

Dear Senators LODGE, Broadsword, Bock, and
Representatives MCGEACHIN, Bilbao, Rusche:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the Bureau of Occupational Licenses - ID Licensing Board of Professional Counselors and Marriage and Family Therapists:

IDAPA 24.15.01 - Rules Pertaining To The Rules of the Idaho Board of Professional Counselors and Marriage and Family Therapists (Docket No. 24-1501-1101).

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 11/03/2011. 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 12/05/2011.

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 334-4845, or send a written request to the address or FAX number indicated on the memorandum enclosed.



Jeff Youtz
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: Principal Legislative Research Analyst - Eric Milstead
DATE: October 17, 2011
SUBJECT: Bureau of Occupational Licenses - ID Licensing Board of Professional Counselors & Marriage & Family Therapists

IDAPA 24.15.01 - Rules Pertaining To The Rules of the Idaho Board of Professional Counselors and Marriage and Family Therapists (Docket No. 24-1501-1101)

The Bureau of Occupational Licenses submits notice of proposed rulemaking at IDAPA 24.15.01 - Rules of the Board of Professional Counselors and Marriage and Family Therapists. The proposed rule reflects a number of changes including, but not limited to, revisions to definitions relating to accredited universities or colleges (Section 010); requirements relating to supervised experience (Section 150.02); counselor supervision requirements (Section 200); licensure requirements for clinical professional counselors (Section 225); licensure requirements for marriage and family therapists and requirements for marriage and family therapist supervisors (Sections 238 and 239); and numerous revisions to provisions governing endorsement (Section 300). Also revised were provisions governing continuing education of licensees (Section 425).

The agency states that negotiated rulemaking was not conducted because the proposed changes were discussed in a noticed open meeting.

The proposed rule appears to be authorized pursuant to section 54-3404, Idaho Code.

cc: Bureau of Occupational Licenses - ID Licensing Board of Professional Counselors & Marriage & Family Therapists - Tana Cory & Cherie Simpson

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

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

DOCKET NO. 24-1501-1101

NOTICE OF 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(s) 54-3404, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 19, 2011.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Board of Professional Counselors and Marriage and Family Therapists is amending several sections of its rules to update them to current standards, to provide clarification, and to simplify licensure by endorsement.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: None

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 resulting from this rulemaking: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the rule changes were discussed in a noticed open meeting.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Cherie Simpson at 208 334-3233.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 26, 2011.

DATED this 19th day of August, 2011.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
700 W State
Boise, ID 83702
(208) 334-3233 Ph. (208) 334-3945, fax

THE FOLLOWING IS THE PROPOSED TEXT FOR DOCKET NO. 24-1701-1101

004. INCORPORATION BY REFERENCE (RULE 4).

01. ACA Code of Ethics. “ACA Code of Ethics ~~and Standards of Practice~~,” as published by the American Counseling Association (ACA), effective 2005 and referenced in Subsections 200, 241.02, 350, and 450.01, is herein incorporated by reference and is available from the Board’s office and on the Board web site. (3-30-07)()

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 July 1, 2001 and referenced in Subsections 350, and 450.01, is herein incorporated by reference and is available from the Board’s office and on the Board web site. (3-30-06)

~~**03. ACES Guidelines.** The document titled “ACES” that provides supervision guidelines for supervisors, as published by the Association for Counselor Education and Supervision (ACES), dated March 1993 referenced in Subsection 200.03.a., is herein incorporated by reference and is available from the Board’s office and on the Board web site. (4-2-03)~~

~~**043. 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 2002~~7~~ referenced in Subsection 240.03.a., is herein incorporated by reference and is available from the Board’s office and on the Board web site. (3-20-04)()~~

(BREAK IN CONTINUITY OF SECTIONS)

010. DEFINITIONS (RULE 10).

01. Board. The Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists as prescribed in Section 54-3401, Idaho Code. (3-13-02)

02. Bureau. The Bureau of Occupational Licenses as prescribed in Sections 54-3404 and 67-2602, Idaho Code. (3-13-02)

03. Registered Intern. A registered intern shall be defined as a person who is obtaining required supervised experience for licensure in a course of study provided by an institution of higher education or a person who is in a private-practice setting acting under direct supervision. (3-13-02)()

04. Accredited University or College. An accredited university or college shall be a college or university accredited by one (1) of the following: ()

a. The Middle States Association of Colleges and Schools; ()

b. The New England Association of Schools and Colleges; ()

c. The North Central Association of Colleges and Schools; ()

d. The Northwest Association of Schools and of Colleges and Universities; ()

e. The Southern Association of Colleges and Schools; or ()

f. The Western Association of Schools and Colleges. ()

011. -- 099. (RESERVED)

100. ORGANIZATION AND MEETINGS (RULE 100).

Board meetings will be held ~~during the months of February, May, July, and October of~~ not less than four (4) times

each year and at such other times as the Board deems necessary.

