

TITLE 839 SOCIAL WORKER, MARRIAGE AND FAMILY THERAPIST, AND MENTAL HEALTH COUNSELOR BOARD

Emergency Rule
LSA Document #08-934(E)

DIGEST

Temporarily amends [839 IAC 1-2-1](#), [839 IAC 1-2-2](#), [839 IAC 1-2-5](#), [839 IAC 1-6-2](#), and [839 IAC 1-6-3](#) and temporarily adds provisions to implement rules based on P.L.134-2008 (HEA 1172) to establish licensing and continuing education requirements for marriage and family therapist associates and requires emergency rules for the implementation of the licensure. *NOTE: The original emergency document, LSA Document #08-611(E), posted at [20080806-IR-839080611ERA](#), effective July 24, 2008, expires September 22, 2008.* Effective December 15, 2008.

SECTION 1. "LMFTA" means a licensed marriage and family therapist associate under [IC 25-23.6](#).

SECTION 2. (a) This SECTION supersedes [839 IAC 1-2-1\(d\)](#).

(b) Applicants for licensure as a marriage and family therapist or marriage and family therapist associate shall be required to pass the national examination as provided by the Association of Marital and Family Therapy Regulatory Boards.

SECTION 3. (a) This SECTION supersedes [839 IAC 1-2-2\(a\)](#).

(b) A license to practice as a social worker, clinical social worker, marriage and family therapist, marriage and family therapist associate, or mental health counselor will expire on April 1 of even-numbered years.

SECTION 4. (a) This SECTION supersedes [839 IAC 1-2-2\(d\)](#).

(b) It is the responsibility of the practitioner to notify the Indiana professional licensing agency of an address change.

SECTION 5. A marriage and family therapist associate license can be renewed two (2) times. Additional renewals may be granted at the discretion of the board.

SECTION 6. (a) This SECTION supersedes [839 IAC 1-2-2\(e\)](#).

(b) If a license to practice social work, clinical social work, marriage and family therapy, or mental health counseling has been expired for longer than three (3) years, the practitioner may renew the license by meeting the following requirements:

- (1) File a renewal application provided by the board.
- (2) Pay current renewal fees.
- (3) Pay penalty fee for late renewal.
- (4) Submit a detailed letter of explanation to the board as to why the license has lapsed.
- (5) Submit proof of having met the continuing education requirements for one (1) renewal cycle within the previous twenty-four (24) months.
- (6) Make a personal appearance before the board, as the board in its discretion may require.
- (7) Pass the national examination, as the board in its discretion may require.

SECTION 7. If a marriage and family therapist associate license has been expired for longer than one (1) year, the practitioner may not renew the license and will have to reapply as a new applicant.

SECTION 8. (a) This SECTION supersedes [839 IAC 1-2-5\(b\)](#).

(b) The application/issuance fee for licensure to practice as a social worker, clinical social worker, marriage and family therapist, marriage and family therapist associate, or mental health counselor shall be fifty dollars (\$50).

SECTION 9. (a) This SECTION supersedes [839 IAC 1-2-5\(e\)](#).

(b) The fee for renewal of license to practice as a social worker, clinical social worker, marriage and family therapist, marriage and family therapist associate, or mental health counselor shall be fifty dollars (\$50) biennially.

SECTION 10. (a) This SECTION supersedes [839 IAC 1-2-5\(j\)](#).

(b) The penalty fee for late renewal, and any additional Indiana professional licensing agency administrative fees, shall be set in accordance with the Indiana professional licensing agency fee schedule.

SECTION 11. (a) As used in [IC 25-23.6-8-1\(1\)\(A\)](#), "master's degree in an area related to marriage and family therapy" means a degree earned in one (1) of the following area of study:

- (1) Clinical social work.
- (2) Psychology.
- (3) Counseling.
- (4) Pastoral counseling.
- (5) Programs accredited by the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE).
- (6) Other degree area as determined by the board.

