

Behavioral Health and Human Services Licensing Board

SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS, MENTAL HEALTH
COUNSELORS, AND ADDICTION COUNSELORS

A compilation of the Indiana Code and Indiana Administrative Code

2014 Edition



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BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD

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ARTICLE 23.6. SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS, MENTAL HEALTH COUNSELORS, AND ADDICTION COUNSELORS

INDIANA CODE § 25-23.6-1

Chapter 1. Definitions

IC 25-23.6-1-1 Application of definitions

Sec. 1. The definitions in this chapter apply throughout this article.
As added by P.L.186-1990, SEC.9.

IC 25-23.6-1-1.2 "Addiction counseling experience"

Sec. 1.2. "Addiction counseling experience" refers to a time during which an applicant provides addiction counseling services directly to clients diagnosed with a substance use disorder, including treatment of clients, and at least fifty percent (50%) of the time consists of providing addiction counseling services directly to clients diagnosed with a substance use disorder.
As added by P.L.122-2009, SEC.10.

IC 25-23.6-1-1.5" "Appraisal"

Sec. 1.5. "Appraisal" means the use or administration of career and occupational instruments, adaptive behavioral and symptoms screening checklists, and inventories of interests and preferences that are administered for the purpose of counseling persons to cope with or adapt to changing life situations that are due to problems in living. The term includes the use of marital, relational, communicational, parent and child, and family systems assessment instruments.
As added by P.L.147-1997, SEC.12. Amended by P.L.197-2007, SEC.84.

IC 25-23.6-1-2 "Board"

Sec. 2. "Board" refers to the behavioral health and human services licensing board.
As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.13; P.L.122-2009, SEC.11.

IC 25-23.6-1-2.5 Repealed
(Repealed by P.L.1-2006, SEC.588.)

IC 25-23.6-1-2.6 "Clinical addiction counseling experience"

Sec. 2.6. "Clinical addiction counseling experience" refers to a time during which an applicant provides clinical services, including evaluation and treatment of clients, and at least fifty percent (50%) of the time consists of providing addiction counseling services directly to clients diagnosed with a substance use disorder.
As added by P.L.122-2009, SEC.12.

IC 25-23.6-1-3 "Clinical social worker"

Sec. 3. "Clinical social worker" means an individual who is licensed under IC 25-23.6-5.
As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.15; P.L.122-2009, SEC.13.

IC 25-23.6-1-3.3 "Clinical social work experience"

Sec. 3.3. "Clinical social work experience" means a period of time during which an applicant provides clinical services, including evaluation and treatment of clients, in which at least fifty percent (50%) of the time consists of providing counseling services directly to clients.
As added by P.L.147-1997, SEC.16.

IC 25-23.6-1-3.6 "Counseling"

Sec. 3.6. "Counseling" means techniques used to help individuals learn how to solve problems and make decisions related to personal growth, vocational, family, social, and other interpersonal concerns.
As added by P.L.147-1997, SEC.17.

IC 25-23.6-1-3.8 "Counselor"

Sec. 3.8. Except as provided in IC 25-23.6-7-5, "counselor" refers to a social worker, a clinical social worker, a marriage and family therapist, a mental health counselor, an addiction counselor, or a clinical addiction counselor who is licensed under this article.
As added by P.L.147-1997, SEC.18. Amended by P.L.122-2009, SEC.14.

IC 25-23.6-1-3.9 "Governmental employee"

Sec. 3.9. "Governmental employee" means an individual employed by the office of the secretary of family and social services, the division of family resources, the division of mental health and addiction, the division of disability and rehabilitative services, the division of aging, the department of correction, or the state department of health in one (1) of the following classifications:

- (1) 2AA3 Behavioral clinician 3.
- (2) 2AA4 Behavioral clinician 4.
- (3) 2AA5 Clinical associate 5.
- (4) 2FL1 Mental health administrator 1.
- (5) 2FL2 Mental health administrator 2.
- (6) 2FL3 Mental health administrator 3.
- (7) 2AN3 Substance abuse counselor 3.
- (8) 2AN4 Substance abuse counselor 4.
- (9) 2AN5 Substance abuse counselor 5.
- (10) 2AH2 Social services specialist 2.
- (11) 2AH3 Social services specialist 3.
- (12) 2AH4 Social services specialist 4.
- (13) 2A11 Psychiatric services director 1.
- (14) 2AE2 Psychiatric social services specialist 2.
- (15) 2AE3 Psychiatric social services specialist 3.

As added by P.L.244-1999, SEC.1. Amended by P.L.215-2001, SEC.99; P.L.141-2006, SEC.108; P.L.145-2006, SEC.162; P.L.1-2007, SEC.177.

IC 25-23.6-1-4 "Eligible postsecondary educational institution"

Sec. 4. "Eligible postsecondary educational institution" means a postsecondary educational institution that:

- (1) awards a bachelor's or higher degree;
- (2) is located in:
 - (A) the United States; or
 - (B) Canada or another country, if permitted under IC 25-23.6-8-2.1, IC 25-23.6-8.5-2, or another provision of this article; and
- (3) is accredited by a regional accrediting body.

As added by P.L.186-1990, SEC.9. Amended by P.L.33-1993, SEC.34; P.L.2-2007, SEC.328.

IC 25-23.6-1-4.3 "Licensed addiction counselor"

Sec. 4.3. "Licensed addiction counselor" means an individual who is licensed as an addiction counselor under IC 25-23.6-10.5.

As added by P.L.122-2009, SEC.15.

IC 25-23.6-1-4.5 "Licensed clinical addiction counselor"

Sec. 4.5. "Licensed clinical addiction counselor" means an individual who is licensed as a clinical addiction counselor under IC 25-23.6-10.5.

As added by P.L.122-2009, SEC.16.

IC 25-23.6-1-4.8 "Licensed social worker"

Sec. 4.8. "Licensed social worker" means an individual who is licensed under IC 25-23.6-5.

As added by P.L.147-1997, SEC.19. Amended by P.L.122-2009, SEC.17.

IC 25-23.6-1-5 "Marriage and family therapist"

Sec. 5. "Marriage and family therapist" means an individual who is licensed under IC 25-23.6-8.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.20; P.L.122-2009, SEC.18.

IC 25-23.6-1-5.5 "Mental health counselor"

Sec. 5.5. "Mental health counselor" means an individual who is licensed under IC 25-23.6-8.5.

As added by P.L.147-1997, SEC.21. Amended by P.L.122-2009, SEC.19.

IC 25-23.6-1-5.7 "Practice of addiction counseling"

Sec. 5.7. (a) "Practice of addiction counseling" means the providing of professional services that are delivered by a licensed addiction counselor, that are designed to change substance use or addictive behavior, and that involve specialized knowledge and skill related to addictions and addictive behaviors, including understanding addiction, knowledge of the treatment process, application to practice, and professional readiness. The term includes:

- (1) gathering information through structured interview screens using routine protocols;
- (2) reviewing assessment findings to assist in the development of a plan individualized for treatment services and to coordinate services;
- (3) referring for assessment, diagnosis, evaluation, and mental health therapy;
- (4) providing client and family education related to addictions;
- (5) providing information on social networks and community systems for referrals and discharge planning;
- (6) participating in multidisciplinary treatment team meetings or consulting with clinical addiction professionals;
- (7) counseling, through individual and group counseling, as well as group and family education, to treat addiction and substance abuse in a variety of settings, including:

- (A) mental and physical health facilities; and
 - (B) child and family service agencies; and
 - (8) maintaining the highest level of professionalism and ethical responsibility.
- (b) The term does not include the use of psychotherapy or diagnosis (as defined in IC 25-22.5-1-1.1(c) or as defined as the practice of psychology under IC 25-33-1-2(a)).
- (c) For an individual who obtains a license as an addiction counselor by:
- (1) holding a valid:
 - (A) level II or higher certification or the equivalent certification from a credentialing agency approved by the division of mental health and addiction; or
 - (B) certification as an addiction counselor or addiction therapist from a credentialing agency that is approved by the board;
 - (2) having at least ten (10) years of experience in addiction counseling;
 - (3) furnishing satisfactory evidence to the board that the individual does not have:
 - (A) a conviction for a crime of violence (as defined in IC 35-50-1-2(a)(1) through IC 35-50-1-2(a)(13)); or
 - (B) a conviction in the previous two (2) years that has a direct bearing on the individual's ability to practice competently; and
 - (4) filing an initial application with the board before July 1, 2010;

the term includes the provision of addiction counseling services in private practice in consultation with other licensed professionals as required by the client's individualized treatment plan.