~~(3-13-02)~~(_____)

(BREAK IN CONTINUITY OF SECTIONS)

150. QUALIFICATIONS FOR PROFESSIONAL COUNSELOR LICENSURE (RULE 150).

Licensure as a “professional counselor” shall be restricted to persons who have successfully completed the required examination and each of the following requirements: (3-30-06)

01. Graduate Program Requirement. A planned graduate program of sixty (60) semester hours which is primarily counseling in nature, six (6) semester hours of which are earned in an advanced counseling practicum, and including a graduate degree in a counseling field from an accredited university or college offering a graduate program in counseling. (7-1-93)

a. A planned graduate program in a counseling field shall be defined as completion of one (1) of the following: (7-1-93)

i. A counseling program approved by the Council for Accreditation of Counseling and Related Educational Programs; or (7-1-93)

ii. A counseling program approved by the Council on Rehabilitation Education; or (7-1-93)

iii. A counseling program approved by the Board which shows evidence of education in the following areas: Counseling Theory, Counseling Techniques and Supervised Counseling Experience (this practicum must be 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). Applicant must show completion of one (1) graduate level course unique to each of the following eight (8) areas: (3-29-10)

(1) 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. (7-1-93)

(2) 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. (7-1-93)

(3) 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. (7-1-93)

(4) 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. (7-1-93)

(5) 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. (7-1-93)

(6) 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. (7-1-93)

(7) 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. (7-1-93)

(8) 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. (7-1-93)

b. A total of at least sixty (60) graduate semester hours or ninety (90) graduate quarter hours shall be required. (7-1-93)

c. Advanced counseling practicum shall be practica taken at the graduate school level. (7-1-93)

d. A graduate degree shall be one of the following beyond the baccalaureate level: The master's degree, the educational specialist certificate or degree, or the doctor's degree. (7-1-93)

~~**e.** An accredited university or college shall be a college or university accredited by one (1) of the following: the Middle States Association of Colleges and Schools, the New England Association of Schools and Colleges, the North Central Association of Colleges and Schools, the Northwest Association of Schools and of Colleges and Universities, the Southern Association of Colleges and Schools, or the Western Association of Schools and Colleges. (3-26-08)~~

02. Supervised Experience Requirement. One thousand (1,000) hours of supervised experience in counseling acceptable to the Board. (7-1-93)

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 shall be direct client contact. Supervised experience in practica and/or internships taken at the graduate level may be utilized. The supervised experience shall include a minimum of one (1) hour of face-to-face or one-to-one (1/1) or one-to-two (1/2) ~~consultation~~ supervision with the supervisor for every twenty (20) hours of job/internship experience. Face-to-face may include a face-to-face setting provided by a secure live ~~video~~ electronic connection between the supervisor and supervisee. As stated under Subsection 150.01.a.i-ii, counseling practicum experience as opposed to job or internship experience shall be supervised at a ratio of one (1) hour of supervision for every ten (10) hours in the settings. For example: (3-30-06)(_____)

i. A person in a twenty (20) hour per week job/internship who is receiving one (1) hour of individual supervision each week would accumulate one thousand (1,000) supervised hours in fifty (50) weeks to equal the twenty to one (20/1) ratio. (7-1-93)

ii. A person in a forty (40) hour per week setting with one (1) hour of supervision per week would still require fifty (50) weeks to equal the twenty to one (20/1) ratio. (7-1-93)

iii. A person in a forty (40) hour per week setting with two (2) hours of supervision per week would accumulate the one thousand (1,000) hours at the twenty to one (20/1) supervision ratio in twenty-five (25) weeks. (7-1-93)

