

Dear Senators MARTIN, Souza, Jordan, and  
Representatives WOOD, Wagoner, Chew:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the  
Division of Occupational and Professional Licenses - ID Licensing Board of Professional Counselors &  
Marriage & Family Therapists:  
IDAPA 24.15.01 - Notice of Omnibus Rulemaking (Fee Rule) - Proposed Rule (Docket No.  
24-1501-2000F).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the  
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research  
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative  
Services. The final date to call a meeting on the enclosed rules is no later than 11/03/2020. If a meeting is  
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis  
from Legislative Services. The final date to hold a meeting on the enclosed rules is 12/01/2020.

The germane joint subcommittee may request a statement of economic impact with respect to a  
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,  
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has  
been held.

To notify Research and Legislation, call 334-4854, or send a written request to the address on the  
memorandum attached below.



Eric Milstead  
Director

# Legislative Services Office

## Idaho State Legislature

*Serving Idaho's Citizen Legislature*

### MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Health & Welfare Committee and the House Health & Welfare Committee

**FROM:** Legislative Drafting Attorney - Matt Drake

**DATE:** October 15, 2020

**SUBJECT:** Division of Occupational and Professional Licenses - ID Licensing Board of Professional Counselors & Marriage & Family Therapists

IDAPA 24.15.01 - Notice of Omnibus Rulemaking (Fee Rule) - Proposed Rule (Docket No. 24-1501-2000F)

#### Summary and Stated Reasons for the Rule

The Division of Occupational and Professional Licenses submits notice of proposed fee rule. According to the Division, the rulemaking republishes the temporary rule chapter that was previously submitted under IDAPA 24.15.01, Rules of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists. The Division states that the fee rules do not impose a fee or charge, or increase a fee or charge, beyond what was previously submitted to and reviewed by the Legislature in the prior rules. In addition, the rules have been updated to provide a licensure by endorsement process consistent with the Occupational Licensing Reform Act.

#### Negotiated Rulemaking/Fiscal Impact

The Division notes that negotiated rulemaking was not conducted because engaging in negotiated rulemaking for all previously existing rules would inhibit the Division's ability to serve the citizens of Idaho and to protect their health, safety, and welfare. The Division also confirms that the rulemaking is not anticipated to have any fiscal impact on the general fund.

#### Statutory Authority

The rulemaking appears to be authorized pursuant to Section 54-3404, Idaho Code.

cc: Division of Occupational and Professional Licenses - ID Licensing Board of Professional Counselors & Marriage & Family Therapists  
Russ Barron

\*\*\* PLEASE NOTE \*\*\*

Kristin Ford, Manager  
Research & Legislation

Paul Headlee, Manager  
Budget & Policy Analysis

April Renfro, Manager  
Legislative Audits

Glenn Harris, Manager  
Information Technology

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

**IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES**

**24.15.01 – RULES OF THE IDAHO LICENSING BOARD OF PROFESSIONAL COUNSELORS AND MARRIAGE AND FAMILY THERAPISTS**

**DOCKET NO. 24-1501-2000F (FEE RULE)**

**NOTICE OF OMNIBUS RULEMAKING – PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 54-3404, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Opportunity for presentation of oral comments concerning this rulemaking will be scheduled in accordance with Section 67-5222, Idaho Code.

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of the purpose of the proposed rulemaking:

This proposed rulemaking re-publishes the following existing temporary rule chapter previously submitted to and reviewed by the Idaho Legislature under IDAPA 24.15.01, Rules of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists:

**IDAPA 24.15**

- 24.15.01, *Rules of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists.*

**FEE SUMMARY:** This rulemaking does not impose a fee or charge, or increase a fee or charge, beyond what was previously submitted to and reviewed by the Idaho Legislature in the prior rules. Fees are established in accordance with Section 54-3411, Idaho Code, as follows:

<b>LICENSE/PERMIT/REGISTRATION</b>	<b>INITIAL FEE (Not to Exceed)</b>	<b>ANNUAL RENEWAL FEE (Not to Exceed)</b>
Application	\$100	
License	\$100	\$120
Intern Registration	\$25	
Reinstatement Fee	As provided in Section 67-2614, Idaho Code	
Senior License		\$60
Inactive License		\$60
Inactive to Active License Fee	The difference between the current inactive and active license renewal fees	

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: This rulemaking is not anticipated to have any fiscal impact on the state general fund because the FY2021 budget has already been set by the Legislature, and approved by the Governor, anticipating the existence of the rules and fees being reauthorized by this rulemaking.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not feasible because engaging in negotiated rulemaking for all previously existing rules will inhibit the agency from carrying out its ability to serve the citizens of Idaho and to protect their health, safety, and welfare.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, incorporated material may be obtained or electronically accessed as provided in the text of the proposed rules attached hereto.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Rob McQuade at (208) 334-3233.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered within twenty-one (21) days after publication of this Notice in the Idaho Administrative Bulletin. Oral presentation of comments may be requested pursuant to Section 67-5222(2), Idaho Code, and must be delivered to the undersigned within fourteen (14) days of the date of publication of this Notice in the Idaho Administrative Bulletin.