As added by P.L.122-2009, SEC.20.

IC 25-23.6-1-5.9 "Practice of clinical addiction counseling"

Sec. 5.9. (a) "Practice of clinical addiction counseling" means the providing of professional services that are delivered by a licensed clinical addiction counselor, that are designed to change substance use or addictive behavior, and that involve specialized knowledge and skill related to addictions and addictive behaviors, including understanding addiction, knowledge of the treatment process, application to practice, and professional readiness. The term includes:

- (1) gathering information through structured interview screens using routine protocols and standardized clinical instruments;
- (2) using appraisal instruments as an aid in individualized treatment planning that the licensed clinical addiction counselor is qualified to employ because of:
 - (A) education;
 - (B) training; and
 - (C) experience;
- (3) providing psychosocial evaluations using accepted classifications, including classifications from the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders, as amended and supplemented, to the extent of the licensed clinical addiction counselor's education, training, experience, and scope of practice as established by this article;
- (4) reviewing assessment findings to:
 - (A) develop a plan for individualized addiction treatment;
 - (B) coordinate services; and
 - (C) provide subsequent assessment updates;
- (5) using counseling and psychotherapeutic techniques through individual, group, and family counseling to treat addiction and other substance related problems and conditions in a variety of settings, including:
 - (A) mental and physical health facilities;
 - (B) child and family service agencies; and
 - (C) private practice;
- (6) providing client and family education related to addictions;
- (7) providing information on social networks and community systems for referrals and discharge planning;
- (8) participating in multidisciplinary treatment team meetings or consulting with clinical addiction professionals; and
- (9) maintaining the highest level of professionalism and ethical responsibility.

(b) The term does not include diagnosis (as defined in IC 25-22.5-1-1.1(c)).

As added by P.L.122-2009, SEC.21.

IC 25-23.6-1-6 "Practice of clinical social work"

Sec. 6. (a) "Practice of clinical social work" means professional services that are designed to help individuals, marriages, couples, families, groups, and communities to enhance or restore their capacity for functioning by:

- (1) assisting in the obtaining or improving of tangible social and health services;
- (2) providing psychosocial evaluations using accepted classifications, including classifications from the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DSM-IV) as amended and supplemented, but only to the extent of the counselor's education, training, experience, and scope of practice as established by this article;
- (3) using appraisal instruments as an aid in treatment planning that the clinical social worker is qualified to employ by virtue of the counselor's education, training, and experience; and
- (4) counseling and psychotherapeutic techniques, casework social work advocacy, and treatment in a variety of settings that include mental and physical health facilities, child and family service agencies, or private practice.

(b) The term does not include diagnosis (as defined in IC 25-22.5-1-1.1(c)).

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.22.

IC 25-23.6-1-7 "Practice of marriage and family therapy"

Sec. 7. "Practice of marriage and family therapy" means a specialty that:

- (1) uses an applied understanding of the dynamics of marital, relational, and family systems, and individual psychodynamics;
- (2) uses counseling and psychotherapeutic techniques;
- (3) evaluates and treats mental and emotional conditions, resolves intrapersonal and interpersonal conflict, and changes perceptions, attitudes, and behavior, all within the context of family, marital, and relational systems, including the use of accepted evaluation classifications, including classifications from the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DSM-IV) as amended and supplemented, but only to the extent of the counselor's education, training, experience, and scope of practice as established by this article;
- (4) uses individual, group, couple, sexual, family, and divorce therapy; and
- (5) uses appraisal instruments that evaluate individual, marital, relational, communicational, parent and child, and family functioning that the marriage and family therapist is qualified to employ by virtue of the counselor's education, training, and experience.

The term does not include diagnosis (as defined in IC 25-22.5-1-1.1(c)).
As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.23.

IC 25-23.6-1-7.5 "Practice of mental health counseling"

Sec. 7.5. "Practice of mental health counseling" means a specialty that:

- (1) uses counseling and psychotherapeutic techniques based on principles, methods, and procedures of counseling that assist people in identifying and resolving personal, social, vocational, intrapersonal, and interpersonal concerns;
- (2) uses counseling to evaluate and treat emotional and mental problems and conditions in a variety of settings, including mental and physical health facilities, child and family service agencies, or private practice, and including the use of accepted evaluation classifications, including classifications from the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DSM-IV) as amended and supplemented, but only to the extent of the counselor's education, training, experience, and scope of practice as established by this article;
- (3) administers and interprets appraisal instruments that the mental health counselor is qualified to employ by virtue of the counselor's education, training, and experience;
- (4) uses information and community resources for personal, social, or vocational development;
- (5) uses individual and group techniques for facilitating problem solving, decision making, and behavioral change;
- (6) uses functional assessment and vocational planning guidance for persons requesting assistance in adjustment to a disability or disabling condition;
- (7) uses referrals for individuals who request counseling services; and
- (8) uses and interprets counseling research.

The term does not include diagnosis (as defined in IC 25-22.5-1-1.1(c)).
As added by P.L.147-1997, SEC.24.

IC 25-23.6-1-8 "Practice of social work"

Sec. 8. (a) "Practice of social work" means professional services that are designed to effect change in human behavior, emotional responses, and social conditions of individuals, couples, families, groups, and communities and that involve specialized knowledge and skill related to human development, including an understanding of unconscious motivation, the potential for human growth, the availability of social resources, and knowledge of social systems. The term includes planning, administration, and research for community social services delivery systems.

(b) The term does not include the use of psychotherapy or diagnosis (as defined in IC 25-22.5-1-1.1(c)).

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.25.

IC 25-23.6-1-9 "Psychotherapy"

Sec. 9. "Psychotherapy" means the assessing and treating of mental and emotional disorders by any of the various means of communication between the social worker practitioner and the client.

As added by P.L.186-1990, SEC.9.

IC 25-23.6-1-10 "Social worker"

Sec. 10. "Social worker" means an individual who graduates from a program accredited by the Council on Social Work Education.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.26.

IC 25-23.6-1-11 "Social work experience"

Sec. 11. "Social work experience" means a period of time during which an applicant provides social worker services, including assessment and evaluation of clients, in which at least fifty percent (50%) of the time consists of providing services directly to clients.

As added by P.L.147-1997, SEC.27.

INDIANA CODE § 25-23.6-2

Chapter 2. Social Work Certification and Marriage and Family Therapists Credentialing Board

IC 25-23.6-2-1 Establishment of board

Sec. 1. The behavioral health and human services licensing board is established.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.28; P.L.122-2009, SEC.22.

