



UTAH DEPARTMENT
OF COMMERCE

Office of Professional Licensure Review

Mental & Behavioral Health Licensure Review

November 3, 2022

OPLR Background

- **January 2021:** Executive Order 2021-01
 - Required each executive agency to review rules and regulations for occupational licensing to
 - 1) identify **rules and regulations that are no longer necessary**, and
 - 2) **reduce barriers to working** while still protecting the health, safety, and well-being of Utah residents

OPLR Background

- **January 2021:** Executive Order 2021-01
- **May 2022:** SB 16 (2022) enacted as Utah Code 13-1b

Created the Office of Professional Licensure Review (OPLR) within the Department of Commerce to perform the following duties:

- (1) Conduct a **sunrise review** of any applications to establish a new regulated occupation
- (2) Conduct a **review of each regulated occupation** at least once every 10 years
- (3) Respond to **legislative inquiries** regarding proposed or existing regulated occupations
- (4) **Report** to the Business and Labor Interim Committee annually

Applies to regulation of occupations administered by state executive branch agencies (13-1b-102)

OPLR Background

- **January 2021:** Executive Order 2021-01
- **May 2022:** SB 16 (2022) enacted as Utah Code 13-1b
- **July 2022:** OPLR begins operation
- **October 2022:** OPLR proposes review of MH/BH

Based on proposal to address mental health crisis, Business & Labor interim committee unanimously approves OPLR review of Mental & Behavioral Health Occupational Regulation for CY 2023

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Occupations for Review

Department of Commerce

- Social Worker (9,200 active licensees)
- Marriage & Family Therapist (1,400)
- Clinical Mental Health Counselor (2,600)
- Substance Use Disorder Counselor (500)
- Psychologist (1,200)
- Behavior Analyst (700)
- Therapeutic Recreation Specialist (700)
- Vocational Rehabilitation Counselor (200)
- State Certified Music Therapist (70)

Department of Health and Human Services

- Certified Case Manager (1,000)
- Certified Peer Support Specialist (100)
- Child/Family Peer Support Specialist/
Family Resource Facilitator (25)
- Certified Crisis Worker (130)
- Behavioral Emergency Services Technician (0)
- Advanced Behavioral Emergency Services
Technician (0)

Research Questions

- 1. Policy Landscape**
- 2. Impact to Consumers**
 - a. Risk of Harm
 - b. Availability of Services
 - c. Quality of Services
- 3. Impact to Practitioners**
 - a. Entry into Occupation
 - b. Practice of Occupation
 - c. Portability of License
- 4. Impact to Regulators**
 - a. Resource Demands
- 5. Policy Analysis**

Research Process

Phase 1

**Background &
Research Design**

Nov – Dec 2022

Phase 2

**Data Gathering
& Analysis**

Jan – Feb 2023

Phase 3

**Findings &
Recommendations**

March – Aug 2023

Phase 4

**Review &
Submission**

May – Dec 2023

Stakeholder Engagement Timeline

Phase 1

OPLR Open Door

Nov – Dec 2022

Open period for stakeholders to engage with OPLR to share data/ideas

Phase 2

Data Requests

Jan – Feb 2023

Time for OPLR to request additional data; no unsolicited input at this phase

Phase 3

OPLR Analysis

Mar – Aug 2023

Period for OPLR to independently conduct analysis & to draft report

Phase 4

Review & Comment

May – Dec 2023

Opportunity for informal review & formal comment by select stakeholders

What type of data & information is OPLR hoping to receive?

1. Academic journal articles
2. Industry reports (e.g., trends analysis)
3. Employer data (e.g., staffing needs)
4. Consumer data (e.g., wait times, travel)
5. Ideas for change

- ➡ Other questions we should be asking
- ➡ Other stakeholders we should engage



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Thank you!