Dated this 1st day of September, 2020.

Russell Barron  
Administrator  
Division of Occupational and Professional Licenses  
700 W. State Street  
P.O. Box 83720  
Boise, ID 83720-0063  
Phone: (208) 334-3233  
[ibol@ibol.idaho.gov](mailto:ibol@ibol.idaho.gov)

**24.15.01 – RULES OF THE IDAHO LICENSING BOARD OF PROFESSIONAL  
COUNSELORS AND MARRIAGE AND FAMILY THERAPISTS**

**000. LEGAL AUTHORITY.**

These rules are hereby prescribed and established pursuant to the authority vested in the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists by the provisions of Section 54-3404, Idaho Code.

( )

**001. TITLE AND SCOPE.**

These rules are titled IDAPA 24.15.01, “Rules of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists.”

( )

**002. – 003. (RESERVED)**

**004. INCORPORATION BY REFERENCE.**

**01. ACA Code of Ethics.** “ACA Code of Ethics,” as published by the American Counseling Association (ACA), effective 2014, is herein incorporated by reference and is available from the Board’s office and website.

( )

**02. AAMFT Code of Ethics.** The document titled “AAMFT Code of Ethics,” as published by the American Association for Marriage and Family Therapy (AAMFT), effective January 1, 2015, is herein incorporated by reference and is available from the Board’s office and website.

( )

**03. Guidelines.** The document titled “Approved Supervision Designation Handbook” that provides supervision guidelines for supervisors, as published by the American Association for Marriage and Family Therapy (AAMFT), dated October 2007, is herein incorporated by reference and is available from the Board’s office and website.

( )

**005. -- 009. (RESERVED)**

**010. DEFINITIONS.**

**01. Accredited University or College.** An accredited university or college is a college or university accredited by a regional accrediting agency as identified by the U.S. Department of Education.

( )

**02. Face-to-face Setting.** May include a secure live electronic face-to-face connection between the supervisor and supervisee.

( )

**03. Licensed Mental Health Professional Supervisor.** A clinical professional counselor, marriage and family therapist, psychologist, clinical social worker, or psychiatrist, whose license in Idaho is active, current, and in good standing and who, when applicable, is registered as a supervisor with their respective licensing board.

( )

**04. Practicum.** The term practicum includes a practicum, internship, or a combination, taken as part of the graduate level program.

( )

**05. Supplemental Practicum Hours.** Supplemental practicum hours are hours of direct client contact that are supervised at a ratio of one (1) hour of supervision for every ten (10) hours of direct client contact by a registered supervisor for the profession for which the applicant is seeking licensure.

( )

**011. -- 149. (RESERVED)**

**150. QUALIFICATIONS FOR PROFESSIONAL COUNSELOR LICENSURE.**

Licensure as a “professional counselor” is restricted to persons who have successfully completed the required examination and each of the following:

( )

**01. Graduate Program.** Possess a master’s degree or higher, which includes an educational specialist degree, that is primarily counseling in nature, from an accredited university or college offering a graduate program in counseling, provided that the program is either:

( )

**a.** Approved by the Council for Accreditation of Counseling and Related Educational Programs; or

( )

**b.** A counseling program of at least sixty (60) semester hours or ninety (90) quarter hours in length and that at a minimum includes successful completion of one (1) graduate level course unique to the eight (8) areas and an advanced counseling practicum as follows: ( )

i. Human growth and development: Includes studies that provide a broad understanding of the nature and needs of individuals at all developmental levels. Emphasis is placed on psychological, sociological, and physiological approaches. Also included are areas such as human behavior (normal and abnormal), personality theory, and learning theory. ( )

ii. Social and cultural foundations: Includes studies of change, ethnic groups, subcultures, changing roles of women, sexism, urban and rural societies, population patterns, cultural mores, use of leisure time, and differing life patterns. ( )