(b) An applicant for licensure as a marriage and family therapist with a graduate degree not listed in subsection (a), or an applicant asserting that his or her program is equivalent to a program in marriage and family therapy whose content areas are listed in [IC 25-23.6-8-2.5](#), must provide the board with the following information:

- (1) Evidence that their degree program and any additional course work are equivalent to the criteria for a graduate degree in marriage and family therapy as set forth in this SECTION.
- (2) An official college transcript.
- (3) Appropriate certifications or affidavits from university officials.
- (4) Any additional supporting documentation as requested by the board.

(c) As used in [IC 25-23.6-8-2.1\(a\)\(1\)](#), "regional accrediting body" means a college or university that was accredited prior to or within two (2) years of the time of the applicant's graduation by one (1) of the following:

- (1) New England Association of Schools and Colleges.
- (2) Middle States Association of Colleges and Schools.
- (3) North Central Association of Colleges and Schools.
- (4) Northwest Association of Schools and Colleges.
- (5) Southern Association of Schools and Colleges.
- (6) Western Association of Schools and Colleges.

(d) An applicant for licensure as a marriage and family therapist under [IC 25-23.6-8](#) must show successful completion of a degree curriculum that shall encompass a minimum of twenty-seven (27) semester hours or forty-one (41) quarter hours of graduate course work. If the course titles as stated on the transcript do not clearly reflect the course work content areas as listed in [IC 25-23.6-8-2.5](#), the applicant must document the course or combination of courses in which the material was covered. Only graduate level courses are acceptable for establishing equivalency. The board will not accept course work counted or credited toward an undergraduate degree.

(e) The following criteria shall be used to identify a master's or doctoral program in marriage and family therapy or an area related to marriage and family therapy:

- (1) The program, wherever it may be housed, shall be clearly identified as a marriage and family therapy program in pertinent catalogs and brochures and shall specify the program's intent to educate and train marriage and family therapists.
- (2) There shall be a clear authority and primary responsibility for the core and specialty areas, whether or not the program cuts across administrative lines.
- (3) The program shall have an identifiable marriage and family therapy professional responsible for the program.
- (4) The program shall have an identifiable body of students who are matriculated in that program for a degree.
- (5) The program shall include a supervised clinical practicum, internship, or field experience in

marriage and family therapy.

(f) As used in [IC 25-23.6-8-2.5\(a\)\(3\)](#), "practicum" means a distinctly defined supervised curricular experience intended to enable the student to develop basic therapy skills and to integrate professional knowledge and skills appropriate to the student's program emphasis. The practicum shall be a minimum of five hundred (500) face-to-face client contact hours and include the following: A minimum of one hundred (100) hours of supervision from a licensed marriage and family therapist who has at least five (5) years of experience.

(g) The supervision of the clinical practicum, internship or field experience in marriage and family therapy experiences listed in this SECTION are tutorial forms of instruction. Individual supervision is supervision rendered to not more than two (2) individuals at a time, and group supervision is supervision rendered to at least two (2) and not more than ten (10) individuals at one (1) time.

(h) As used in [IC 25-23.6-8-2.5\(a\)\(3\)\(B\)](#), "one hundred (100) hours of supervision" refers to the entire clinical experience requirement of five hundred (500) hours. This includes individual and group supervision. The applicant must document that at least one hundred (100) hours were spent with a licensed marriage and family therapist supervisor who has at least five (5) years of experience or a qualified supervisor approved by the board. The graduate marriage and family therapy student may work away from the premises of the educational institution but must be enrolled in a clinical practicum, internship, or field experience in marriage and family therapy and must conduct therapy under the auspices of that graduate program.

SECTION 12. (a) As used in [IC 25-23.6-8-2.7\(a\)](#), "one thousand (1,000) hours of post degree clinical experience" means experience under approved supervision, acquired over no less than twenty-four (24) months, any time subsequent to the following:

- (1) the date the individual is licensed as a marriage and family therapist associate; or
- (2) the date certified by the degree-granting institution showing completion of all requirements for the master's degree issued prior to July 1, 2008.

The doctoral student may use hours accrued during a doctoral internship toward the postgraduate clinical experience.

(b) As used in [IC 25-23.6-8-2.7\(a\)](#), "individual supervision" means face-to-face supervision with an equivalent supervisor and not more than two (2) individuals.