IC 25-23.6-2-2 Membership of board; qualifications; political affiliation

Sec. 2. (a) The board consists of eleven (11) members appointed by the governor for terms of three (3) years. The board must include the following:

- (1) Two (2) marriage and family therapists who:
 - (A) have at least a master's degree in marriage and family therapy or a related field from an eligible postsecondary educational institution; (B) are licensed under this chapter; and
 - (C) have five (5) years of experience in marriage and family therapy.
- (2) One (1) social worker who:
 - (A) has at least a master's degree in social work from an eligible postsecondary educational institution accredited by the Council on Social Work Education;
 - (B) is licensed under this article; and
 - (C) has at least five (5) years of experience as a social worker.
- (3) One (1) social services director of a hospital with a social work degree who has at least three (3) years of experience in a hospital setting.
- (4) Two (2) mental health counselors who:
 - (A) have at least a master's degree in mental health counseling;
 - (B) are licensed under this article; and
 - (C) have at least five (5) years experience as a mental health counselor.
- (5) Two (2) consumers who have never been credentialed under this article.
- (6) One (1) physician licensed under IC 25-22.5 who has training in psychiatric medicine.
- (7) Two (2) licensed clinical addiction counselors who:
 - (A) are licensed under IC 25-23.6-10.5; and
 - (B) have at least five (5) years experience in clinical addiction counseling.

(b) Not more than six (6) members of the board may be from the same political party.

As added by P.L.186-1990, SEC.9. Amended by P.L.33-1993,

SEC.35; P.L.255-1996, SEC.17; P.L.147-1997, SEC.29; P.L.2-1998, SEC.67; P.L.2-2007, SEC.329; P.L.122-2009, SEC.23.

IC 25-23.6-2-3 Per diem, travel, and other expenses

Sec. 3. Each member of the board who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Each member of the board is entitled to reimbursement for travel expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the department of administration and approved by the budget agency.

As added by P.L.186-1990, SEC.9. Amended by P.L.3-2008, SEC.188.

IC 25-23.6-2-4 Removal of governor appointed member

Sec. 4. A member of the board who is appointed by the governor may not be removed from the board except by action of the governor.

As added by P.L.186-1990, SEC.9.

IC 25-23.6-2-5 Chairman; term

Sec. 5. The board shall elect a chairman from among the members of the board for a one (1) year term. An individual may not be elected as chairman for more than two (2) consecutive one (1) year terms.

As added by P.L.186-1990, SEC.9.

IC 25-23.6-2-6 Meetings

Sec. 6. The board shall meet at least one (1) time each year.

As added by P.L.186-1990, SEC.9. Amended by P.L.33-1993, SEC.36.

IC 25-23.6-2-7 Duties of board

Sec. 7. The board shall consider matters that are of interest to all board sections.

As added by P.L.186-1990, SEC.9. Amended by P.L.33-1993, SEC.37.

IC 25-23.6-2-8 Adoption of standards; fees; duties of board

Sec. 8. (a) The board shall adopt rules under IC 4-22-2 establishing standards for the following:

- (1) The competent practice of marriage and family therapy, social work, clinical social work, mental health counseling, addiction counseling, and clinical addiction counseling.
- (2) The renewal of licenses issued under this article.

- (3) Standards for the administration of this article.
 - (4) Continuing education requirements for an individual seeking renewal of licensure as a social worker, clinical social worker, or marriage and family therapist.
 - (5) The retention of patient records and reports by a counselor.
 - (6) The approval of continuing education providers, programs, courses, fees, and proof of course completion.
- (b) The board shall establish fees under IC 25-1-8-2.
- (c) The board shall do the following:
- (1) Consider the qualifications of individuals who apply for a license under this article.
 - (2) Provide for examinations required under this article.
 - (3) Subject to IC 25-1-8-6, renew licenses under this article.
 - (4) Conduct proceedings under IC 25-1-9.

As added by P.L.186-1990, SEC.9. Amended by P.L.255-1996, SEC.18; P.L.147-1997, SEC.30; P.L.269-2001, SEC.20; P.L.122-2009, SEC.24.

IC 25-23.6-2-9 Social worker section established

Sec. 9. (a) The social worker section of the board is established. The section consists of the following:

- (1) Two (2) social worker members of the board.
- (2) Two (2) consumer members of the board.
- (3) One (1) physician member of the board.

(b) Three (3) members of the social worker section, two (2) of whom must be social workers, constitute a quorum.

As added by P.L.186-1990, SEC.9. Amended by P.L.33-1993, SEC.38; P.L.255-1996, SEC.19; P.L.147-1997, SEC.31.

IC 25-23.6-2-9.5 Addiction counselor section of board established

Sec. 9.5. (a) The addiction counselor section of the board is established. The section consists of the following:

- (1) Two (2) licensed clinical addiction counselor members of the board.
- (2) Two (2) consumer members of the board.
- (3) One (1) physician member of the board.

(b) Three (3) members of the addiction counselor section, two (2) of whom must be addiction counselors, constitute a quorum.

As added by P.L.122-2009, SEC.25.

IC 25-23.6-2-10 Marriage and family therapist section established

Sec. 10. (a) The marriage and family therapist section of the board is established. The section consists of the following:

- (1) Two (2) marriage and family therapist members of the board.
- (2) Two (2) consumer members of the board.
- (3) One (1) physician member of the board.

(b) Three (3) members of the marriage and family therapist section, two (2) of whom must be marriage and family therapists, constitute a quorum.

As added by P.L.186-1990, SEC.9. Amended by P.L.33-1993, SEC.39; P.L.147-1997, SEC.32.

IC 25-23.6-2-10.5 Mental health counselor section established

Sec. 10.5. (a) The mental health counselor section of the board is established. The section consists of the following:

- (1) Two (2) mental health counselor members of the board.
- (2) Two (2) consumer members of the board.
- (3) One (1) physician member of the board.

(b) Three (3) members of the mental health counselor section, two (2) of whom must be mental health counselors, constitute a quorum.

As added by P.L.147-1997, SEC.33.

IC 25-23.6-2-11 Duties of sections of the board

Sec. 11. The social worker, marriage and family therapist, mental health counselor, and addiction counselor sections of the board shall do the following:

- (1) Approve continuing education courses authorized under this article.
- (2) Propose rules to the board concerning the practice of the profession regulated by each section.
- (3) Other duties as directed by the board.

As added by P.L.186-1990, SEC.9. Amended by P.L.33-1993, SEC.40; P.L.255-1996, SEC.20; P.L.147-1997, SEC.34; P.L.122-2009, SEC.26.

IC 25-23.6-2-12 Examinations; testing company services

Sec. 12. The board may utilize the services of a testing company to prepare, conduct, and score examinations.

As added by P.L.186-1990, SEC.9.

INDIANA CODE § 25-23.6-3

Chapter 3. Certified Marriage and Family Therapist; Unlawful Practice; Penalty

IC 25-23.6-3-1 Unlawful practices

Sec. 1. (a) An individual may not:

- (1) profess to be a licensed marriage and family therapist;
 - (2) use the title:
 - (A) "licensed marriage and family therapist";
 - (B) "marriage and family therapist"; or
 - (C) "family therapist";
 - (3) use any other words, letters, abbreviations, or insignia indicating or implying that the individual is a licensed marriage and family therapist; or
 - (4) practice marriage and family therapy for compensation;
- unless the individual is licensed under IC 25-22.5, IC 25-23.6-8-1, or IC 25-33.

(b) An individual may not:

- (1) profess to be a licensed marriage and family therapist associate;
 - (2) use the title:
 - (A) "licensed marriage and family therapist associate";
 - (B) "marriage and family therapist associate"; or
 - (C) "family therapist associate";
 - (3) use any other words, letters, abbreviations, or insignia indicating or implying that the individual is a licensed marriage and family therapist associate; or
 - (4) practice marriage and family therapy for compensation;
- unless the individual is licensed under IC 25-22.5, IC 25-23.6-8-1.5, or IC 25-33.

(c) Subsections (a)(4) and (b)(4) do not apply to a person who is described in section 2(a) of this chapter.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.35; P.L.134-2008, SEC.36.

