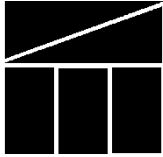


Adverse impact notification sent to Joint Commission on Administrative Rules, House Committee on Appropriations, and Senate Committee on Finance (COV § 2.2-4007.04.C): Yes Not Needed

If/when this economic impact analysis (EIA) is published in the *Virginia Register of Regulations*, notification will be sent to each member of the General Assembly (COV § 2.2-4007.04.B).



Virginia Department of Planning and Budget Economic Impact Analysis

18 VAC 115-20 Regulations Governing the Practice of Professional Counseling
Department of Health Professions
Town Hall Action/Stage: 5089 / 8461
January 25, 2019

Summary of the Proposed Amendments to Regulation

The Board of Counseling (Board) proposes to establish a pathway for individuals who graduated from foreign schools to obtain licensure as a professional counselor, marriage and family therapist, or a substance abuse treatment practitioner.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

Currently, this regulation requires graduation from a college or university accredited by a regional accrediting agency. Since degree programs in foreign countries are not regionally accredited, there is no pathway in Virginia for individuals with degrees from countries other than the United States or Canada to be initially licensed as a professional counselor, marriage and family therapist, or a substance abuse treatment practitioner.¹

The Board proposes to allow foreign graduates to obtain licensure if they can provide documentation from an acceptable credential evaluation service that provides information to enable the Board to determine equivalency of the foreign program. According to the Department

¹ If a foreign graduate is initially licensed in another state and have at least 24 out of the past 60 months of active clinical practice without discipline, he or she may qualify for licensure by endorsement in Virginia.

of Health Professions (DHP), the Board accepts credentialing evaluations from more than one source. Such credentialing services already evaluate the qualifications of other health and mental health providers such as psychology. Psychology foreign graduates can get an evaluation for a fee of \$85 which includes an analysis, equivalency, certification, notarization, and mailing to one address. For a fee of \$149, a more detailed (e.g. course-by-course analysis, credit & GPA calculation, courses studied in addition to the basic evaluation) is also offered. DHP believes the Board may find it necessary to require the more detailed evaluation and expects no more than 10-20 foreign-trained graduates to apply per year.

The proposed amendments would benefit foreign-trained graduates who have an equivalent degree to those in the United States. This new pathway has the potential to add to the supply of professional counselors, marriage and family therapists, or substance abuse treatment practitioners. For a fee of \$149, qualifying individuals would be able to obtain a license to practice as a professional mental health provider. In addition, this change would add slightly to the demand for services of the credential evaluation service businesses.

Businesses and Entities Affected

DHP expects no more than 10-20 foreign-trained graduates per year to apply under the proposed pathway to licensure. According to DHP, there are several credential evaluation service providers, all of which are likely small businesses.

Localities Particularly Affected

The proposed amendments would not disproportionately affect particular localities.

Projected Impact on Employment

The proposed amendments would have a positive impact on the supply and employment of professional health care providers and demand for credential evaluation services.

Effects on the Use and Value of Private Property

The proposed amendments should have a positive but likely small impact on the asset values of credential evaluation services.

Real Estate Development Costs

The proposed amendments would not affect real estate development costs.

Small Businesses:**Definition**

Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as “a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.”

Costs and Other Effects

The proposed amendments would not impose costs on small businesses. However, small businesses that hire affected professions would benefit from increased supply of such professionals. The expected impact on demand for credential evaluation services is also positive.

Alternative Method that Minimizes Adverse Impact

The proposed amendments would not impose adverse impacts on small businesses.

Adverse Impacts:**Businesses:**

The proposed amendments would not impose adverse impacts on businesses.

Localities:

The proposed amendments would not adversely affect localities.

Other Entities:

The proposed amendments would not adversely affect other entities.

Legal Mandates

General: The Department of Planning and Budget has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order 14 (as amended, July 16, 2018). Code § 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to: (1) the projected number of businesses or other entities to whom the proposed regulatory action would apply, (2) the identity of any localities and types of businesses or other entities particularly affected, (3) the projected number of persons and employment positions to be affected, (4) the projected costs to affected businesses or entities to implement or comply with the regulation, and (5) the impact on the use and value of private property.

Adverse impacts: Pursuant to Code § 2.2-4007.04(C): In the event this economic impact analysis reveals that the proposed regulation would have an adverse economic impact on businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected, the Department of Planning and

Budget shall advise the Joint Commission on Administrative Rules, the House Committee on Appropriations, and the Senate Committee on Finance within the 45-day period.

If the proposed regulatory action may have an adverse effect on small businesses, Code § 2.2-4007.04 requires that such economic impact analyses include: (1) an identification and estimate of the number of small businesses subject to the proposed regulation, (2) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents, (3) a statement of the probable effect of the proposed regulation on affected small businesses, and (4) a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation. Additionally, pursuant to Code § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules shall be notified.