Agency Name: Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, and Psycho-Educational Specialists

Statutory Authority: 40-1-40, 40-1-70, and 40-75-60

Document Number: 4231

Proposed in State Register Volume and Issue: 35/12

House Committee: Medical, Military, Public and Municipal Affairs Committee

Senate Committee: Labor, Commerce and Industry Committee

120 Day Review Expiration Date for Automatic Approval: 05/17/2013

Final in State Register Volume and Issue: 37/6

Status: Final

Subject: Requirements of Licensure for Professional Counselors, Marriage and Family Therapists, and Psycho-Educational Specialists

History: 4231

By Date Action Description Jt. Res. No. Expiration Date

- 12/23/2011 Proposed Reg Published in SR

- 02/06/2012 Received by Lt. Gov & Speaker 06/05/2012

H 02/07/2012 Referred to Committee

S 02/07/2012 Referred to Committee

S 04/02/2012 Committee Requested Withdrawal

 120 Day Period Tolled

- 04/19/2012 Withdrawn and Resubmitted 01/22/2013

- 06/08/2012 Withdrawn due to end of two-year session

- 01/17/2013 Resubmitted with no substantive changes

 - Received by Lt. Gov & Speaker 05/17/2013

S 02/20/2013 Resolution Introduced to Approve 399

H 03/21/2013 Resolution Introduced to Approve 3852

- 05/17/2013 Approved by: Expiration Date

- 06/28/2013 Effective Date unless otherwise

 provided for in the Regulation

Document No. 4231

**BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND PSYCHO-EDUCATIONAL SPECIALISTS**

CHAPTER 36

Statutory Authority: 1976 Code Sections 40-1-40, 40-1-70 and 40-75-60

36-03. Meetings.

36-04. General Licensing Provisions for Professional Counselor Interns.

36-04.1. Specific Training Required for Interns to Assess and Treat Serious Problems as Categorized in Standard Diagnostic Nomenclature.

36-05. General Licensing Provisions for Licensed Professional Counselors.

36-08. General Licensing Provisions for Marriage and Family Therapists.

**36-08.1.** Specific Training Required for Persons Licensed as Marriage and Family Therapists to Assess and Treat Serious Problems as Categorized in Standard Diagnostic Nomenclature.

36-12. Reactivation of Expired Licenses.

36-15. Fees.

**Synopsis:**

 To satisfy the requirements of licensure for professional counselors, marriage and family therapists, and psycho-educational specialists, Regulations 36-03 through 36-05, 36-08 through 36-08.1, 36-12, and 36-15 are updated in conformance with the current Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, and Psycho-Educational Specialists Practice Act.

The Notice of Drafting was published in the *State Register* on November 25, 2011.

**Instructions:**

The following sections of Chapter 36 are modified as provided below. All other items and sections remain unchanged.

**Text:**

36-03. Meetings.

(1) The Board shall meet at least two (2) times a year and at other times upon the call of the president or a majority of the Board members.

(2) A majority of the members of the Board constitutes a quorum; however, if there is a vacancy on the Board, a majority of the members serving constitutes a quorum.

(3) Board members are required to attend meetings or to provide proper notice and justification of inability to attend. Unexcused absences from meetings may result in removal from the Board as provided in Section 1-3-240. Affirmative action by the Board is required to approve an excused absence, and the status of an absence as excused or unexcused is entirely within the Board's discretion.

36-04. General Licensing Provisions for Professional Counselor Interns.

An applicant for initial licensure as a professional counselor intern must:

(1) submit an application on forms approved by the Board, along with the required fee; and

(2) submit evidence of successful completion of a graduate degree with a minimum of forty-eight (48) graduate semester hours primarily in counseling or related discipline from a college or university accredited by the Commission on the Colleges of the Southern Association of Colleges and Schools, one of its transferring regional associations, the Association of Theological Schools in the United States and Canada, or a regionally-accredited institution of higher learning subsequent to receiving the graduate degree, along with evidence of an earned master's degree, specialist's degree or doctoral degree. On one’s graduate transcript the applicant must demonstrate successful completion of one (1) three-hour graduate level course in each of the following areas:

(a) Human growth and development: coursework content providing an understanding of the nature and needs of individuals at all developmental levels, normal and abnormal human behavior, personality theory, and learning theory (all) within cultural contexts; and

(b) Social and cultural foundations: coursework content providing an understanding of societal changes and trends, human roles, societal subgroups, social mores and interaction patterns, and differing lifestyles; and

(c) Helping relationships: coursework content providing an understanding of philosophic bases of helping processes, counseling theories and their applications, helping skills, consultation theories and applications, helper self-understanding and self-development, and facilitation of client or consultee change; and

(d) Groups: coursework content providing an understanding of group development, dynamics, and counseling theories; group leadership styles, group counseling methods and skills, and other group approaches; and