b. Until July 1, 2004, the supervision must be provided by a Professional Counselor or a Clinical Professional Counselor licensed by the state of Idaho. Effective July 1, 2010, supervision must be provided by a counselor education faculty member at an accredited college or university, ~~or a Professional Counselor, registered with the Board as a supervisor,~~ a Clinical Professional Counselor, ~~registered with the Board as a supervisor,~~ ~~or a Marriage and Family Therapist, registered with the Board as a supervisor,~~ a Clinical Social Worker registered as a supervisor with the Board of Social Work, a licensed Psychologist, or a licensed Psychiatrist, licensed by the state of Idaho ~~and registered with the Board as a Supervisor~~. 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 of Title 54, Chapter 34, Idaho Code. If supervision was obtained prior to July 1, 1988, or in a state that does not regulate counseling, that supervision must have been provided by a qualified counselor educator as a part of a planned graduate program or by a person who holds a graduate degree beyond the baccalaureate level who is certified and/or licensed as a counselor, social worker, psychologist, or psychiatrist. Supervision by an administrative superior who is not in a counseling related profession is not acceptable to the Board. Supervision by a professional counseling peer, however, may be acceptable to the Board if the peer/supervisory relationship includes the same controls and procedures expected in an internship setting. (See Subsection 150.02.a.) For example, the relationship should include the staffing of cases, the critiquing of counseling tapes and this supervision must be conducted in a formal, professional, consistent manner on a regularly scheduled basis. (3-29-10)()

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. (7-1-93)

d. The Board shall consider the recommendation of the supervisor(s) when determining the acceptability of the applicant's supervised experience. (4-2-03)

e. Supervision must be provided in compliance with the ACA code of ethics for counseling supervision, evaluation, remediation, and endorsement. ()

151. -- 199. (RESERVED)

200. COUNSELOR SUPERVISOR REQUIREMENTS (RULE 200).

Effective July 1, 2004, Idaho licensed counselors shall be registered with the Board in order to provide ~~postgraduate~~ supervision for those individuals pursuing licensure in Idaho as a counselor. (4-2-03)()

01. Requirements for Registration. (4-2-03)

a. Document at least two (2) years experience as a licensed counselor. (3-30-07)

b. Document at least one thousand five hundred (1,500) hours of direct client contact as a counselor. (4-2-03)

c. Document fifteen (15) contact hours of education in supervisor training as approved by the Board. (4-2-03)

d. Have not been the subject of any disciplinary action for five (5) years prior to application for registration. (4-2-03)

02. Registration. A supervisor applicant shall submit to the Bureau a completed application form as approved by the Board. (4-2-03)

a. Upon receipt of a completed application verifying compliance with the requirements for registration as a supervisor, the applicant shall be registered as a supervisor. The applicant shall include a copy of the

informed consent form used to ensure clients are aware of the roles of the supervisor and supervisee. (4-2-03)(____)

b. A supervisor's registration shall be valid only so long as the individual's counselor license remains current and in good standing. (4-2-03)

03. Supervision. (4-2-03)

a. A Registered Counselor Supervisor shall provide supervision in conformance with the guidelines for supervisors ~~dated March 1993, adopted by the Association for Counselor Education and Supervision~~ set forth in the ACA Code of Ethics. (4-2-03)(____)

b. ~~A~~ Unless the primary work role of an individual is as a clinical supervisor a Registered Counselor Supervisor shall not provide supervision to more than six (6) ~~individuals~~ supervisees concurrently. (3-30-06)(____)

201. -- 224. (RESERVED)

225. CLINICAL PROFESSIONAL COUNSELOR LICENSURE (RULE 225).

Licensure as a "clinical professional counselor" shall be restricted to persons who have successfully ~~completed~~ passed the required examination and have met the following requirements: (3-30-06)(____)

~~01. Requirements. The following requirements must be met:~~ (3-13-02)

~~a01. License.~~ Hold a valid licensed professional counselor license; and (4-2-03)(____)

~~b02. 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 in any state. (4-2-03)(____)

~~ia.~~ All applicants for Clinical Professional Counselor license 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 licensed Psychiatrists, ~~Counseling/Clinical Licensed~~ Psychologists, Licensed Clinical Social Workers registered as supervisors with the Board of Social Work Examiners, or Marriage and Family Therapists registered as supervisors with the Board. (3-30-07)(____)