iii. The helping relationship: Includes philosophic bases of the helping relationship: Consultation theory and/or an emphasis on the development of counselor and client (or consultee) self-awareness and self-understanding. ( )

iv. Groups: Includes theory and types of groups, as well as descriptions of group practices, methods dynamics, and facilitative skills. It includes either a supervised practice and/or a group experience. ( )

v. Life-style and career development: Includes areas such as vocational-choice theory, relationship between career choice and life-style, sources of occupational and educational information, approaches to career decision-making processes, and career-development exploration techniques. ( )

vi. Appraisal of the individual: Includes the development of a framework for understanding the individual, including methods of data gathering and interpretation, individual and group testing, case-study approaches and the study of individual differences. Ethnic, cultural, and sex factors are also considered. ( )

vii. Research and evaluation: Includes areas such as statistics, research design, and development of research and demonstration proposals. It also includes understanding legislation relating to the development of research, program development, and demonstration proposals, as well as the development and evaluation of program objectives. ( )

viii. Professional orientation: Includes goals and objectives of professional counseling organizations, codes of ethics, legal consideration, standards of preparation, certification, and licensing and role of identity of counselors. ( )

ix. Advanced counseling practicum: Complete at least two (2) semester courses of an advanced counseling practicum taken at the graduate school level, provided that the applicant completed a total of two hundred eighty hours (280) of direct client contact that is supervised at the ratio of at least one (1) hour of one-to-one supervision for every ten (10) hours of experience in the setting. An applicant may complete one (1) supplemental practicum hour for every hour in which the practicum was deficient and that meets the requirements of Subsection 230.02 of these rules. ( )

**02. Supervised Experience Requirement.** One thousand (1,000) hours of supervised experience in counseling acceptable to the Board. ( )

**a.** One thousand (1,000) hours is defined as one thousand (1,000) clock hours of experience working in a counseling setting, four hundred (400) hours of which must be direct client contact. Supervised experience in practicum taken at the graduate level may be utilized. The supervised experience includes a minimum of one (1) hour of face-to-face or one-to-one (1/1) or one-to-two (1/2) supervision with the supervisor for every twenty (20) hours of job/internship experience. ( )

**b.** Supervision must be provided in compliance with the ACA Code of Ethics that was adopted by the Board at the time the supervision and provided by a counselor education faculty member at an accredited college or university, Professional Counselor, registered with the Board as a supervisor, or a licensed mental health professional

supervisor as defined in these rules. If the applicant's supervision was provided in another state, it must have been provided by a counseling professional licensed by that state, provided the requirements for licensure in that state are substantially equivalent to the requirements in Idaho. ( )

**c.** Experience in counseling is defined as assisting individuals or groups, through the counseling relationship, to develop an understanding of personal problems, to define goals, and to plan action reflecting interests, abilities, aptitudes, and needs as related to persona-social concerns, educational progress, and occupations and careers. Counseling experience may include the use of appraisal instruments, referral activities, and research findings. ( )

**d.** The Board considers the recommendation of the supervisor(s) when determining the acceptability of the applicant's supervised experience. ( )

**151. -- 224. (RESERVED)**

**225. CLINICAL PROFESSIONAL COUNSELOR LICENSURE.**

Licensure as a "clinical professional counselor" is restricted to applicants who have successfully passed the required examination and have met the following: ( )

**01. License.** Hold a "professional counselor" license in this state or a license or other authorization in another state that has substantially similar requirements to a licensed professional counselor in this state, provided the license or authorization is current and in good standing; and ( )

**02. Experience.** Document two thousand (2,000) hours of direct client contact experience under supervision accumulated in no less than a two (2) year period after licensure or other authorization to practice in any state. ( )

**a.** All applicants must provide verification of meeting at least one thousand (1,000) hours of supervised experience under the supervision of a licensed Clinical Professional Counselor registered as a supervisor with the Board. The remainder of the supervision may be provided by a licensed mental health professional supervisor as defined in these rules. If the applicant's supervision was provided in another state, it must have been provided by a counseling professional licensed by that state, provided the requirements for license and supervision are substantially equivalent to the requirements in Idaho. ( )

**b.** One (1) hour of clinical supervision for every thirty (30) hours of direct client contact is required. Individual supervision is defined as one (1) hour of face-to-face, one-on-one (1:1) or one-to-two (1:2) supervision to every thirty (30) hours of direct client contact. Supervision must be provided in a face-to-face setting. ( )

**c.** No more than one-half (1/2) of the required supervision hours may be group supervision. ( )

**03. Recommendation of the Supervisor(s).** The Board considers the recommendation of the supervisor(s) when determining the acceptability of the applicant's supervised experience. ( )