IC 25-23.6-3-2 Exemptions

Sec. 2. (a) This article may not be construed to limit the marriage and family therapy services performed by a person who does not use a title specified in this article and who is one (1) of the following:

- (1) A licensed or certified health care professional acting within the scope of the person's license or certificate.
- (2) A student, an intern, or a trainee pursuing a course of study in medicine or psychology or a course of study to gain licensure under this article in an accredited eligible postsecondary educational institution or training institution if:
 - (A) the activities are performed under qualified supervision and constitute a part of the person's supervised course of study or other level of supervision; and
 - (B) the student uses a title that contains the term "intern" or "trainee".
- (3) Not a resident of Indiana if the person performed services in Indiana for not more than five (5) days in any one (1) month and not more than fifteen (15) days in any one (1) calendar year and the person is authorized to perform such services under the laws of the state or country in which the person resides.
- (4) A rabbi, priest, Christian Science practitioner, minister, or other member of the clergy.
- (5) An employee of or a volunteer for a nonprofit corporation or an organization performing charitable, religious, or educational functions, providing pastoral counseling or other assistance.
- (6) A person who provides school counseling or a person who is certified by a state or national organization that is recognized by the Indiana division of mental health and addiction and who provides counseling in the areas of alcohol or drug abuse addictions.

(b) Nothing in this section prohibits a person referred to in subsection (a) from qualifying for licensure under this article.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.36; P.L.215-2001, SEC.100; P.L.2-2007, SEC.330; P.L.134-2008, SEC.37.

IC 25-23.6-3-3 Violations; penalty

Sec. 3. An individual who violates this chapter after July 1, 1999, commits a Class A misdemeanor.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.37.

IC 25-23.6-3-4 Display of license; contents of promotional material

Sec. 4. (a) An individual who is licensed as a marriage and family therapist under IC 25-23.6-8-1 shall:

- (1) display the license or a clear copy of the license at each location where the marriage and family therapist regularly practices; and
- (2) include the words "licensed marriage and family therapist" or the letters "LMFT" on all promotional materials, including business cards, brochures, stationery, advertisements, and signs that name the individual.

(b) An individual who is licensed as a marriage and family therapist associate under IC 25-23.6-8-1.5 shall:

- (1) display the license or a clear copy of the license at each location where the marriage and family therapist associate regularly practices; and
- (2) include the words "licensed marriage and family therapist associate" or the letters "LMFTA" on all promotional materials, including business cards, brochures, stationery, advertisements, and signs that name the individual.

As added by P.L.147-1997, SEC.38. Amended by P.L.134-2008, SEC.38.

INDIANA CODE § 25-23.6-4

Chapter 4. Social Worker; Unlawful Practices; Penalty

IC 25-23.6-4-1 Unlawful practices

Sec. 1. An individual may not:

- (1) profess to be a social worker, licensed social worker, or licensed clinical social worker;
- (2) use the title:
 - (A) "social worker";
 - (B) "licensed social worker";
 - (C) "licensed clinical social worker";
 - (D) "clinical social worker";
 - (E) "psychiatric social worker"; or
 - (F) "psychosocial worker";
- (3) use any other title containing the words "social worker", "licensed social worker", or "licensed clinical social worker";
- (4) use any other words, letters, abbreviations, or insignia indicating or implying that the individual is a social worker, licensed social worker, or licensed clinical social worker; or
- (5) practice as a social worker, licensed social worker, or clinical social worker for compensation; unless the individual is licensed under this article.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.39; P.L.84-2010, SEC.55.

IC 25-23.6-4-2 Exemptions

Sec. 2. (a) This article may not be construed to limit the social work or clinical social work services performed by a person who does not use a title specified in this article and who is one (1) of the following:

- (1) A licensed or certified health care professional acting within the scope of the person's license or certificate.
- (2) A student, an intern, or a trainee pursuing a course of study in medicine, psychology, or a course of study to gain licensure under this article in an accredited eligible postsecondary educational institution or training institution accredited by the Council on Social Work Education, or a graduate accumulating experience required for licensure if:
 - (A) the services are performed under qualified supervision and constitute a part of the person's supervised course of study or other level of supervision; and
 - (B) the student or graduate uses a title that contains the term "intern", "student", or "trainee".
- (3) Not a resident of Indiana if the person performed social work in Indiana for not more than five (5) days in any one (1) month or more than fifteen (15) days in any one (1) calendar year and the person is authorized to perform such services under the laws of the state or country in which the person resides.
- (4) A rabbi, priest, Christian Science practitioner, minister, or other member of the clergy.
- (5) An employee or a volunteer for an organization performing charitable, religious, or educational functions, providing pastoral counseling, or other assistance.
- (6) A person who provides school counseling.
- (7) A governmental employee who remains in the same job classification or job family of that job classification.

(b) Nothing in this section prohibits a person referred to in subsection (a) from qualifying for licensure under this article.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.40; P.L.244-1999, SEC.2; P.L.215-2001, SEC.101; P.L.2-2007, SEC.331; P.L.122-2009, SEC.27.

IC 25-23.6-4-3 Social service designee

Sec. 3. A person who is not licensed under this article may use the title "social service designee" if the person:

- (1) provides or assures provision of social services in:
 - (A) a health facility licensed under IC 16-28;
 - (B) a hospital licensed under IC 16-21 or IC 12-25;
 - (C) a substance abuse facility certified by the division of mental health and addiction;
 - (D) a home health agency licensed under IC 16-27-1; or
 - (E) a community health center; and
- (2) does not profess to be:
 - (A) a licensed social worker; or
 - (B) licensed under this article.

As added by P.L.186-1990, SEC.9. Amended by P.L.2-1992, SEC.777; P.L.2-1993, SEC.143; P.L.219-1993, SEC.1; P.L.147-1997, SEC.41; P.L.215-2001, SEC.102.

IC 25-23.6-4-3.1 Use of case manager or discharge planner title by nonlicensed individuals

Sec. 3.1. An individual who is not licensed under this article may use the titles "case manager", "discharge planner", or a related title if the individual:

- (1) provides services in a hospital licensed under IC 16-21 or IC 12-25 or a community mental health center; and
- (2) does not profess to be licensed under this article.

As added by P.L.147-1997, SEC.42.

IC 25-23.6-4-4 Violations; penalty

Sec. 4. An individual who violates this chapter after July 1, 1999, commits a Class A misdemeanor.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.43.

IC 25-23.6-4-5 Display of license; contents of promotional materials

Sec. 5. An individual who is licensed as a social worker or clinical social worker shall:

- (1) display the license or a clear copy of the license at each location where the social worker or clinical social worker regularly practices; and
- (2) include the words "licensed social worker" or "licensed clinical social worker" or the letters "LSW" or "LCSW" on all promotional materials, including business cards, brochures, stationery, advertisements, and signs that name the individual.

As added by P.L.147-1997, SEC.44.

IC 25-23.6-4-6 Permitted testimony

Sec. 6. A social worker licensed under this article may provide factual testimony but may not provide expert testimony.

As added by P.L.147-1997, SEC.45.

INDIANA CODE § 25-23.6-4.5

Chapter 4.5. Mental Health Counselors; Unlawful Practices

IC 25-23.6-4.5-1 Unlawful practices

Sec. 1. (a) An individual may not:

- (1) profess to be a licensed mental health counselor;
 - (2) use the title:
 - (A) "licensed mental health counselor";
 - (B) "mental health counselor"; or
 - (C) "mental health therapist";
 - (3) use any other words, letters, abbreviations, or insignia indicating or implying that the individual is a licensed mental health counselor; or
 - (4) practice mental health counseling for compensation;
- unless the individual is licensed under this article, IC 25-22.5, or IC 25-33.

(b) An individual may not:

- (1) profess to be a licensed mental health counselor associate;
- (2) use the title:
 - (A) "licensed mental health counselor associate";
 - (B) "mental health counselor associate"; or
 - (C) "mental health therapist associate";
- (3) use any other words, letters, abbreviations, or insignia indicating or implying that the individual is a licensed mental health counselor associate; or
- (4) practice mental health counseling for compensation;

unless the individual is licensed under this article, IC 25-22.5, or IC 25-33.

