335.505 Prohibition against unlicensed practice of professional counseling -- No limitation on activities of specified service providers.

(1) No person shall engage in the practice of professional counseling or present in a way as to imply or would reasonably be deemed to imply licensure to practice professional counseling unless the person has first been issued a valid license by the board.

(2) Subsection (1) of this section shall not apply to any person who is licensed, certified, or registered under any other provisions of the Kentucky Revised Statutes, including, but not limited to, physicians, social workers, psychologists, nurses, professional art therapists, marriage and family therapists, or students in accredited programs in those professions, and shall not restrict their practice, descriptions of services, or the manner in which they hold themselves out to the public.

(3) Subsection (1) of this section shall not be construed to alter, amend, or interfere with the practice of those who engage in employment counseling, job placement counseling, vocational rehabilitation counseling, victim counseling or advocacy, pastoral counseling based on any tenet of one's religious beliefs, or school counseling.

(4) Subsection (1) of this section shall not apply to the activities and services of a student intern or trainee in professional counseling who is pursuing a program of studies in counseling at an accredited institution of higher education, if these activities are performed under the supervision or direction of an approved supervisor and the activities are a part of the supervised program of study as reflected in an official transcript, and if the person is designated a professional counselor intern or student in training.

(5) Nothing in this section shall be construed to limit the activities of a sexual assault counselor, victim advocate, or crisis response team as provided in KRE 506, or a person certified under KRS Chapter 403 to provide court-ordered domestic violence offender treatment services or a person providing services to sexual offenders under KRS 197.400 to 197.440.

Effective: July 15, 2002

History: Amended 2002 Ky. Acts ch. 79, sec. 2, effective July 15, 2002. -- Created 1996 Ky. Acts ch. 364, sec. 2, effective July 15, 1996.