

# Counseling Interstate Compact



## Executive Summary

Occupational licensing for different professions is left up to the discretion of individual states. Because of this, professionals who move to different states or perform telehealth may have different regulatory requirements they must meet for each state where they want to work. Interstate compacts are one option to standardize the regulatory and licensure process between states. Introduced during the 2022 Missouri legislative session, [HB 2749](#) would enter Missouri into an interstate counseling compact. Legislation to join the compact has been introduced in several states in the last two years, and the compact currently has 12 members.

## Highlights

- Moving across state lines can be difficult, particularly for military spouses who move across state lines ten times more frequently than average citizens and who are also more likely to work in a profession that requires a license.
- Access to professional counselors has been shown to be inversely correlated with suicide deaths.
- Missouri has ~30% fewer professional counselors per capita than the national average.
- One study of an interstate nursing compact found increased movements of nurses between member states, while migration from states within the compact to non-compact states decreased slightly.
- Twelve states including Kentucky, Nebraska, and Tennessee have already joined the counseling interstate compact and another three have passed bills awaiting signatures from their respective governors ([CO](#), [LA](#), [NH](#)).
- Missouri is currently in the rule-changing process for its counselor requirements which will likely bring it into agreement with the standards of the counseling compact.

## Limitations

- There is not a broad body of research on the effects of states joining occupational interstate compacts such as how this affects workforce migration or telehealth.

---

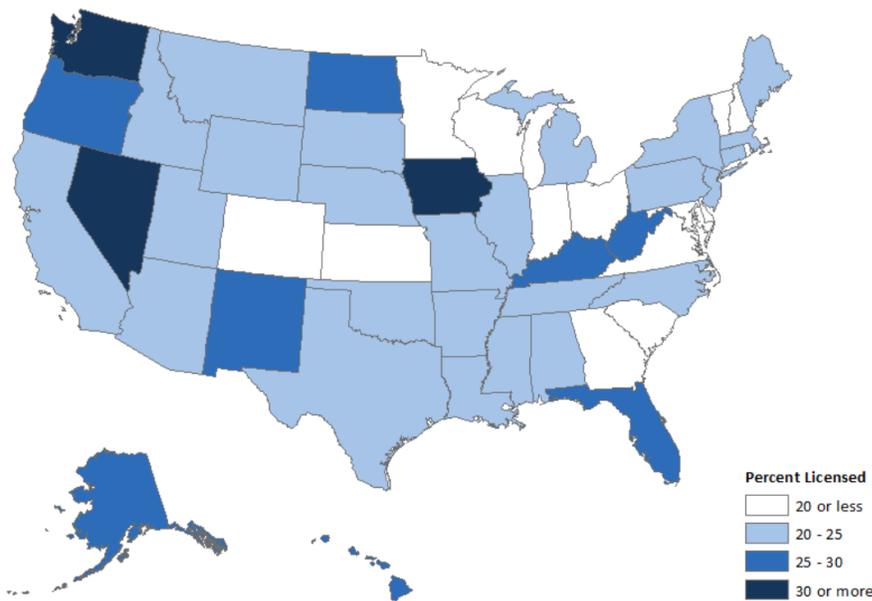
## Research Background

### Occupational Licensure

Many professions require licensing by a state in order to work in that profession (e.g., medical doctors, teachers, counselors, etc.). More than 25% of U.S. workers have licenses to perform their professions.<sup>1</sup> There is substantial variation in which professions are licensed by each state

*MOST Policy Initiative, Inc. is a nonprofit organization that provides nonpartisan information to Missouri's decisionmakers. All legislative Science Notes are written only upon request by members of the General Assembly. **This Science Note was published on 06/07/22 by Dr. ALAN MOSS, Education & Workforce Development Policy Fellow – [alan@mostpolicyinitiative.org](mailto:alan@mostpolicyinitiative.org).***

and what percentage of each state's residents are licensed (Figure 1). The number and types of professions that require licensure have grown significantly in recent years with more than 1,100 professions requiring licensure in at least one state.<sup>2</sup> Missouri requires licensure for [57 different professions](#). Licensing can make it more difficult for people to move from state to state.