**226. -- 229. (RESERVED)**

**230. QUALIFICATIONS FOR ASSOCIATE MARRIAGE AND FAMILY THERAPIST.**

An applicant for associate marriage and family therapist licensure must pass the required examination and meet the following: ( )

**01. Graduate Degree.** Possess a graduate degree as outlined in Subsection 238.01 of these rules or a master's degree or higher in marriage and family therapy or a related field from an accredited university or college, provided that the graduate program meets one of the following: ( )

**a.** Accredited by the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE); or ( )



**b.** Accredited by the Council for Accreditation of Counseling and Related Educational Programs- Marriage, Couple, and Family Counseling (CACREP-MCFC); or ( )

**c.** The program includes, at a minimum, twenty-seven (27) semester credits or thirty-six (36) quarter credits of the graduate level coursework set forth in Subsection 238.01.b of these rules. ( )

**02. Practicum.** Completion of a supervised practicum in no less than a twelve (12) month period as part of the graduate program. The practicum must consist of at least three hundred (300) hours of direct client contact, of which at least one hundred fifty (150) hours must be with couples, families and other systems, provided that the Board may grant a license to an applicant who completed a practicum with fewer than the required hours and completed one (1) supplemental practicum hour for every hour in which the practicum was deficient. Supplemental practicum hours must be completed as: ( )

**a.** A Registered Intern under Section 245 of these rules; or ( )

**b.** Supervised practice in another jurisdiction that is sufficient to be considered substantially similar to the supplemental practicum hour requirements of these rules; or ( )

**c.** A combination of Paragraph 02.a. and 02.b. of this subsection. ( )

**231. – 237. (RESERVED)**

**238. MARRIAGE AND FAMILY THERAPISTS.**

An applicant for marriage and family therapist licensure must pass the required examination and meet the following: ( )

**01. Graduate Degree.** Possess a master’s degree or higher in marriage and family therapy or a related field from an accredited university or college provided that the program is either: ( )

**a.** Accredited by the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE); or ( )

**b.** A program of at least sixty (60) semester hours or ninety (90) quarter hours in length and that includes at a minimum: ( )

**i.** Marriage and family studies – Nine (9) semester credit hours or twelve (12) quarter credit hours: includes theoretical foundations, history, philosophy, etiology and contemporary conceptual directions of marriage and family therapy or marriage and family counseling; family systems theories and other relevant theories and their application in working with a wide variety of family structures, including families in transition, nontraditional families and blended families, and a diverse range of presenting issues; and preventive approaches, including premarital counseling, parent skill training and relationship enhancement, for working with couples, families, individuals, subsystems and other systems; ( )

**ii.** Marriage and family therapy – Nine (9) semester credit hours or twelve (12) quarter credit hours: includes the practice of marriage and family therapy related to theory, and a comprehensive survey and substantive understanding of the major models of marriage and family therapy or marriage and family counseling; and interviewing and assessment skills for working with couples, families, individuals, subsystems and other systems, and skills in the appropriate implementation of systematic interventions across a variety of presenting clinical issues including, but not limited to, socioeconomic disadvantage, abuse and addiction; ( )

**iii.** Biopsychosocial health and development across the lifespan – Nine (9) semester credit hours or twelve (12) quarter credit hours: includes individual development and transitions across the life span; family, marital and couple life cycle development and family relationships, family of origin and intergenerational influences, cultural influences, ethnicity, race, socioeconomic status, religious beliefs, gender, sexual orientation, social and equity issues and disability; human sexual development, function and dysfunction, impacts on individuals, couples and families, and strategies for intervention and resolution; and issues of violence, abuse and substance use in a relational context, and strategies for intervention and resolution; ( )

iv. Psychological and mental health competency – Six (6) semester credit hours or eight (8) quarter credit hours: includes psychopathology, including etiology, assessment, evaluation and treatment of mental disorders, use of the current diagnostic and statistical manual of mental disorders, differential diagnosis and multiaxial diagnosis; standard mental health diagnostic assessment methods and instruments, including standardized tests; and psychotropic medications and the role of referral to and cooperation with other mental health practitioners in treatment planning, and case management skills for working with individuals, couples, families, and other systems and relational groups; ( )

v. Professional ethics and identity – Three (3) semester credit hours or four (4) quarter credit hours: includes professional identity, including professional socialization, professional organizations, training standards, credentialing bodies, licensure, certification, practice settings and collaboration with other disciplines; ethical and legal issues related to the practice of marriage and family therapy, legal responsibilities of marriage and family therapy and marriage and family counseling practice and research, business aspects, reimbursement, recordkeeping, family law, confidentiality issues and the relevant codes of ethics, including the code of ethics specified by the board; and the interface between therapist responsibility and the professional, social and political context of treatment; ( )

vi. Research – Three (3) semester credit hours or four (4) quarter credit hours: includes research in marriage and family therapy or marriage and family counseling and its application to working with couples and families; and research methodology, quantitative and qualitative methods, statistics, data analysis, ethics and legal considerations of conducting research, and evaluation of research. ( )