~~ib.~~ ~~The ratio for supervision will consist of 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. (7-1-97)(____)

~~ic.~~ No more than one-half (1/2) of group supervision shall be allowed. (3-30-07)

~~e03. Examination.~~ Successful ~~completion~~ passage of the required written examination. (3-30-06)(____)

~~d04. Recommendation of the Supervisor(s).~~ The Board shall consider the recommendation of the supervisor(s) when determining the acceptability of the applicant's supervised experience. (4-2-03)(____)

~~02. Supervisors.~~ A supervisor may supervise no more than six (6) licensed professional counselors. (3-30-06)

(BREAK IN CONTINUITY OF SECTIONS)

238. MARRIAGE AND FAMILY THERAPISTS (RULE 238).

The following requirements must be met for marriage and family therapist licensure: (3-13-02)

- 01. Graduate Degree.** Possess a graduate degree as outlined in Section 54-3405C(1), Idaho Code. (3-13-02)
- 02. Practicum.** Must meet the requirements as outlined in Section 54-3405C(2), Idaho Code. (3-13-02)
- 03. Supervised Marriage and Family Therapy Experience.** Must meet the three thousand (3,000) hour requirement as outlined in Section 54-3405C(3), Idaho Code. Effective July 1, 2004, a Idaho Marriage and Family Therapist must be registered with the Board to provide post graduate supervision for those pursuing marriage and family therapist licensure in Idaho. (~~4-2-03~~)(____)
- a.** A minimum of two thousand (2,000) postgraduate direct client contact hours, in no less than a two (2) year time period shall include; (3-13-02)
- i.** A minimum one thousand (1,000) direct client contact hours with couples and families; and (3-13-02)
- ii.** Two hundred (200) hours of supervision. (3-13-02)
- b.** ~~Supervision may~~ Effective July 1, 2014 a minimum of one hundred (100) hours post-graduate 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 clinical professional counselor registered as a supervisor with the Board, licensed psychologist, licensed clinical social worker registered as a supervisor with the Board of Social Work Examiners, or licensed psychiatrist who documents: (~~3-26-08~~)(____)
- i.** A minimum of five (5) years of experience providing marriage and family therapy; and (3-20-04)
- ii.** Fifteen (15) contact hours of education in supervisor training; and (3-20-04)
- iii.** Has not been the subject of any disciplinary action for five (5) years immediately prior to providing supervision. (3-20-04)
- c.** No more than one hundred (100) hours of group supervision shall be allowed. Group supervision shall be defined as ~~no more than~~ up to six (6) supervisees ~~per each~~ and one (1) supervisor; and (~~3-13-02~~)(____)
- d.** Individual supervision is defined as up to two (2) supervisees per supervisor; and (3-13-02)
- e.** Supervision must employ observation of client contact such as the use of audio technologies or video technologies or co-therapy, or live supervision; and (~~3-13-02~~)(____)
- f.** In accordance with the adopted Codes of Ethics prohibiting dual relationships, a supervisor shall not act as an applicant's personal Professional Counselor/Therapist. (3-13-02)
- g.** The Board shall consider the recommendation of the supervisor(s) when determining the acceptability of the applicant's supervised experience. (4-2-03)
- h.** Supervision obtained in another state must conform with the state's requirements provided they are substantially equivalent to Idaho's requirements. (____)
- 04. Examination.** (3-13-02)
- a.** The Board requires successful passage of the National Marital and Family Therapy Examination as approved by the Association of Marital and Family Therapy Regulatory Boards (AMFTRB). (3-13-02)
- b.** The examination will be conducted at a time and place specified by the Board. (3-13-02)
- c.** Successful passage of the examination is defined by the Board as achievement of the passing score

set by the AMFTRB. Reexamination shall consist of the entire examination. (3-13-02)

239. MARRIAGE AND FAMILY THERAPIST SUPERVISOR REQUIREMENTS (RULE 239).

Effective July 1, 2004, licensed marriage and family therapists in Idaho shall be registered with the board to provide supervision for those individuals pursuing licensure in the state of Idaho as a marriage and family therapist. (3-20-04)

