

Amendment No. 1 to HB1840

Sexton C
Signature of Sponsor

AMEND Senate Bill No. 1556*

House Bill No. 1840

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 22, is amended by adding the following new part:

(a) No counselor or therapist providing counseling or therapy services shall be required to counsel or serve a client as to goals, outcomes, or behaviors that conflict with the sincerely held principles of the counselor or therapist; provided, that the counselor or therapist coordinates a referral of the client to another counselor or therapist who will provide the counseling or therapy.

(b) The refusal to provide counseling or therapy services as described in subsection (a) shall not be the basis for:

- (1) A civil cause of action; or
- (2) Criminal prosecution.

(c) For purposes of this section, "counseling or therapy services" means assisting an individual, who is seeking or engaged in the counseling relationship in a private practice setting, in a manner intended to facilitate normal human growth and development, using a combination of mental health and human development principles, methods, and techniques, to achieve mental, emotional, physical, social, moral, educational, spiritual, or career development and adjustment throughout the individual's life span.

(d) Subsections (a) and (b) shall not apply to a counselor or therapist when an individual seeking or undergoing counseling is in imminent danger of harming themselves or others.

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SECTION 2. Tennessee Code Annotated, Section 63-22-110(b)(3), is amended by adding the following language after the language "board;":

, except that a violation of A.11.b of the 2014 American Counseling Association Code of Ethics, or any similar or successor provision, shall not be grounds upon which the board shall exercise its powers pursuant to subsection (a); provided, however, that a violation of A.11.b shall be a ground for the board to exercise these powers in cases involving an individual seeking or undergoing counseling where the individual was in imminent danger of harming themselves or others;

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.