**02. Practicum.** Completed a supervised practicum, including any supplemental practicum hours, which meets the requirements of Subsection 230.02 of these rules. ( )

**03. Supervised Marriage and Family Therapy Experience.** Completed at least three thousand (3,000) hours of graduate or post-graduate supervised experience in marriage and family therapy that meets the following requirements: ( )

a. A minimum of two thousand (2,000) post-master’s direct client contact hours, over a period of not less than two (2) years, which must include a minimum of one thousand (1,000) direct client contact hours with couples, families, and other systems; and ( )

b. A minimum of two hundred (200) hours of post-master’s supervision. ( )

c. Other hours must support development as a marriage and family therapist, and may include: additional hours of supervision, additional practicum hours above the three hundred (300) hours required in Subsection 230.02 of these rules, writing clinical reports, writing case notes, case consultation, coordination of care, administering tests, and attending workshops, training sessions, and conferences. ( )

d. A minimum of one hundred (100) hours post-master’s supervision must be obtained from a registered marriage and family therapist supervisor. The remaining one hundred (100) hours of supervision may also be obtained from a licensed mental health professional supervisor as defined in these rules who documents: ( )

i. A minimum of five (5) years of experience providing marriage and family therapy; and ( )

ii. Fifteen (15) contact hours of education in supervisor training; and ( )

iii. Has not been the subject of any disciplinary action for five (5) years immediately prior to providing supervision. ( )

e. No more than one hundred (100) hours of group supervision are allowed. Group supervision is defined as up to six (6) supervisees and one (1) supervisor; and ( )

f. Individual supervision is defined as up to two (2) supervisees per supervisor; and ( )

- g.** Supervision must employ observation of client contact such as the use of audio technologies or video technologies or co-therapy, or live supervision; and ( )
- h.** A supervisor may not act as an applicant’s personal Professional Counselor/Therapist. ( )
- i.** The Board considers the recommendation of the supervisor(s) when determining the acceptability of the applicant’s supervised experience. ( )
- j.** Supervision obtained in another jurisdiction or from a supervisor in another jurisdiction must conform with the jurisdiction’s requirements provided they are substantially equivalent to Idaho’s requirements. ( )

**239. SUPERVISOR REQUIREMENTS.**

Licenses in Idaho must be registered with the board to provide supervision for those individuals pursuing licensure in the state of Idaho as a counselor or marriage and family therapist. ( )

**01. Requirements for Registration.** The board will register an applicant who: ( )

- a.** Possesses two (2) years experience as a licensed counselor or marriage and family therapist, respective to the profession for which the applicant seeks registration as a supervisor, and document at least one thousand five hundred (1,500) hours of direct client contact as a counselor or two thousand (2,000) hours of direct client contact with couples, families, and other systems as a marriage and family therapist. ( )
- b.** Documents fifteen (15) contact hours of education in supervisor training as approved by the Board. ( )
- c.** Has not been subject to discipline for five (5) years prior to registration, provided that the Board may in its discretion approve a supervisor with disciplinary action for failing to complete continuing education requirements. ( )

**02. Supervision.** ( )

- a.** A registered supervisor must provide supervision in conformance with the guidelines for supervisors set forth in the ACA Code of Ethics for counselor supervisors or the American Association for Marriage and Family Therapists and the guidelines set forth in the AAMFT Code of Ethics for marriage and family therapist supervisors. ( )
- b.** Unless the primary work role of an individual is as a clinical supervisor, a registered supervisor may not supervise more than six (6) supervisees concurrently. ( )
- c.** Supervision must be provided in a face-to-face setting. ( )
- d.** A registered supervisor must ensure that informed consent containing information about the roles of the supervisor and supervisee is obtained from clients of the supervisee. ( )

**03. Renewal.** A supervisor’s registration is valid for a term of five (5) years, provided the supervisor’s license remains current, active, in good standing, and is not subject to discipline. To renew a supervisor registration, the licensee must submit to the Board a complete application for registration renewal prior to the expiration of the current registration and meet the following: ( )