01. Requirements for Registration. (3-20-04)

a. Possess two (2) years experience as a licensed marriage and family therapist and document at least two thousand (2,000) hours of direct client contact with couples and families. (3-20-04)

b. Document fifteen (15) contact hours of education in supervisor training as approved by the Board. (3-20-04)

c. Have not been subject to discipline for five (5) years prior to registration. (3-20-04)

02. Registration. A marriage and family therapist shall fully complete the application form as established by the board and submit the designated fee as adopted by board rule. (3-20-04)

03. Supervision. (3-20-04)

a. A registered marriage and family therapist shall provide supervision in conformance with the guidelines for supervisors adopted by the American Association for Marriage and Family Therapists. (3-20-04)

b. Unless the primary work role of an individual is as a clinical supervisor ~~A~~ registered marriage and family therapist shall not supervise more than six (6) ~~individuals~~ supervisees, either in one-to-one or group supervision, at any time regardless of the modality (individual, dyad, or group) of supervision. ~~(3-20-04)~~()

c. Face-to-face may include a face-to-face setting provided by a secure live electronic connection between the supervisor and supervisee. ()

(BREAK IN CONTINUITY OF SECTIONS)

245. REGISTERED INTERNS (RULE 245).

An individual pursuing Idaho licensure as a Professional Counselor may register with the Board as an Intern. An individual pursuing Idaho licensure as a Marriage and Family Therapist shall be ~~licensed as an~~ Licensed Associate Marriage and Family Therapist or Licensed Professional Counselor, or register prior to commencement of supervised experience with the Board as an Intern in compliance with Section 54-3402, Idaho Code. If the Marriage and Family Therapist applicant's supervised experience was obtained out of state, such applicant must meet the requirements of Rule 238.03, except that applicant's supervisor need not be registered with the Board. ~~(3-29-10)~~()

01. Requirements for Registration. (4-2-03)

a. Possess a graduate degree in counseling, marriage and family therapy, or a closely related field from an accredited university or college. (4-2-03)

b. Be actively pursuing postgraduate supervised experience. (4-2-03)

c. 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 defined in Section 54-3405C, Idaho Code, and who shall be responsible to provide supervision. ~~(3-20-04)~~()

02. Registration. An individual applying for registration as a Counselor Intern or Marriage and Family Therapist Intern shall fully complete the application form as established by the Board and submit the designated fee

as adopted by Board rule. (4-2-03)

03. Practice. (4-2-03)

a. A Registered Intern may only practice counseling or marriage and family therapy under the direct supervision of a Counselor Supervisor, registered with the Board or Marriage and Family Therapist Supervisor, registered with the Board who shall be responsible to ensure that a Registered Intern is competent to practice such counseling or marriage and family therapy as may be provided. (~~4-2-03~~)(____)

b. 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. (~~4-2-03~~)(____)

c. An individual shall not practice as an intern for more than four (4) years from the original date of registration. (4-2-03)

(BREAK IN CONTINUITY OF SECTIONS)

300. ENDORSEMENT (RULE 300).

The Board may grant a license to any person who submits a completed application on a form approved by the Board together with the required fees and who: (3-13-02)

01. Holds a Current License. The applicant must be the holder of a current active license, in the profession and at the level for which a license is being sought, issued by the authorized regulatory entity in another state or foreign country. The state or foreign country must have substantially similar requirements for licensing as is provided for new applicants in Idaho. The certification of licensure must be received by the Board from the issuing agency; and (~~3-29-10~~)(____)

02. Has Not Been Disciplined. The applicant must have not been disciplined within the last five (5) years, had a license revoked, suspended, restricted, or otherwise sanctioned by any regulatory entity and has never voluntarily surrendered a license; and (3-29-10)

03. Is of Good Moral Character. The applicant must be of good moral character and have not been convicted, found guilty, or received a withheld judgment or suspended sentence for any felony; and (3-29-10)

04. Has Documented Experience. The applicant must provide a documented record of at least five (5) years actual practice under licensure in the seven (7) years immediately prior to application in the profession for which a license is being sought, or can demonstrate hardship or extenuating circumstances that prohibited practice during a portion of the ~~five seven (57)~~ year period as determined by the Board; and (~~3-13-02~~)(____)

05. Will Abide by Laws, Rules and Code of Ethics. The applicant must certify under oath to abide by the laws and rules governing the practice of counseling and marriage and family therapy in Idaho and the applicable code of ethics as adopted; ~~and either~~ (~~3-30-07~~)(____)

