executive Order Number 14 (10). Section 2.2-4007.04 requires that such economic impact analyses include, but need not be limited to, a determination of the public benefit, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has an adverse effect on small businesses, Section 2.2-4007.04 requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.