SECTION 13. (a) An applicant for licensure by examination as a marriage and family therapist or marriage and family therapist associate, approved by the board to sit for the examination, shall sit for that examination within one (1) year from the date of the initial board approval. If the examination applicant has not taken the examination within one (1) year from the date of the initial board approval, the initial board approval will be invalid and the applicant must file a new application.

(b) The board will notify the applicant in writing of examination results.

(c) Applicants determined by the board to have failed the examination, who wish to retake the examination, shall submit a repeat examination application, fees, and other requirements as stated in [839 IAC 1-2-1](#).

(d) Applicants who fail the examination three (3) times may be required to personally appear before the board prior to retaking the examination.

SECTION 14. (a) This SECTION supersedes [839 IAC 1-4-5\(b\)](#).

(b) As used in [IC 25-23.6-8-2.7\(a\)](#), "equivalent supervisor" means an individual who is licensed in a mental health field or, if the supervision was provided in a state where no regulation exists, by a mental health professional of equivalent status and is any of the following:

- (1) An American Association for Marriage and Family Therapy approved supervisor.
- (2) An American Association for Marriage and Family Therapy supervisor candidate.
- (3) A supervisor who:
 - (A) demonstrates to the board training, education, and experience in marriage and family therapy by providing any of the following to the board:
 - (i) a state marriage and family therapy credential;

- (ii) American Association for Marriage and Family Therapy clinical membership; or
 - (iii) other documentation of training, education, and experience in individual, couple, and family therapy; and
- (B) demonstrates family therapy and documentation of training, education, and experience in individual, couple, and family therapy supervision by providing the following to the board:
- (i) a state marriage and family therapy credential to provide marriage and family therapy supervision;
 - (ii) completed course work or continuing education in marriage and family therapy supervision;
 - (iii) significant marriage and family therapy supervised supervision experience; or
 - (iv) more than ten (10) years experience supervising marriage and family therapy students.

SECTION 15. (a) This SECTION supersedes [839 IAC 1-6-2\(a\)](#).

- (b) The following criteria shall be used for the approval of providers of continuing education programs for licensed social workers, licensed clinical social workers, licensed marriage and family therapists, licensed marriage and family therapist associates, and licensed mental health counselors:
- (1) The continuing education program shall have a statement of objectives, which the program should achieve for its participants relating to and enhancing the licensee's practice.
 - (2) The sponsor of a continuing education program shall provide the following:
 - (A) Adequate administration, including a responsible person to coordinate and administer the program.
 - (B) Maintenance of proper records.
 - (3) Sponsors of a continuing education program shall provide adequate funding for the educational program undertaken.
 - (4) The curriculum of a continuing education program shall be thoughtfully planned and designed to explore in considerable depth:
 - (A) one (1) subject; or
 - (B) a closely related group of subjects related to the licensee's practice.
 - (5) The continuing education program shall:
 - (A) have qualified faculty members with demonstrated competence in the subject areas; and
 - (B) be held in adequate facilities that allow for an effective program.
 - (6) Continuing education programs may employ a variety of educational methods and teaching aids that enhance the learning opportunities.
 - (7) Appropriate methods of evaluation shall be devised and used to measure the continuing education program's effectiveness.
 - (8) The sponsor of the continuing education program shall provide to the participants a meaningful record of attendance stating the continuing education hours involved.

SECTION 16. (a) This SECTION supersedes [839 IAC 1-6-2\(c\)](#).

- (b) An approval to provide continuing education units for licensed:
- (1) social workers;
 - (2) clinical social workers;
 - (3) marriage and family therapists;
 - (4) marriage and family therapists associates; and
 - (5) mental health counselors;
- will expire on April 1 of the even-numbered years.

SECTION 17. (a) This SECTION supersedes [839 IAC 1-6-3\(b\)](#).

(b) A licensee who renews a license as a social worker, clinical social worker, marriage and family therapist, marriage and family therapist associate, or mental health counselor shall complete not less than twenty (20) CEUs per year, in compliance with section 1(b) of this rule, for a total of forty (40) CEUs for the two (2) year renewal period.

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