As added by P.L.147-1997, SEC.46. Amended by P.L.84-2010, SEC.56.

IC 25-23.6-4.5-2 Exemptions

Sec. 2. (a) This article may not be construed to limit the mental health counseling services performed by a person who does not use a title specified in this article and who is one (1) of the following:

- (1) A licensed or certified health care professional acting within the scope of the person's license or certificate.
 - (2) A student, an intern, or a trainee pursuing a course of study in medicine, psychology, or a course of study to gain licensure under this article in an accredited eligible postsecondary educational institution or training institution, or is a graduate accumulating experience required for licensure if:
 - (A) the services are performed under qualified supervision and constitute a part of the person's supervised course of study or other level of supervision; and
 - (B) the student or graduate uses a title that contains the term "intern" or "trainee".
 - (3) Not a resident of Indiana if the person performed the services in Indiana for not more than five (5) days in any one (1) month or fifteen (15) days within any one (1) calendar year and the person is authorized to perform such services under the laws of the state or country in which the person resides.
 - (4) A rabbi, priest, Christian Science practitioner, minister, or other member of the clergy.
 - (5) An employee or a volunteer for an organization performing charitable, religious, or educational functions, providing pastoral counseling, or providing other assistance.
 - (6) A person who provides school counseling or a person who is certified by a state or national organization that is recognized by the Indiana division of mental health and addiction and who provides counseling in the areas of alcohol or drug abuse addictions.
 - (7) A governmental employee who remains in the same job classification or job family of that job classification.
- (b) Nothing in this section prohibits a person referred to in subsection (a) from qualifying for licensure under this article.

As added by P.L.147-1997, SEC.46. Amended by P.L.244-1999, SEC.3; P.L.215-2001, SEC.103; P.L.2-2007, SEC.332.

IC 25-23.6-4.5-3 Display of license; contents of promotional materials

Sec. 3. (a) An individual who is licensed as a mental health counselor shall:

- (1) display the license or a clear copy of the license at each location where the mental health counselor regularly practices; and
- (2) include the words "licensed mental health counselor" or the letters "LMHC" on all promotional materials, including business cards, brochures, stationery, advertisements, and signs that name the individual.

(b) An individual who is licensed as a mental health counselor associate shall:

- (1) display the license or a clear copy of the license at each location where the mental health counselor associate regularly practices; and
- (2) include the words "licensed mental health counselor associate" or the letters "LMHCA" on all promotional materials, including business cards, brochures, stationery, advertisements, and signs that name the individual.

As added by P.L.147-1997, SEC.46. Amended by P.L.84-2010, SEC.57.

IC 25-23.6-4.5-4 Violations; penalty

Sec. 4. An individual who violates this chapter after July 1, 1999, commits a Class A misdemeanor.

As added by P.L.147-1997, SEC.46.

INDIANA CODE § 25-23.6-5

Chapter 5. Social Workers; Certification; Examinations

IC 25-23.6-5-1 Social worker license requirements

Sec. 1. An individual who applies for a license as a social worker must meet the following requirements:

(1) Furnish satisfactory evidence to the board that the individual:

(A) has received at least a bachelor's degree in social work from:

(i) an eligible postsecondary educational institution that is accredited or approved for candidacy by the Council on Social Work Education or approved by the board; or

(ii) a foreign school that has a program of study that is approved by the Foreign Equivalency Determination Service of the Council on Social Work Education; and has completed two (2) years of experience in the practice of social work under the supervision of a licensed social worker, a licensed clinical social worker, or an equivalent supervisor, as determined by the board, after receiving the bachelor's degree; or

(B) has a master's degree in social work from:

(i) an eligible postsecondary educational institution approved by the board; or

(ii) a foreign school that has a program of study that is approved by the Foreign Equivalency Determination Service of the Council on Social Work Education.

(2) Furnish satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.

(3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as a social worker without endangering the public.

(4) Pass an examination provided by the board.

(5) Pay the fee established by the board.

As added by P.L.186-1990, SEC.9. Amended by P.L.1-1994, SEC.126; P.L.255-1996, SEC.21; P.L.147-1997, SEC.47; P.L.2-2007, SEC.333.

IC 25-23.6-5-2 Clinical social worker license requirements

Sec. 2. An individual who applies for a license as a clinical social worker must meet the following requirements:

(1) Furnish satisfactory evidence to the board that the individual has received:

(A) a doctoral degree in social work from an eligible postsecondary educational institution that at the time of graduation was accredited by an accrediting agency recognized by the United States Department of Education; or

(B) at least a master's degree in social work from:

(i) an eligible postsecondary educational institution accredited or approved for candidacy by the Council on Social Work Education; or

(ii) a foreign school that has a program of study accredited by the Canadian Association of Schools of Social Work or a program equivalent to a program approved by the Council on Social Work Education by the Foreign Equivalency Determination Service of the Council on Social Work Education. The graduate program under this subdivision must have emphasized direct clinical or client health services as provided under section 3.1 of this chapter.

(2) Meet the clinical social work experience requirements under section 3.5 of this chapter.

(3) Furnish satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.

(4) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as a social worker or clinical social worker without endangering the public.

(5) Pass an examination provided by the board.

(6) Pay a fee established by the board.

As added by P.L.186-1990, SEC.9. Amended by P.L.33-1993, SEC.41; P.L.255-1996, SEC.22; P.L.147-1997, SEC.48; P.L.2-2007, SEC.334.

IC 25-23.6-5-3 Repealed

(Repealed by P.L. 147-1997, SEC.75.)

IC 25-23.6-5-3.1 Graduate program providing clinical experience

Sec. 3.1. (a) Except as provided in subsection (b), a graduate program is considered to have emphasized direct clinical patient or clinic health care services if the graduate program meets the following requirements:

(1) Required coursework in clinical social work and related areas such as psychiatric social work, medical social work, social case work, case management, psychotherapy, group therapy, and any other coursework accepted by the board.

(2) Required a supervised field placement that was part of the applicant's advanced concentration in direct practice, during which the applicant provided clinical services directly to clients.

(3) Required completion of twenty-four (24) semester hours or thirty-seven (37) quarter hours of clinically oriented services courses in the theory and research of human behavior and social environment and practice methods. However, if the graduate degree was obtained before October 1, 1990, and the applicant submitted an application under section 3 of this chapter (before its repeal) before July 1, 1999, twenty-one (21) semester hours or thirty-one (31) quarter hours in clinically oriented services are required. Not more than six (6) semester hours or nine (9) quarter hours of the clinically oriented services courses may be from independent study coursework.

If the applicant's transcript does not clearly identify the content of the coursework, the applicant shall submit a syllabus, a course catalog description, or other documentation that describes the coursework.

(b) An applicant who graduated from a graduate program that did not emphasize direct patient or client services may complete the clinical curriculum requirement by returning to a graduate program allowed under section 2(1)(B) of this chapter to complete the education requirements.

(c) Coursework that was taken at a baccalaureate level does not meet the requirements under this section unless an official of the graduate program certifies that the specific course, which a student enrolled in the same graduate program was ordinarily required to complete at the graduate level, was waived or exempted based on completion of a similar course at the baccalaureate level.

As added by P.L.147-1997, SEC.49.

IC 25-23.6-5-3.5 Clinical social work experience; requirements

Sec. 3.5. (a) The applicant for a license as a clinical social worker must have at least two (2) years of clinical social work experience after receiving a graduate degree in social work and under the supervision of a qualified supervisor as determined by the board.

(b) If an individual is obtaining the clinical social work experience described in subsection (a) in Indiana, the individual must be licensed as a social worker under section 1 of this chapter.