Particularly affected are military spouses, who move across state lines ten times more frequently than average citizens and who are also more likely to work in a profession that requires a license.<sup>1</sup>

**Figure 1.** Percent of workers in each state that work in licensed professions. Source: Department of the Treasury Office of Economic Development.<sup>1</sup>

### Licensed Professional Counselors (LPCs)

Licensed professional counselors are healthcare professionals that provide mental health and substance abuse care. They are distinct from other types of counselors such as school guidance counselors. Licensure for LPCs typically, including in Missouri, requires a Master’s degree, supervised clinical practice, and passing a national and or state licensing exam. In Missouri and many other states, LPCs can diagnose mental illnesses.<sup>3</sup> Access to professional counselors has been shown to be inversely correlated with suicide deaths.<sup>4</sup> According to data from the U.S. Bureau of Labor Statistics, Missouri has ~30% fewer professional counselors per capita than the national average.<sup>5</sup> The COVID-19 pandemic has likely increased the demand for professional counselors as reported rates of treatment for anxiety, depression, and trauma/stress-related disorders has increased since 2020.<sup>6</sup>

### Interstate Licensing Compacts

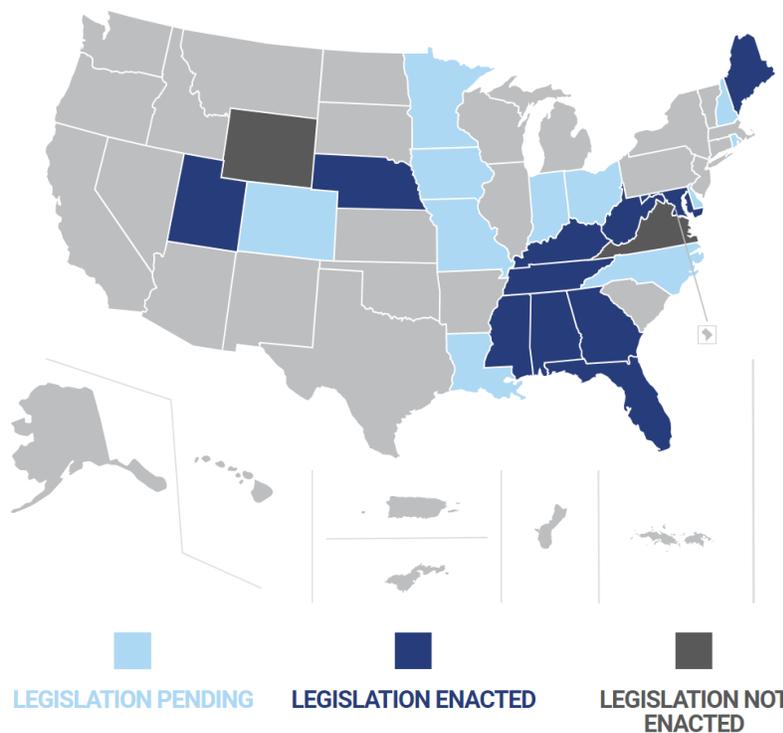
Interstate licensing compacts are agreements between several states that standardize licensing standards and allow individuals licensed in one state to have their licenses recognized in member states, assuming the individual is in good standing. These compacts are governed by nongovernment organizations that facilitate communication between states regarding data sharing, including occupational licensure and disciplinary statuses. Interstate compacts for various professions have become more common, especially during the COVID-19 pandemic due to workforce shortages and the expansion of telehealth. Interstate compacts apply largely to

medical professions including medical doctors, registered nurses, physical therapists, psychologists, EMS personnel, and professional counselors. Missouri is currently in several interstate licensing compacts for various professions such as [nursing](#), [occupational therapy](#), and [psychology](#). These three compacts have been joined by the majority of states. One interstate compact Missouri is *not* part of is for medical doctors; for more information see our Science Note on the [Interstate Medical Licensure Compact](#).

There is not a broad body of research on the effects of states joining occupational interstate compacts, such as how this affects workforce migration or telehealth. However, one study of an interstate nursing compact found increased movements of workers between member states while migration from states within the compact to non-compact states decreased slightly.<sup>7</sup>

### Interstate Professional Counseling Compact Legislation

Missouri state officials, along with officials from other states, participated in stakeholder discussions about forming an interstate professional counseling compact in the Fall of 2020. Since that time, legislation to create such a compact has been introduced in several states including Missouri. A clause is included in the legislation that the compact will only go into effect if 10 or more states join the compact, which has already been reached as of April of 2022. Currently, 12 states have joined the compact and another three have passed bills awaiting signatures from their respective governors ([CO](#), [LA](#), [NH](#)) (Figure 2). Three states that border Missouri, Kentucky, Nebraska, and Tennessee, have joined the compact already.



