



February 8, 2016

The Honorable Senator Rusty Crowe
Chair, Senate Health & Welfare Committee
1 Legislative Plaza
Nashville, TN 37243

Re: Opposition to SB 1556, Statement from the American Counseling Association opposing an Act to amend Tennessee Code Annotated, Title 4; Title 49 and Title 63

Dear Chairperson Crowe and Members of the Senate Health & Welfare Committee:

The American Counseling Association (ACA) is opposed to SB 1556, “An Act to amend Tennessee Code Annotated, Title 4; Title 49 and Title 63, relative to conscientious objections to the provision of counseling and therapy.” If enacted, professional counselors would be permitted to deny services to the citizens of Tennessee. As the world’s largest organized body of professional counselors, this type of discriminatory action is in direct violation of ACA’s Code of Ethics, and is antithetical to the counseling profession.

The ACA Code of Ethics explicitly prohibits licensed professional counselors from discriminating against those who seek their care (Section C.5). Further, section A.11.b. states that, “*Counselors refrain from referring prospective and current clients based solely on the counselor’s personally held values, attitudes, beliefs, and behaviors*”. Similar to many other helping professions, professional counselors are encouraged to seek training in areas where their own beliefs may impair their ability to assist their clients. The ACA Code of Ethics protects all individuals who seek mental health services and is not designed to force the beliefs of a client upon that of a counselor. Rather, it is to clarify referral practices and to affirm the unique tenets of the profession, the ability to help all others regardless of personal belief.

The counseling profession has worked for years to develop initial training and continuing education requirements. Professional counselors are required to understand alternative perspectives because it strengthens their ability to serve those who are most in need. The Tennessee Board of Licensed Professional Counselors, Licensed Marital and Family Therapists and Licensed Pastoral Therapists recognizes the need for additional training and outlines continuing education requirements as a condition for keeping a license in good standing.

The Tennessee board regulating the counseling profession has also adopted the ACA Code of Ethics. If SB 1556 is signed into law, professional counselors in Tennessee will face a difficult dilemma and it will also create a quandary for the Tennessee Board given the regulatory and legislative contradiction. Creating conflicting statute will put the livelihoods of professionals in jeopardy and impact the ability to provide mental health services. Tennessee is already plagued with a shortage of caregivers as noted

by the federal government identifying 63 mental health shortage areas across the state which means that more than 61 percent of mental health care needs are unmet across Tennessee.¹

In addition to providing services through private practice, hospitals, and community agencies, professional counselors are also employed in public settings including schools, government agencies, and other organizations. As written, SB 1556 could prevent school counselors from helping the most vulnerable children who are in need of advice and support. Tennessee's professional school counselors do not have the ability to self-select clients. If they denied services to a student in need, that child will have no other option for seeking out the assistance and support from a trained mental health professional at school. Denying a student the services of a professional school counselor could have dire consequences related to bullying, substance abuse, and youth suicide (something that remains as one of the leading causes of death for children in the state of Tennessee ²).

The counseling profession is committed to improving the lives of all individuals, regardless of religious beliefs or differing values. Professional counselors undergo significant training to learn how to help those with whom they may not share similar values. It is essential to our mental health care system that these highly trained professionals be able to help any individual seeking assistance. SB 1556 would allow counselors, licensed and otherwise, to withhold services based on personally held religious beliefs. This type of discrimination is something in which ACA stands in strong opposition.

The American Counseling Association strongly believes that mental health care should be accessible with as few barriers as possible. It behooves the counseling profession to be trained to help all individuals, regardless of personal belief. ACA remains committed to protecting diversity and standing against discrimination. Please contact us should you have any questions about our position.

Thank you for your consideration of our concerns. Please do not hesitate to contact me directly at 800-347-6647 x 231 or by email at ryep@counseling.org.

Sincerely,



Richard Yep, CAE, FASAE
Chief Executive Officer
The American Counseling Association

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1. Bureau of Clinician Recruitment and Service, Health Resources and Services Administration (HRSA), U.S. Department of Health & Human Services, HRSA Data Warehouse: Designated Health Professional Shortage Areas Statistics, as of April 28, 2014.
 2. Centers for Disease Control & Prevention (CDC) via the Tennessee Department of Health, 2013