

Legislative Analysis



INDIVIDUALS ALLOWED TO ACCEPT PAYMENT FOR MARRIAGE AND FAMILY COUNSELING

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House Bill 5474
Sponsor: Rep. John Gleason
Committee: Judiciary

Complete to 3-29-04

A SUMMARY OF HOUSE BILL 5474 AS INTRODUCED 2-5-04

The bill would amend Part 169 of the Public Health Code, entitled “Marriage and Family Therapy”, to expand the list of individuals exempted from regulation as a marriage and family therapist.

The Public Health Code regulates the profession of marriage and family therapy, but excludes certain individuals from regulation as marriage and family therapists. The bill would specify that Part 169 would not apply to an ordained cleric or other religious practitioner who can legally officiate at marriages if all of the following apply:

- He or she officiated at a marriage at least once each year for not less than five years.
- He or she provided at least 100 hours of clerical marriage or family counseling each year for not less than five years.
- He or she provided, in writing, an affidavit clearly stating that he or she was a member of the clergy or was a religious practitioner, was not a licensed marriage and family therapist under the code and did not use one or more of the titles reserved under the code for licensed marriage and family therapists, and that the counseling was based on the religious beliefs, creeds, or doctrines of the provider.

In addition, Part 169 does not apply to an ordained cleric or other religious practitioner who is employed by or working under the authority of certain tax-exempt charitable organizations. The bill would add that Part 169 would not prohibit a service provider of one of these organizations from offering a recommended voluntary fee schedule based on an individual’s ability to pay, including participation by indigent individuals for no fee. A voluntary contribution could be made directly to the service provider or to the charitable organization that authorized or employed that service provider.

Further, Part 169 defines the term “advertise” to mean issuing or ordering the printing or distribution of a card, sign, or device; placing signs or markings on or in a building; or

placing material in a newspaper, magazine, or directory or on radio or television. The bill would add that “advertise” would not include unpaid public awareness campaigns or educational or promotional materials by individuals exempted from Part 169 by Section 16905. Similarly, the bill would specify elsewhere that Part 169 would not prohibit an individual exempted from regulation by Section 16905 from issuing unpaid public awareness campaigns or educational or promotional materials.

MCL 333.16901 et. al.

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