

House Bill 246

By: Representatives Henson of the 65th and Hudson of the 120th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 37 of the Official Code of Georgia Annotated, relating to mental health, so
2 as to authorize a professional counselor or a marriage and family therapist to perform certain
3 acts which physicians, psychologists, and others are authorized to perform regarding
4 emergency examinations of persons who are mentally ill or alcoholic or drug dependent; to
5 define certain terms; to provide for all related matters; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 37 of the Official Code of Georgia Annotated, relating to mental health, is amended by
10 striking subsection (d) of Code Section 37-3-41, relating to emergency transport of a person
11 for involuntary evaluation of mental illness, in its entirety and inserting in its place the
12 following:

13 "(d) Any psychologist, clinical social worker, professional counselor, marriage and family
14 therapist, or clinical nurse specialist in psychiatric/mental health may perform any act
15 specified by this Code section to be performed by a physician. Any reference in any part
16 of this chapter to a physician acting under this Code section shall be deemed to refer
17 equally to a psychologist, a clinical social worker, a professional counselor, a marriage and
18 family therapist, or a clinical nurse specialist in psychiatric/mental health acting under this
19 Code section. For purposes of this subsection, the term 'psychologist' means any person
20 authorized under the laws of this state to practice as a licensed psychologist; the term
21 'clinical social worker' means any person authorized under the laws of this state to practice
22 as a licensed clinical social worker; the term 'professional counselor' means any person
23 authorized under the laws of this state to practice as a licensed professional counselor; the
24 term 'marriage and family therapist' means any person authorized under the laws of this
25 state to practice as a licensed marriage and family therapist; and the term 'clinical nurse
26 specialist in psychiatric/mental health' means any person authorized under the laws of this

1 state to practice as a registered professional nurse and who is recognized by the Georgia
 2 Board of Nursing to be engaged in advanced nursing practice as a clinical nurse specialist
 3 in psychiatric/mental health. The authority of professional counselors and marriage and
 4 family therapists granted by this subsection shall expire on July 1, 2004."

5 SECTION 2.

6 Said title is further amended by striking subsection (d) of Code Section 37-7-41, relating to
 7 emergency transport of a person who is an alcoholic, a drug abuser, or a drug dependent
 8 individual for involuntary evaluation, and inserting in its place the following:

9 "(d) Any psychologist, clinical social worker, professional counselor, marriage and family
 10 therapist, or clinical nurse specialist in psychiatric/mental health may perform any act
 11 specified by this Code section to be performed by a physician. Any reference in any part
 12 of this chapter to a physician acting under this Code section shall be deemed to refer
 13 equally to a psychologist, a clinical social worker, a professional counselor, a marriage and
 14 family therapist, or a clinical nurse specialist in psychiatric/mental health acting under this
 15 Code section. For purposes of this subsection, the term 'psychologist' means any person
 16 authorized under the laws of this state to practice as a licensed psychologist; the term
 17 'clinical social worker' means any person authorized under the laws of this state to practice
 18 as a licensed clinical social worker; the term 'professional counselor' means any person
 19 authorized under the laws of this state to practice as a licensed professional counselor; the
 20 term 'marriage and family therapist' means any person authorized under the laws of this
 21 state to practice as a licensed marriage and family therapist; and the term 'clinical nurse
 22 specialist in psychiatric/mental health' means any person authorized under the laws of this
 23 state to practice as a registered professional nurse and who is recognized by the Georgia
 24 Board of Nursing to be engaged in advanced nursing practice as a clinical nurse specialist
 25 in psychiatric mental health. The authority of professional counselors and marriage and
 26 family therapists granted by this subsection shall expire on July 1, 2004."

27 SECTION 3.

28 All laws and parts of laws in conflict with this Act are repealed.