- a.** Document six (6) hours of continuing education in advanced supervisor training as approved by the Board and completed within the previous five (5) years. ( )
- b.** For supervisors registered for less than five (5) years prior to July 1, 2016, must submit a complete application for registration renewal and meet the renewal requirements by July 1, 2020. ( )

**240. EXAMINATION FOR LICENSURE.**

Applicants must have successfully completed the required written examination. ( )

**01. Examination.** The required written examination is: ( )

**a.** For counselor applicants, the National Counselor Examination prepared by the National Board of Certified Counselors (NBCC). ( )

**b.** For clinical counselor applicants, the National Clinical Mental Health Counselor Examination (NCMHCE) prepared by the National Board of Certified Counselors (NBCC). ( )

**c.** For associate marriage and family therapist and marriage and family therapist applicants, the National Marital and Family Therapy Examination as approved by the Association of Marital and Family Therapy Regulatory Boards (AMFTRB) or another recognized competency examination in marriage and family therapy that is approved by the Board. ( )

**02. Time and Place.** The examination will be conducted at a time and place specified by the Board or the examining entity. ( )

**03. Successful Passage.** Successful passage of the examination is defined as achievement of the passing score set by the preparer of the examination. Reexamination consists of the entire examination. ( )

**241. NON-UNITED STATES EDUCATED APPLICANTS.**

Applicants with a graduate degree from a country other than the United States may be required to submit a certification from a credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES) or approved by the Board. The service must certify that the graduate degree is equivalent to a graduate degree from the United States. All costs for the certification are the responsibility of the applicant. All information submitted to the Board must be submitted with an English translation. ( )

**242. -- 244. (RESERVED)**

**245. REGISTERED INTERNS.**

The Board may issue a registration to allow an intern to engage in the practice of counseling or marriage and family therapy while completing either the supervised experience or supplemental practicum hours required for licensure. A registered intern may only practice under the direct supervision of a person registered as a supervisor with the Board or otherwise approved to provide supervision under this chapter. ( )

**01. Requirements for Registration.** An applicant must meet the following requirements: ( )

**a.** Possess a graduate degree in counseling, marriage and family therapy, or a closely related field from an accredited university or college. ( )

**b.** Designate a supervisor who is registered with the board as a supervisor as set forth in these rules or who is otherwise approved to provide marriage and family therapy supervision as set forth in Section 238 of these rules. ( )

**02. Supervision.** The designated supervisor is responsible to provide supervision and ensure that a Registered Intern is competent to practice such counseling or marriage and family therapy as may be provided. ( )

**03. Designation of Intern Status.** Only a Registered Intern may use the title Registered Counselor Intern or Registered Marriage and Family Therapist Intern. Registered interns must explicitly state that they are interns in their documentation and advertising, such as business cards, informed consent forms, and other disclosures. ( )

**04. Expiration.** An individual may not practice as an intern for more than four (4) years from the original date of registration, unless good cause is demonstrated to the board. ( )

246. -- 249.        **(RESERVED)**

250.        **FEES.**

01.        **Application, License, and Registration Fee.** All fees are non refundable:

<b>LICENSE/PERMIT/REGISTRATION</b>	<b>INITIAL FEE (Not to Exceed)</b>	<b>ANNUAL RENEWAL FEE (Not to Exceed)</b>
Application	\$100	
License	\$100	\$120
Intern Registration	\$25	
Reinstatement Fee	As provided in Section 67-2614, Idaho Code	
Senior License		\$60
Inactive License		\$60
Inactive to Active License Fee	The difference between the current inactive and active license renewal fees	

( )

02.        **Examination or Reexamination Fee.** The examination or reexamination fees are the fees set by the provider of the approved examination plus an administration fee of twenty-five dollars (\$25) for the Marriage and Family Therapy examination. ( )

251. -- 299.        **(RESERVED)**

300.        **ENDORSEMENT.**

The Board may grant a license to an applicant who satisfies the board that they hold a valid and current license in good standing issued by the authorized regulatory entity of another state, territory or jurisdiction of the United States, which in the opinion of the board imposes substantially equivalent licensing requirements, upon the payment of the required fee, and the approval of the application, be licensed by endorsement. ( )

301. -- 349.        **(RESERVED)**

350.        **CODE OF ETHICS.**

The Board adopts the American Counseling Association (ACA) Code of Ethics and the American Association for Marriage and Family Therapy (AAMFT) Code of Ethics. All licensees must adhere to the appropriate Code of Ethics pertaining to their licensure. ( )