(e) Lifestyle and career development: coursework content providing an understanding of career development theories, occupational and educational information sources and systems, career and leisure counseling, guidance, and education; lifestyle and career decision-making; and career development program planning, resources, and evaluation; and

(f) Appraisal: coursework content providing an understanding of group and individual education and psychometric theories and approaches to appraisal, data, and information gathering methods, validity and reliability, psychometric statistics, factors influencing appraisals, and use of appraisal results in helping processes; and

(g) Research and evaluation: coursework content providing an understanding of types of research, basic statistics, research report development, research implementation, program evaluation, needs assessment, and ethical and legal considerations; and

(h) Professional orientation: coursework content providing an understanding of professional roles and functions, professional goals and objectives, professional organizations and associations, professional history and trends, ethical and legal standards, professional preparation standards, and professional credentialing; and

(i) Psychopathology: coursework content providing an understanding of psychopathology, abnormal psychology, abnormal behavior, etiology dynamics, and treatment of abnormal behavior; and

(j) Diagnostics: coursework content providing an understanding of the diagnostics of Psychopathology; and

(k) Practicum: a minimum of one (1) supervised one hundred fifty (150) hour counseling practicum; and

(3) submit evidence of a passing score on an examination approved by the Board; and

(4) submit a supervision plan, satisfactory to the Board, designed to take effect after notice of licensure as a Licensed Professional Counselor Intern.

36-04.1. Specific Training Required for Interns to Assess and Treat Serious Problems as Categorized in Standard Diagnostic Nomenclature.

In order for any person licensed as a Licensed Professional Counselor Intern to assess and treat serious problems as described in standard diagnostic nomenclature, a Licensed Professional Counselor Intern must have satisfied the following requirements in addition to the academic course requirements outlined in Section 36-04(2)(a-k):

(1) Completed a practicum as part of a degree program, as required in Section 36-04(2)(k) above, that dealt directly with the assessment and treatment of more serious problems as categorized in standard diagnostic nomenclature; and

(2) Completed an internship, as part of a degree program, of at least six hundred (600) hours under the supervision of a qualified licensed mental health practitioner that included experience assessing and treating clients with the more serious problems as categorized in standard diagnostic nomenclature.

36-05. General Licensing Provisions for Licensed Professional Counselors.

An applicant for licensure as a professional counselor must:

(1) submit an application on forms approved by the Board, along with the required fee; and

(2) hold a current, active, and unrestricted professional counselor intern license; and

(3) submit evidence satisfactory to the Board of a minimum of one thousand five hundred (1500) hours of supervised clinical experience in the practice of professional counseling performed over a period of not fewer than two (2) years under the supervision of a licensed professional counselor supervisor or other qualified licensed mental health practitioner as provided in Section 36-05.1. The experience must include a minimum of one thousand five hundred (1500) hours of direct counseling with individuals, couples, families, or groups of which a minimum of one hundred fifty (150) hours are to be spent in immediate supervision with the licensed professional counselor supervisor, including one hundred (100) hours of individual supervision and fifty (50) hours of either individual or group supervision; and

(4) submit evidence that the supervision plan has been completed, including a recommendation by the licensed professional counselor supervisor, on forms approved by the Board.

36-08. General Licensing Provisions for Marriage and Family Therapists.

An applicant for licensure as a Marriage and Family Therapist must:

(1) submit an application on forms approved by the Board, along with the required fee; and

(2) hold a current, active, and unrestricted Marriage and Family Therapy Intern license unless applying under the provisions of Section 36-11; and

(3) submit evidence satisfactory to the Board of a minimum of one thousand five hundred (1500) hours of supervised clinical experience in the practice of marriage and family therapy performed over a period of not fewer than two (2) years under the supervision of a licensed marriage and family therapy supervisor or other qualified licensed mental health practitioner as approved by the Board. The experience must include a minimum of one thousand five hundred (1500) hours of direct client contact with individuals, couples, families, or groups of which a minimum of one hundred and fifty (150) hours are to be spent in immediate supervision with the licensed marriage and family therapy supervisor, including one hundred (100) hours of individual supervision and fifty (50) hours of either individual or group supervision; and

(4) submit evidence that the supervision plan has been completed, including a recommendation by the licensed marriage and family therapy supervisor, on forms approved by the Board.

36-08.1. Specific Training Required for Persons Licensed as Marriage and Family Therapists to Assess and Treat Serious Problems as Categorized in Standard Diagnostic Nomenclature.