**Figure 2. States currently part of the counseling compact.** Because of recent legislation, more states will likely be part of the compact since this note was published. Source: <https://counselingcompact.org/map/>

Most states that have joined the compact passed legislation in 2022. [House Bill 2749](#), introduced during the 2022 Missouri legislative session, would enter Missouri into the counseling compact. Within the legislation are set requirements for licensing and privileges such as the ability to participate in investigations of remotely working counselors. A

provision to assist active military personnel and/or their spouses is also included. It allows these individuals to designate a Home State and retain this designated Home State throughout

their service regardless of where they are stationed. The legislation also includes participation in the Counseling Compact Commission, which is made up of a single delegate from each state in the compact and is in charge of administering the compact.

### **Current Missouri Counseling Regulations**

The [Committee for Professional Counseling](#) licenses counselors and is part of the Missouri Division of Professional Registration. Missouri regulations for professional counselors are largely in line with those of most other states. Of the minimum standards for counselors required to enter the counseling compact, Missouri does not meet one requirement (60 hours of graduate-level coursework). However, Missouri is currently in the rule-changing process regarding its counselor requirements which may bring it into agreement with the standards of the counseling compact. Missouri has a process of reciprocity for counseling licenses with other states. This process allows licensure for individuals that have been fully licensed for at least one year in another state and have met certain requirements. These requirements include (1) no disciplinary record, (2) a background check, (3) paying of all fees, and (4) proof of participation in at least two hours of suicide prevention training.<sup>8</sup> Enacted in 2018, [RSMo 324.015](#) exempts professional licensing application fees for low-income individuals along with military personnel and their spouses.

### **Telemedicine & Scope of Practice**

Missouri currently allows counselors from other states to serve clients that reside in Missouri via telehealth if the counselor holds a valid license in their home state and is in good standing with no disciplines.<sup>9</sup> Currently, counselors licensed in Missouri may or may not be able to practice telehealth in other states based on regulations in the state of the client. Individual member states of the counseling compact retain the ability to determine the scope of practice for counseling including telehealth. However, being part of the interstate counseling compact could potentially make it easier for counselors in participating states to participate in telehealth across state lines.

### **References**

1. Department of the Treasury Office of Economic Development. (2015) Occupational Licensing: A Framework for Policymakers. [https://obamawhitehouse.archives.gov/sites/default/files/docs/licensing\\_report\\_final\\_nonembargo.pdf](https://obamawhitehouse.archives.gov/sites/default/files/docs/licensing_report_final_nonembargo.pdf)
2. Kleiner, M. M., & Krueger, A. B. (2010). The Prevalence and Effects of Occupational Licensing. *British Journal of Industrial Relations*, 48(4), 676-687. <https://doi.org/10.1111/j.1467-8543.2010.00807.x>
3. NCSL (2022) *Scope of Practice Policy: Behavioral Health Providers*. <https://scopeofpracticepolicy.org/states/mo/>
4. Johnson, K.F. & Brookover, D.L. (2020) Counselors' Role in Decreasing Suicide in Mental Health Professional Shortage Areas in the United States. *Journal of Mental Health Counseling*, 42 (2): 170-186. <https://doi.org/10.17744/mehc.42.2.06>

5. U.S. Bureau of Labor Statistics. (2022) *Occupational Employment and Wages, May 2021*. [https://www.bls.gov/oes/current/oes211018.htm#\(9\)](https://www.bls.gov/oes/current/oes211018.htm#(9))
6. APA (2021) *American Psychological Association's COVID-19 Practitioner Survey*. <https://www.apa.org/pubs/reports/practitioner/covid-19-2021>
7. Ghani, A.A. (2019) The impact of the nurse licensing compact on inter-state job mobility in the United States. In: *OECD Economic Survey of the United States: Key Research Findings*. OECD Publishing. <https://doi.org/1-/1787/9789264310278-en>
8. Committee for Professional Counselors (2022) *LPC Reciprocity Qualifications Checklist*. <https://pr.mo.gov/boards/counselors/RECIPROCITY%20-%20CHECKLIST.pdf>
9. Lindsey, G. (2020) Press Release Letter: Telehealth Information. *Committee for Professional Counselors*. <https://pr.mo.gov/boards/counselors/covid-19/LPC-Covid-19-information.pdf>