(c) A doctoral internship may be applied toward the supervised clinical social work experience requirement.

(d) Except as provided in subsection (e), the clinical social work experience requirement may be met by work performed at or away from the premises of the qualified supervisor.

(e) The clinical social work requirement may not be performed away from the qualified supervisor's premises if:

(1) the work is the independent private practice of clinical social work; and

(2) the work is not performed at a place with the supervision of a qualified supervisor available.

As added by P.L.147-1997, SEC.50. Amended by P.L.177-2009, SEC.45.

IC 25-23.6-5-4 Examination; minimum requirements

Sec. 4. An individual who satisfies the requirements of section 1 or 2 of this chapter and section 3 of this chapter may take the examination provided by the board.

As added by P.L.186-1990, SEC.9.

IC 25-23.6-5-5 Examinations; time and place

Sec. 5. The board shall provide for examinations to be given at least once annually at times and places established by the board.

As added by P.L.186-1990, SEC.9.

IC 25-23.6-5-6 Issuance of license

Sec. 6. The board shall issue a license to an individual who:

(1) achieves a passing score, as determined by the board, on the examination provided under this chapter; and

(2) is otherwise qualified under this article.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.51.

IC 25-23.6-5-7 Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 25-23.6-5-8 Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 25-23.6-5-9 Duration of license; renewal

Sec. 9. (a) A license issued by the board is valid for the remainder of the renewal period in effect on the date the license was issued.

(b) An individual may renew a license by:

- (1) paying a renewal fee on or before the expiration date of the license; and
- (2) completing not less than twenty (20) hours of continuing education per licensure year.

(c) If an individual fails to pay a renewal fee on or before the expiration date of a license, the license becomes invalid.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.52.

IC 25-23.6-5-10 Reinstatement of invalid license

Sec. 10. (a) The board may reinstate an invalid license up to three (3) years after the expiration date of the license if the individual holding the invalid license meets the requirements under IC 25-1-8-6.

(b) If more than three (3) years have elapsed since the date a license expired, the individual holding the license may renew the license by satisfying the requirements for renewal established by the board and meeting the requirements under IC 25-1-8-6.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.53; P.L.269-2001, SEC.21.

IC 25-23.6-5-11 Temporary permit; requirements; expiration; renewal

Sec. 11. (a) The board may issue a temporary permit to an individual to profess to be a social worker or clinical social worker if the individual pays a fee and the individual:

- (1) has a valid license or certificate to practice from another state and the individual has passed an examination substantially equivalent to the level for which licensure is being requested;
- (2) is practicing in a state that does not license or certify social workers or clinical social workers, but is certified by a national association approved by the board and the individual has applied for a license from the board; or
- (3) has been approved by the board to take the examination and has graduated from a school or program approved by the board and the individual has completed any experience requirement.

(b) A temporary permit expires the earlier of:

- (1) the date the individual holding the permit is issued a license under this article;
- (2) the date the board disapproves the individual's license application; or
- (3) one hundred eighty (180) days after the initial permit is issued.

(c) The board may renew a temporary permit if the individual holding the permit was scheduled to take the next examination and the individual:

- (1) did not take the examination; and
- (2) shows good cause for not taking the examination.

(d) A permit renewed under subsection (c) expires on the date the individual holding the permit receives the results from the next examination given after the permit was issued, and may not be extended if the applicant has failed the examination.

As added by P.L.186-1990, SEC.9. Amended by P.L.255-1996, SEC.23; P.L.147-1997, SEC.54.

IC 25-23.6-5-12 Notification of retirement from practice

Sec. 12. (a) An individual who is licensed under this article shall notify the board in writing when the individual retires from practice.

(b) Upon receipt of the notice, the board shall:

- (1) record the fact the individual is retired; and
- (2) release the individual from further payment of renewal fees and continuing education requirements.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.55.

IC 25-23.6-5-13 Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 25-23.6-5-14 Exemption from examination requirement

Sec. 14. An individual who applies for a license under this article may be exempted by the board from the examination requirement under this chapter if the individual:

- (1) is licensed or certified to practice as a social worker or clinical social worker in another state and has passed an examination substantially equivalent to the level for which the individual is requesting licensure;
- (2) has engaged in the practice of social work or the practice of clinical social work for not less than three (3) of the previous five (5) years;
- (3) has passed a licensing examination substantially equivalent to the licensing examination under this article;
- (4) has passed an examination pertaining to the social work and clinical social work laws and rules of this state; and
- (5) has not committed any act or is not under investigation for any act that constitutes a violation of this article; and is otherwise qualified under section 1 or 2 of this chapter and section 3 of this chapter and pays an additional fee.

As added by P.L.186-1990, SEC.9. Amended by P.L.255-1996, SEC.24; P.L.147-1997, SEC.56.

IC 25-23.6-5-15 Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 25-23.6-5-16 Certain individuals shall be licensed as clinical social worker; conditions

- Sec. 16. If an individual is enrolled in a master's or doctoral level program accredited by the Council on Social Work Education not later than July 1, 1997:
- (1) the individual may complete the requirements for certification as a clinical social worker under this article as those requirements existed on June 30, 1997; and
 - (2) the board shall license the individual as a clinical social worker.

As added by P.L. 220-2011, SEC. 409.

INDIANA CODE § 25-23.6-6

Chapter 6. Social Workers; Privileged Communications

IC 25-23.6-6-1 Matters related in official capacity; exceptions to privilege

Sec. 1. Matters communicated to a counselor in the counselor's official capacity by a client are privileged information and may not be disclosed by the counselor to any person, except under the following circumstances:

- (1) In a criminal proceeding involving a homicide if the disclosure relates directly to the fact or immediate circumstances of the homicide.
- (2) If the communication reveals the contemplation or commission of a crime or a serious harmful act.
- (3) If:
 - (A) the client is an unemancipated minor or an adult adjudicated to be incompetent; and
 - (B) the information communicated to the counselor indicates the client was the victim of abuse or a crime.
- (4) In a proceeding to determine mental competency, or a proceeding in which a defense of mental incompetency is raised.
- (5) In a civil or criminal malpractice action against the counselor.
- (6) If the counselor has the express consent of:
 - (A) the client; or
 - (B) in the case of a client's death or disability, the express consent of the client's legal representative.
- (7) To a physician if the physician is licensed under IC 25-22.5 and has established a physician-patient relationship with the client.
- (8) Circumstances under which privileged communication is abrogated under Indiana law.

As added by P.L. 186-1990, SEC. 9. Amended by P.L. 147-1997, SEC. 57.

INDIANA CODE § 25-23.6-7

Chapter 7. Mandatory Disclosure by Social Workers and Clinical Social Workers

IC 25-23.6-7-1 Application of chapter

Sec. 1. (a) This chapter applies to an individual licensed under this article.

(b) This chapter does not apply to:

- (1) physicians licensed under IC 25-22.5;
- (2) nurses licensed under IC 25-23;
- (3) psychologists licensed under IC 25-33; or
- (4) attorneys licensed to practice law in Indiana;

when providing counseling services within the scope of practice for which they are licensed.

As added by P.L. 186-1990, SEC. 9. Amended by P.L. 140-1993, SEC. 5; P.L. 147-1997, SEC. 58.

IC 25-23.6-7-2 School counselors; application of chapter

Sec. 2. This chapter does not apply to school counselors who provide counseling services at the following:

- (1) An elementary or secondary school accredited by the state board of education.
- (2) A state educational institution.

As added by P.L. 186-1990, SEC. 9. Amended by P.L. 2-2007, SEC. 335.

IC 25-23.6-7-3 Pastoral counseling; application of chapter

Sec. 3. This chapter does not apply to a minister, a volunteer, or an employee of a nonprofit organization performing charitable, religious, or educational assistance or giving pastoral counseling.