~~06. National Credential Registry. If applicant has been granted credentials by the American Association of State Counseling Boards as qualifying for Category II of the national credential registry or any such similar qualification granted by a national credentialing entity otherwise approved by the Board; or~~ (~~3-30-07~~)

~~07. Provides Information. The applicant must document at least three (3) of the following during the five (5) years immediately prior to application:~~ (~~3-13-02~~)

~~a. A minimum of one thousand (1,000) hours client contact;~~ (~~3-13-02~~)

- ~~*b.* Service as an officer of a state or national counseling or marriage and family therapy organization, or a member of a state or national counseling or marriage and family therapy board or committee, or other leadership positions as may be approved by the Board;~~ (3-13-02)
- ~~*c.* Teaching at least three (3) graduate courses for credit at an accredited college or university;~~ (3-13-02)
- ~~*d.* A certificate to supervise issued by the NBCC or AAMFT;~~ (3-13-02)
- ~~*e.* Providing at least twelve (12) months of supervision to each of no less than three (3) persons seeking licensure;~~ (3-13-02)
- ~~*f.* Maintained professional liability insurance for the previous five (5) years with proof of no claims filed;~~ (3-13-02)
- ~~*g.* Obtained a post graduate degree in a field of study related to counseling or marriage and family therapy that is in addition to the minimum licensure requirements;~~ (3-13-02)
- ~~*h.* Current certification by a national credentialing entity as approved by the Board in the discipline for which licensure is sought;~~ (3-13-02)
- ~~*i.* A total of one hundred (100) hours of continuing education completed in the five (5) years immediately prior to application.~~ (3-26-08)

301. -- 349. (RESERVED)

350. CODE OF ETHICS (RULE 350).

The Board adopts the American Counseling Association (ACA) Code of Ethics and the American Association for Marriage and Family Therapy (AAMFT) Code of Ethics as referenced in Section 004. ~~All applicants will receive a copy of both the ACA Code of Ethics and the AAMFT Code of Ethics.~~ All licensees shall be required to adhere to the appropriate Code of Ethics pertaining to their licensure. (3-13-02)(____)

351. -- 359. (RESERVED)

360. INACTIVE STATUS (RULE 360).

01. Request for Inactive Status. Each person requesting an inactive status during the renewal of their active license must submit a written request and pay the established fee. (3-26-08)

02. Inactive License Status. (3-26-08)

a. All continuing education requirements will be waived for any year or portion thereof that a licensee maintains an inactive license and is not actively practicing or supervising in Idaho. (3-26-08)

b. Inactive license renewal notices and licenses will be marked "Inactive." (3-26-08)

c. 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. (3-26-08)(____)

d. Licensees shall not practice in Idaho as a Professional Counselor, Clinical Professional Counselor, Associate Marriage and Family Therapist, or a Marriage and Family Therapist while on inactive status. (3-26-08)(____)

(BREAK IN CONTINUITY OF SECTIONS)

425. CONTINUING EDUCATION (RULE 425).

Every person holding an Idaho license as a Professional Counselor, Clinical Professional Counselor, Associate Marriage and Family Therapist, or a Marriage and Family Therapist must complete in each twelve-month period preceding the renewal of a license, twenty (20) contact hours of continuing education. A contact hour is one (1) hour of actual participation in a continuing education activity, exclusive of breaks. (3-29-10)

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 three (3) contact hours for each renewal period must be in ethics, which must be specific to legal issues, law, or ethics. Ethics contact hours must be obtained in a face-to-face setting where you can interact with the instructor and students. 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. (~~3-29-10~~)()

02. Documentation of Attendance. It shall be necessary for the licensee to maintain documentation verifying attendance by securing authorized signatures or other documentation from the course instructors, providers, or sponsoring institution substantiating any hours attended by the licensee. This documentation must be provided to the Board upon request by the Board or its agent. (3-29-10)