351. -- 359.        **(RESERVED)**

360.        **INACTIVE STATUS.**

01.        **Request for Inactive Status.** Each person requesting an inactive status must submit a written request and pay the established fee. ( )

02.        **Inactive License Status.** ( )

a.        All continuing education requirements will be waived for any year or portion thereof that a licensee maintains an inactive license. ( )

**b.** When the licensee desires active status, the licensee must show acceptable fulfillment of continuing education requirements for the previous twelve (12) months and submit a fee equivalent to the difference between the inactive and active renewal fee, provided that a licensee whose license has been inactive five (5) years or more must provide an account to the Board for that period of time during which the license was inactive and fulfill requirements that demonstrate competency to resume practice. Those requirements may include, but are not limited to, education, supervised practice, and examination as determined by the Board. The Board may consider practice in another jurisdiction in determining competency. ( )

**c.** Licensees may not practice or supervise counseling or marriage and family therapy in Idaho while on inactive status. ( )

**361. -- 374. (RESERVED)**

**375. SENIOR STATUS.**

**01. Request for Senior Status.** Each person having attained the age of sixty-five (65) and requesting a senior status during the renewal of their active license must submit a written request and pay the established fee. ( )

**02. Continuing Education.** Continuing education must be completed annually per Section 425 of this rule. ( )

**376. -- 424. (RESERVED)**

**425. CONTINUING EDUCATION.**

All licensees must complete in each twenty-four-month period preceding the renewal of a license, forty (40) contact hours of continuing education. A contact hour is one (1) hour of actual participation in a continuing education activity, exclusive of breaks. ( )

**01. Contact Hours.** The contact hours of continuing education must be obtained in areas of study germane to the practice for which the license is issued as approved by the Board. No less than six (6) contact hours for each renewal period must be in ethics, which must be specific to legal issues, law, or ethics. Therapeutic workshops, retreats and other self-help activities are not considered continuing education training unless specific parts of the experience are applicable to counseling or therapy practice. ( )

**02. Documentation of Attendance.** Each licensee must maintain documentation verifying hours of attendance by securing authorized signatures or other documentation from the course instructors, providers, or sponsoring institution. This documentation is subject to audit and must be provided upon request by the Board or its agent. ( )

**03. Approved Contact Hours, Limitations, and Required Documents. ( )**

**a.** College or University Courses for Credit or Audit. There is no limit to the contact hours that a licensee may obtain in this category during each reporting period. However, all courses are subject to Board approval. For college or university courses, one (1) semester credit equals fifteen (15) contact hours; one (1) quarter credit equals ten (10) contact hours. The licensee must provide the Board with a copy of the licensee's transcript substantiating any hours attended by the licensee. ( )

**b.** Seminars, Workshops, Conferences. There is no limit to the contact hours that a licensee may obtain in this category during each reporting period. Verifying documentation is a copy of the certificate, or letter signed by course instructors, providers, or sponsoring institution substantiating any hours attended by the licensee. ( )

**c.** Publications. A maximum of eight (8) contact hours may be counted in this category during each reporting period. Publication activities are limited to articles in journals, a chapter in an edited book, or a published book or professional publication. Verifying documentation is a copy of the cover page or the article or book in which

the licensee has been published. For a chapter in an edited book the licensee must submit a copy of the table of contents. ( )

**d.**        Presentations. A maximum of eight (8) contact hours may be counted in this category during each reporting period. Class, conference, or workshop presentations may be used for contact hour credit if the topic is germane to the field. A specific presentation given repeatedly can only be counted once. A particular presentation will qualify for contact hour credit one (1) time in a five (5) year period. Only actual presentation time may be counted; preparation time does not qualify for contact hour credit. Verifying documentation is a copy of the conference program or a letter from the sponsor, host organization, or professional colleague. ( )

**e.**        Clinical Supervision and Case Consultation. A maximum of ten (10) contact hours of received supervision/consultation may be counted in this category during each reporting period. In order to qualify for contact hour credit, supervision/consultation must be received on a regular basis with a set agenda. No credit will be given for the licensee's supervision of others. Verifying documentation is a letter from the supervisor or consultant listing periods of supervision or consultation. ( )

**f.**        Dissertation. A maximum of ten (10) contact hours may be counted in this category during each reporting period. Verifying documentation is a copy of the licensee's transcript and the title of the dissertation. ( )

