Agency Name: Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors, and Psycho-Educational Specialists - Labor, Licensing and Regulation

Statutory Authority: 40-1-70 and 40-75-60

Document Number: 5334

Proposed in State Register Volume and Issue: 48/10

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Senate Committee: Labor, Commerce and Industry Committee

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Subject: Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors and Psycho-Educational Specialists

History: 5334

By Date Action Description Jt. Res. No. Expiration Date

- 10/25/2024 Proposed Reg Published in SR

- 01/14/2025 Received President of the Senate & Speaker 01/18/2026

H 01/14/2025 Referred to Committee

S 01/14/2025 Referred to Committee

S 02/13/2025 Resolution Introduced to Approve 349

Document No. 5334

**DEPARTMENT OF LABOR, LICENSING AND REGULATION**

**BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, ADDICTION COUNSELORS AND PSYCHO‑EDUCATIONAL SPECIALISTS**

CHAPTER36

Statutory Authority: 1976 Code Sections 40‑1‑70 and 40‑75‑60

36-15. Reinstatement of Lapsed Licenses.

**Synopsis:**

 The Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors and Psycho‑Educational Specialists proposes to amend R.36‑15 to conform the language to statute. Additionally, the Board proposes to review and update Chapter 36 generally to conform to current standards and requirements regarding Psycho‑Educational Specialists, particularly but not limited to R.36‑13, 36‑17 and 36‑25.

 A Notice of Drafting was published in the *State Register* on April 26, 2024.

**Instructions:**

 Print the regulation as shown below. All other items remain unchanged.

~~Indicates Matter Stricken~~

Indicates New Matter

**Text:**

36‑15. Reinstatement of Lapsed Licenses.

 (1) A licensed professional counselor, marriage and family therapist, addiction counselor, psycho‑educational specialist, professional counselor supervisor, marriage and family therapist supervisor, or addiction counselor supervisor whose license has been lapsed for ~~at least three (3) months, but~~ fewer than five (5) years may reinstate the license upon submitting an application, payment of fees for each licensing period during which the license was lapsed, along with the required reinstatement fee, and providing proof satisfactory to the Board on a form approved by the Board of completion of the requisite continuing education hours for each year during which the license was lapsed. The Board for good cause may waive any part of this continuing education requirement upon appropriate conditions.

 (2) A licensed professional counselor, marriage and family therapist, addiction counselor, psycho‑educational specialist, professional counselor supervisor, marriage and family therapist supervisor, or addiction counselor supervisor whose license has been lapsed for more than five (5) years must submit an application for reinstatement, pay the required reinstatement fee, and appear before the Board to determine if the license should be reinstated and the terms under which the reinstatement is to be made.

 (3) Any applicant for reinstatement shall submit a notarized affidavit certifying that they have not been engaged in the practice of counseling, marriage and family therapy, addiction counseling, or psycho‑education specialty outside of the school setting, professional counselor supervising, marriage and family therapy or addiction counseling supervising during the period their license was not in an active status.

**Fiscal Impact Statement:**

 There will be no cost incurred by the State or any of its political subdivisions for these regulations.

**Statement of Rationale:**

 The Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors and Psycho‑Educational Specialists proposes to amend R.36‑15 to conform requirements for reinstatement of a license to the parameters established in S.C. Code Section 40‑75‑250(D). Additionally, reference is added in the same section to addiction counselor supervisors, a licensure category that was inadvertently omitted when the regulations were updated following passage of the law requiring the Board to license and regulate addiction counselors.