03. Approved Contact Hours, Limitations, and Required Documents. (3-29-10)

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. (3-29-10)

b. Seminars, Workshops, Conferences. There is no limit to the contact hours that a licensee may obtain in this category during each reporting period. Teleconferences must feature an interactive format in order to qualify for contact hour credit. Interactive conferences are those that provide the opportunity for participants to communicate directly with the instructor. The licensee must provide the Board with a copy of the certificate, or letter signed by course instructors, providers, or sponsoring institution substantiating any hours attended by the licensee. (3-29-10)

c. Publications. A maximum of four (4) 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. The licensee must provide the Board with 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. (3-29-10)

d. Presentations. A maximum of four (4) 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. The licensee must provide the Board with a copy of the conference program or a letter from the sponsor, host organization, or professional colleague. (~~3-29-10~~)()

e. Clinical Supervision and Case Consultation. A maximum of five (5) 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. The licensee must provide the Board with a letter from the supervisor or consultant listing periods of supervision, where the supervision occurred, and the name of the supervisor. (3-29-10)

f. Dissertation. A maximum of five (5) contact hours may be counted in this category during each

reporting period. The licensee must provide the Board with a copy of the licensee's transcript and the title of the dissertation. (3-29-10)

g. Leadership. A maximum of four (4) contact hours may be counted in this category during each reporting period. The licensee must provide the Board with 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: (3-29-10)

- i. Executive ~~Officer~~ of a state or national counseling or therapy organization; (~~3-29-10~~)(____)
- ii. Editor or editorial board service of a professional counseling or therapy journal; (~~3-29-10~~)(____)
- iii. Member of a national ethics disciplinary review committee rendering licenses, certification, or professional membership; (3-29-10)
- iv. Active member of a counseling or therapy working committee producing a substantial written product; (3-29-10)
- v. Chair of a major counseling or therapy conference or convention; or (3-29-10)
- vi. Other leadership positions with justifiable professional learning experiences. (3-29-10)

h. Home Study and On-line Education. A maximum of ten (10) contact hours may be counted through self-study during each reporting period. In order for a home study or on-line course to qualify for contact hours, the course must be provided by a Board-approved continuing education provider or a course pre-approved by the Board. *Ethics contact hours cannot be earned through self study or on line education.* (~~3-29-10~~)(____)

i. Copy of Certification Required. A licensee applying for home study or on-line credit must provide the Board 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. (3-29-10)

j. Continuing Education Credit. Continuing education credit may be granted for a maximum of two (2) hours each renewal period for time spent attending one (1) Board meeting. Members of the Board are not entitled to continuing education credit for Board service. (3-29-10)

04. Excess Hours. Continuing education hours accumulated during the twelve (12) months immediately preceding the license ~~expiration~~ renewal date may be applied toward meeting the continuing education requirement for the next license renewal. No more than ~~five~~ ten (~~5~~10) hours in excess of the required twenty (20) hours shall be carried forward. Excess hours may be used only during the next renewal period and may not be carried forward more than one (1) time. (~~4-2-03~~)(____)

05. Compliance Audit. The Board may conduct random continuing education audits of those persons required to obtain continuing education in order to renew a license and require that proof acceptable to the Board of meeting the continuing education requirement be submitted to the Bureau. Failure to provide proof of meeting the continuing education upon request of the Board shall be grounds for disciplinary action in accordance with section 54-3407, Idaho Code. (4-2-03)

06. Special Exemption. The Board shall have authority to make exceptions for reasons of individual hardship, including health (certified by a medical doctor) or other good cause. The licensee must request such exemption prior to renewal and provide any information requested by the Board to assist in substantiating hardship cases. This exemption is granted at the sole discretion of the Board. There is no continuing education required of those holding a current inactive license. (3-29-10)

426. -- 449. (RESERVED)

450. GENERAL SCOPE OF THE LICENSEE'S APPROPRIATE PRACTICE (RULE 450).

~~01.~~ **Board Recommendation of Generic Scope of Practice.** While a license to practice as a counselor or therapist could be considered generic in nature, it should not be viewed as an authorization to provide counseling or therapy services to every client population in every possible professional setting. Counselors and marriage and family therapists shall practice only within the boundaries of competence (see the applicable Code of Ethics).

~~(3-13-02)()~~

~~02.~~ **Submission of Additional Information for Scope of Practice.** ~~A licensed counselor or marriage and family therapist who considers the Board's recommended guidelines to be too restrictive may wish to submit additional information to acquaint the Board with new, possibly more expansive qualifications.~~

~~(3-13-02)~~