As added by P.L. 186-1990, SEC. 9.

IC 25-23.6-7-4 "Counseling services" defined

Sec. 4. As used in this chapter, "counseling services" means evaluating, treating, or giving advice to, on a fee-for-services, prepaid, or other compensatory basis:

- (1) an individual with a mental, an emotional, or a substance abuse problem; or
- (2) an individual who seeks instruction in behavior modification, advice concerning interpersonal relationships, or advice concerning problems of daily living, including smoking habits, weight loss, and nutrition.

As added by P.L.186-1990, SEC.9.

IC 25-23.6-7-5 "Counselor" defined

Sec. 5. As used in this chapter, "counselor" means an individual licensed under this article who provides counseling services on a fee-for-services, prepaid, or other compensatory basis.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.59.

IC 25-23.6-7-6 Disclosure of counselor's educational background

Sec. 6. Before providing counseling services, a counselor shall disclose to the person to whom counseling services are provided the counselor's educational background in the field of counseling, including the following:

- (1) Whether the counselor has a degree in counseling or a related field.
- (2) The type of degree issued and the eligible postsecondary educational institution that issued the degree.

As added by P.L.186-1990, SEC.9. Amended by P.L.2-2007, SEC.336.

IC 25-23.6-7-7 Violations; penalty

Sec. 7. A person who violates section 6 of this chapter or who provides false information or documents under this chapter commits a Class A misdemeanor.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.60.

INDIANA CODE § 25-23.6-8

Chapter 8. Certification; Examinations

IC 25-23.6-8-1 Application for marriage and family therapist license; requirements

Sec. 1. An individual who applies for a license as a marriage and family therapist must meet the following requirements:

- (1) Furnish satisfactory evidence to the board that the individual has:
 - (A) received a master's or doctor's degree in marriage and family therapy, or in a related area as determined by the board from an eligible postsecondary educational institution that meets the requirements under section 2.1(a)(1) of this chapter or from a foreign school that has a program of study that meets the requirements under section 2.1(a)(2) or (2.1)(a)(3) of this chapter; and
 - (B) completed the educational requirements under section 2.5 of this chapter.
- (2) Furnish satisfactory evidence to the board that the individual has met the clinical experience requirements under section 2.7 of this chapter.
- (3) Furnish satisfactory evidence to the board that the individual:
 - (A) except as provided in section 1.7 of this chapter, holds a marriage and family therapist associate license, in good standing, issued under section 5 of this chapter; or
 - (B) is licensed or certified to practice as a marriage and family therapist in another state and is otherwise qualified under this chapter.
- (4) Furnish satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.
- (5) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as a marriage and family therapist without endangering the public.
- (6) Pay the fee established by the board.

As added by P.L.186-1990, SEC.9. Amended by P.L.33-1993, SEC.42; P.L.147-1997, SEC.61; P.L.2-2007, SEC.337; P.L.134-2008, SEC.39; P.L.177-2009, SEC.46.

IC 25-23.6-8-1.5 Application for marriage and family therapist associate license; requirements

Sec. 1.5. An individual who applies for a license as a marriage and family therapist associate must meet the following requirements:

- (1) Furnish satisfactory evidence to the board that the individual has:
 - (A) received a master's or doctor's degree in marriage and family therapy, or in a related area as determined by the board from an institution of higher education that meets the requirements under section 2.1(a)(1) of this chapter or from a foreign school that has a program of study that meets the requirements under section 2.1(a)(2) or 2.1(a)(3) of this chapter; and
 - (B) completed the educational requirements under section 2.5 of this chapter.
- (2) Furnish satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.
- (3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as a marriage and family therapist associate without endangering the public.
- (4) Pay the fee established by the board.
- (5) Pass an examination provided by the board.

As added by P.L.134-2008, SEC.40.

IC 25-23.6-8-1.7 Doctoral program; associate license; clinical experience

Sec. 1.7. An individual who receives a master's degree and enters a doctoral program may do either of the following:

(1) Apply for a marriage and family therapist associate license under section 1.5 of this chapter by meeting the requirements of this chapter.

(2) Elect not to apply for a marriage and family therapist associate license under section 1.5 of this chapter, accrue the clinical experience required under section 2.7(b) of this chapter, and apply for a marriage and family therapist license at the conclusion of the doctoral program.

As added by P.L.177-2009, SEC.47.

IC 25-23.6-8-2 Repealed

(Repealed by P.L.147-1997, SEC.75.)

IC 25-23.6-8-2.1 Requirements for institution attended by applicant

Sec. 2.1. (a) An applicant for a license as a marriage and family therapist under section 1 of this chapter or an applicant for a license as a marriage and family therapist associate under section 1.5 of this chapter must have received a master's or doctor's degree in marriage and family therapy, or in a related area as determined by the board, from an eligible postsecondary educational institution that meets the following requirements:

(1) If the institution was located in the United States or a territory of the United States, at the time of the applicant's graduation the institution was accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation.

(2) If the institution was located in Canada, at the time of the applicant's graduation the institution was a member in good standing with the Association of Universities and Colleges of Canada.

(3) If the institution was located in a foreign country other than Canada, at the time of the applicant's graduation the institution:

(A) was recognized by the government of the country where the school was located as a program to train in the practice of marriage and family therapy or psychotherapy; and

(B) maintained a standard of training substantially equivalent to the standards of institutions accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation.

(b) An applicant for a license as a marriage and family therapist under section 1 of this chapter or an applicant for a license as a marriage and family therapist associate under section 1.5 of this chapter who has a master's or doctoral degree from a program that did not emphasize marriage and family therapy may complete the course work requirement from an institution that is:

(1) accredited by the Commission on Accreditation for Marriage and Family Therapy Education; and

(2) recognized by the United States Department of Education.

As added by P.L.147-1997, SEC.62. Amended by P.L.2-2007, SEC.338; P.L.134-2008, SEC.41.

IC 25-23.6-8-2.5 Educational requirements

Sec. 2.5. (a) An applicant for a license as a marriage and family therapist under section 1 of this chapter or an applicant for a license as a marriage and family therapist associate under section 1.5 of this chapter must complete the following educational requirements:

(1) Except as provided in subsection (b), complete twenty-seven (27) semester hours or forty-one (41) quarter hours of graduate course work that must include graduate level course credits with material in at least the following content areas:

(A) Theoretical foundations of marriage and family therapy.

(B) Major models of marriage and family therapy.

(C) Individual development.

(D) Family development and family relationships.

(E) Clinical problems.

(F) Collaboration with other disciplines.

(G) Sexuality.

(H) Gender and sexual orientation.

(I) Issues of ethnicity, race, socioeconomic status, and culture.

(J) Therapy techniques.

(K) Behavioral research that focuses on the interpretation and application of research data as it applies to clinical practice.

The content areas may be combined into any one (1) graduate level course, if the applicant can prove that the course work was devoted to each content area.

(2) Not less than one (1) graduate level course of two (2) semester hours or three (3) quarter hours in the following areas:

(A) Legal, ethical, and professional standards issues in the practice of marriage and family therapy or an equivalent course approved by the board.

(B) Appraisal and assessment for individual or interpersonal disorder or dysfunction.

(3) At least one (1) supervised clinical practicum, internship, or field experience in a marriage and family counseling setting that meets the following requirements:

(A) The applicant provided five hundred (500) face to face client contact hours of marriage and family therapy services under the supervision of a licensed marriage and family therapist who has at least five (5) years of experience or a qualified supervisor approved by the board.

(B) The applicant received one hundred (100) hours of supervision from a licensed marriage and family therapist who has at least five (5) years experience as a qualified supervisor.