In order for any person licensed as a Licensed Marriage and Family Therapist to assess and treat serious problems as described in standard diagnostic nomenclature, a Licensed Marriage and Family Therapist must have satisfied the following requirements:

(A)(1) Completed a minimum of three (3) graduate semester hours in Psychopathology in academic training from a college or university approved by the Board. This course must provide the practitioner with an understanding of psychopathology, abnormal psychology, abnormal behavior, etiology dynamics, and treatment of abnormal behavior; and

(2) Completed a minimum of three (3) graduate semester hours in Diagnostics in academic training from a college or university approved by the Board. This course must provide the practitioner with an understanding of the diagnostics of psychopathology; and

(3) Completed a minimum of one thousand five hundred (1500) hours of post-degree supervised clinical experience in the practice of marriage and family therapy performed over a period of not fewer than two (2) years with an emphasis in the treatment of serious problems as categorized in standard diagnostic nomenclature, under the supervision of a licensed marriage and family therapy supervisor approved by the Board. The experience must include a minimum of one thousand five hundred (1500) hours of direct client contact with individuals, couples, families, or groups of which a minimum of one hundred and fifty (150) hours are to be spent in immediate supervision with the licensed marriage and family therapist supervisor, including one hundred (100) hours of individual supervision and fifty (50) hours of individual or group supervision.

(B) A licensee engaged in the assessment and treatment of serious problems as categorized in standard diagnostic nomenclature prior to the effective date of these regulations shall be authorized to continue engaging in such practice provided that the licensee has made proper application to the Board for designation not later than one year after the effective date of these regulations; and:

(1) has completed, within three (3) years after the effective date of these regulations, a minimum of three graduate semester hours in Psychopathology in academic training from a college or university approved by the Board. This course must provide the practitioner with an understanding of psychopathology, abnormal psychology, abnormal behavior, etiology dynamics, and treatment of abnormal behavior; and

(2) has completed, within three (3) years after the effective date of these regulations, a minimum of three graduate semester hours in Diagnostics in academic training from a college or university approved by the Board. This course must provide the practitioner with an understanding of the diagnostics of psychopathology; and

(C) Upon application to the Board and satisfactory proof of compliance with all applicable requirements to assess and treat serious problems as categorized in standard diagnostic nomenclature, the Board shall designate that the licensee is authorized to assess and treat the more serious problems as categorized in standard diagnostic nomenclature for which the licensee has met the requirements.

36-12. Reactivation of Expired Licenses.

(1) A licensed professional counselor, marriage and family therapist, psycho-educational specialist, professional counselor supervisor, or marriage and family therapist supervisor whose license has been expired for at least three (3) months, but fewer than two (2) years, may reactivate the license upon application, along with the required fee, and demonstration of evidence satisfactory to the Board on a form approved by the Board of the requisite continuing education hours for each year during which the license was expired. The Board for good cause may waive any part of this continuing education requirement upon appropriate conditions.

(2) A licensed professional counselor, marriage and family therapist, psycho-educational specialist, professional counselor supervisor, or marriage and family therapist supervisor whose license has been expired for more than two (2) years must re-apply and meet all of the requirements, at the time of application, for licensure.

(3) Any applicant for reactivation shall submit a notarized affidavit certifying that they have not been engaged in the practice of counseling, marriage and family therapy, psycho-education specialty outside of the school setting, professional counselor supervising or marriage and family therapy supervising during the period their license was not in an active status.

36-15. Fees.

(A) Fees are as follows:

(1) Application Fee – Application goes to Center for Credentialing Education (CCE) to be reviewed and approved

(2) Initial license fee

 (a) Intern $150.00

 (b) Professional Counselors $170.00

 (c) Marriage and Family Therapists $170.00

 (d) Psycho-educational Specialists $130.00

 (e) Professional Counselor Supervisors $100.00

 (f) Marriage and Family Therapy Supervisors $100.00

(3) Biennial license renewal

(a) Professional Counselors $150.00

(b) Marriage and Family Therapists $150.00

(c) Psycho-educational Specialists $150.00

(d) Professional Counselor Supervisors $100.00

(e) Marriage and Family Therapy Supervisors $100.00

(4) Late Renewal Penalty (1 through 3 months) $50.00

(5) Reinstatement Fee $300.00 + renewal

(6) Examination Fee

(a) Professional Counselors - paid to National Board for Certified Counselors (NBCC)

(b) Marriage and Family Therapists – paid to Professional Examination Service (PES)

(7) License Verification (copy of file) $15.00

(8) License verification to another state $5.00

(9) Name change and new license no fee

(10) Duplicate license

 (a) Wall certificate $25.00

 (b) License card $10.00

(11) Returned check charge $30.00

(or as otherwise established by law as administrative costs for returned checks)

(B) All fees are nonrefundable.

**Fiscal Impact Statement:**

 There will be no cost incurred by the State or any of its political subdivisions.

**Statement of Rationale:**

 These regulations are updated in conformance with the current Counselors Practice Act.