**g.**        Leadership. A maximum of eight (8) contact hours may be counted in this category during each reporting period. Verifying documentation is a letter from a professional colleague listing the position of leadership, periods of leadership, and the name of the organization under which the leadership took place. The following leadership positions qualify for continuing education credits: ( )

**i.**        Executive officer of a state or national counseling or therapy organization; ( )

**ii.**       Editor or editorial board service of a professional counseling or therapy journal; ( )

**iii.**       Member of a national ethics disciplinary review committee rendering licenses, certification, or professional membership; ( )

**iv.**       Active member of a counseling or therapy working committee producing a substantial written product; ( )

**v.**        Chair of a major counseling or therapy conference or convention; or ( )

**vi.**       Other leadership positions with justifiable professional learning experiences. ( )

**h.**        Home Study and On-line Education. There is no limit to the contact hours that a licensee may obtain in this category during each reporting period. Home study or on-line courses qualify for contact hours, provided that the course is provided by a Board-approved continuing education provider or a course pre-approved by the Board. Verifying documentation is a copy of the certification that is verified by the authorized signatures from the course instructors, providers, or sponsoring institution and substantiates any hours completed by the licensee. A licensee seeking contact credit for reading a publication must submit results from a test on the information contained within the publication and administered by an independent third-party. ( )

**i.**        Board Meetings. Continuing education credit may be granted for a maximum of four (4) hours each renewal period for time spent attending two (2) Board meetings. ( )

**04. Waiver.** The Board may waive continuing education requirements for reasons of individual hardship, including health (certified by a medical doctor) or other good cause. The licensee must request such waiver prior to renewal and provide any information requested by the Board to assist in substantiating hardship cases. This waiver is granted at the sole discretion of the Board. ( )

**426. – 524. (RESERVED)**

**525. DOCUMENTATION OF INFORMED CONSENT.**

In accordance with Section 54-3410A, Idaho Code, all licensees and registered interns will document the process of obtaining the informed consent of clients at the beginning of treatment and at other times as appropriate. Licensees and interns must adhere to their respective Codes of Ethics and state law in obtaining informed consent and disclosing information to clients. The receipt of the disclosure must be acknowledged in writing by both the client and the licensee or intern, and such disclosure of information concerning their practice must include: ( )

**01. Name, Business Address and Phone Number of Licensee or Intern.** If the licensee or intern is practicing under supervision, the statement must include the licensee or intern status as such and the designated qualified supervisor's name, business address and phone number; ( )

**02. License Type and License Number, Credentials, and Certifications.** ( )

**03. Education.** Education with the name(s) of the institution(s) attended and the specific degree(s) received; ( )

**04. Theoretical Orientation and Approach.** Counseling or marriage and family therapy; ( )

**05. Relationship.** Information about the nature of the clinical relationship; fee structure and billing arrangements; cancellation policy; ( )

**06. The Extent and Limits of Confidentiality.** ( )

**07. Written Statement.** A statement that sexual intimacy is never appropriate with a client and should be reported to the board. ( )

**08. Client's Rights.** The client's rights to be a participant in treatment decisions, to seek a second opinion, to file a complaint without retaliation, and to refuse treatment. ( )

**09. Board Information.** The name, address, and phone number of the Board with the information that the practice of licensees and interns is regulated by the Board. ( )

**526. -- 999. (RESERVED)**



## PROPOSED RULE COST/BENEFIT ANALYSIS

Section 67-5223(3), Idaho Code, requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

**Department or Agency:** Division of Occupational and Professional Licenses

**Agency Contact:** Rob McQuade    **Phone:** 208-334-3233

**Date:** August 19, 2020

**IDAPA, Chapter and Title Number and Chapter Name:**

[24.15.01, Rules of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists.](#)

**Fee Rule Status:** X **Proposed** \_\_\_\_\_ **Temporary**

**Rulemaking Docket Number:** 24-1501-2000F

**STATEMENT OF ECONOMIC IMPACT:** The fees were increased during last year's rulemaking. The fees have not been changed since being reviewed during the 2020 Legislative Session.

<b>LICENSE/PERMIT/REGISTRATION</b>	<b>INITIAL FEE</b> (Not to Exceed)	<b>ANNUAL RENEWAL FEE</b> (Not to Exceed)
Application	\$100	
License	\$100	\$120
Intern Registration	\$25	
Reinstatement Fee	As provided in Section 67-2614, Idaho Code	
Senior License		\$60
Inactive License		\$60
Inactive to Active License Fee	The difference between the current inactive and active license renewal fees	