The requirements under clauses (A) and (B) may be met by a supervised practice experience that took place away from an institution of higher education but that is certified by an official of the eligible postsecondary educational institution as being equivalent to a graduate level practicum or internship program at an institution accredited by an accrediting agency approved by the United States Department of Education Commission on Recognition of Postsecondary Education, the Association of Universities and Colleges of Canada, or the Commission on Accreditation for Marriage and Family Therapy Education.

(b) The following graduate work may not be used to satisfy the content area requirements under subsection (a):

- (1) Thesis or dissertation work.
- (2) Practicums, internships, or fieldwork.

As added by P.L.147-1997, SEC.63. Amended by P.L.2-2007, SEC.339; P.L.134-2008, SEC.42.

IC 25-23.6-8-2.7 Examination; clinical experience requirement

Sec. 2.7. (a) As used in this section, "first available examination" means the first examination after the date of:

- (1) graduation; or
- (2) moving into Indiana;

that has an application deadline that is at least thirty (30) days after the date of graduation or the date of moving into Indiana, unless the individual chooses to meet a deadline that is less than thirty (30) days after either of those events.

(b) An applicant for a license as a marriage and family therapist under section 1 of this chapter must have at least two (2) years of postdegree clinical experience, during which at least fifty percent (50%) of the applicant's clients were receiving marriage and family therapy services. The applicant's clinical experience must include one thousand (1,000) hours of postdegree clinical experience and two hundred (200) hours of postdegree clinical supervision, of which one hundred (100) hours must be individual supervision, under the supervision of a licensed marriage and family therapist who has at least five (5) years of experience or an equivalent supervisor, as determined by the board.

(c) If an individual applies for, takes, and passes the first available examination, the individual may not count more than five hundred (500) hours of the postdegree clinical experience that is:

- (1) required under subsection (b); and
- (2) accumulated before taking the examination toward licensure as a marriage and family therapist.

(d) If an individual does not pass the first available examination, the individual may:

- (1) retain the hours accumulated before taking the examination;
- (2) continue working; and
- (3) not accumulate any additional hours toward licensure as a marriage and family therapist until passing the examination.

(e) If an individual does not take the first available examination, the individual may not begin accumulating any postdegree clinical experience hours toward licensure as a marriage and family therapist until the individual passes the examination.

(f) When obtaining the clinical experience required under subsection (b), the applicant must provide direct individual, group, and family therapy and counseling to the following categories of cases:

- (1) Unmarried couples.
- (2) Married couples.
- (3) Separating or divorcing couples.
- (4) Family groups, including children.

(g) A doctoral internship may be applied toward the supervised work experience requirement.

(h) Except as provided in subsection (i), the experience requirement may be met by work performed at or away from the premises of the supervising marriage and family therapist.

(i) The work requirement may not be performed away from the supervising marriage and family therapist's premises if:

- (1) the work is the independent private practice of marriage and family therapy; and
- (2) the work is not performed at a place that has the supervision of a licensed marriage and family therapist or an equivalent supervisor, as determined by the board.

As added by P.L.147-1997, SEC.64. Amended by P.L.197-2007, SEC.85; P.L.134-2008, SEC.43; P.L.177-2009, SEC.48; P.L.28-2012, SEC.24.

IC 25-23.6-8-3 Examination; minimum requirements

Sec. 3. An individual who satisfies the requirements of section 1.5(1) through 1.5(4) of this chapter may take the examination provided by the board.

As added by P.L.186-1990, SEC.9. Amended by P.L.134-2008, SEC.44.

IC 25-23.6-8-4 Examinations; times and places

Sec. 4. The board shall provide for examinations to be given at least once annually at times and places established by the board.

As added by P.L.186-1990, SEC.9.

IC 25-23.6-8-5 Issuance of license

Sec. 5. The board shall issue a marriage and family therapist license or marriage and family therapist associate license, as appropriate, to an individual who:

- (1) achieves a passing score, as determined by the board, on the examination provided under this chapter; and
- (2) is otherwise qualified under this article.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.65; P.L.134-2008, SEC.45.

IC 25-23.6-8-6 Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 25-23.6-8-7 Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 25-23.6-8-8 Duration of marriage and family therapist license; renewal

Sec. 8. (a) A marriage and family therapist license issued by the board is valid for the remainder of the renewal period in effect on the date the license was issued.

(b) An individual may renew a marriage and family therapist license by:

- (1) paying a renewal fee on or before the expiration date of the license; and
- (2) completing not less than fifteen (15) hours of continuing education each licensure year.

(c) If an individual fails to pay a renewal on or before the expiration date of a license, the license becomes invalid.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.66; P.L.134-2008, SEC.46.

IC 25-23.6-8-8.5 Duration of marriage and family therapist associate license; renewal

Sec. 8.5. (a) A marriage and family therapist associate license issued by the board is valid for the remainder of the renewal period in effect on the date the license was issued.

(b) An individual may renew a marriage and family therapist associate license two (2) times by:

- (1) paying a renewal fee on or before the expiration date of the license; and
- (2) completing at least fifteen (15) hours of continuing education each licensure year.

(c) The board may renew a marriage and family therapist associate license for additional periods based on circumstances determined by the board.

(d) If an individual fails to pay a renewal fee on or before the expiration date of a license, the license becomes invalid.

As added by P.L.134-2008, SEC.47.

IC 25-23.6-8-9 Reinstatement of invalid license

Sec. 9. (a) The board may reinstate an invalid marriage and family therapist license issued under section 5 of this chapter up to three (3) years after the expiration date of the license if the individual holding the invalid license meets the requirements under IC 25-1-8-6.

(b) If more than three (3) years have elapsed since the date a marriage and family therapist license expired, the individual holding the license may renew the license by satisfying the requirements for renewal established by the board and meeting the requirements under IC 25-1-8-6.

(c) The board may reinstate an invalid marriage and family therapist associate license issued under section 5 of this chapter up to one (1) year after the expiration date of the license if the individual holding the invalid license meets the requirements under IC 25-1-8-6. An associate license that has been expired for more than one (1) year may not be reinstated under IC 25-1-8-6.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.67; P.L.2-1998, SEC.68; P.L.269-2001, SEC.22; P.L.134-2008, SEC.48.

IC 25-23.6-8-10 Temporary permit; requirements; expiration; renewal

Sec. 10. (a) The board may issue a temporary permit to an individual to profess to be a marriage and family therapist if the individual pays a fee and the individual:

- (1) has a valid license or certificate to practice from another state and the individual has applied for a license from the board;
- (2) is practicing in a state that does not license or certify marriage and family therapists, but is certified by a national association approved by the board and the individual has applied for a license from the board; or
- (3) has been approved by the board to take the examination and has graduated from a school or program approved by the board and the individual has completed any experience requirement.

(b) A temporary permit expires the earlier of:

- (1) the date the individual holding the permit is issued a license under this article;
- (2) the date the board disapproves the individual's license application; or
- (3) one hundred eighty (180) days after the initial permit is issued.

(c) The board may renew a temporary permit if the individual holding the permit was scheduled to take the next examination and the individual:

- (1) did not take the examination; and
- (2) shows good cause for not taking the examination.

(d) A permit renewed under subsection (c) expires on the date the individual holding the permit receives the results from the next examination given after the permit was issued.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.68.

IC 25-23.6-8-11 Notification of retirement from practice

Sec. 11. (a) An individual who is licensed as a marriage and family therapist under this chapter shall notify the board in writing when the individual retires from practice.

(b) Upon receipt of the notice, the board shall:

- (1) record the fact the individual is retired; and
- (2) release the individual from further payment of renewal fees and continuing education requirements.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.69; P.L.134-2008, SEC.49.

IC 25-23.6-8-12 Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 25-23.6-8-13 Exemption from examination requirement

Sec. 13. (a) An individual who applies for a marriage and family therapist license under section 1 of this chapter may be exempted by the board from the examination requirement under this chapter if the individual:

(1) complies with subsection (b); and

(2) is licensed or certified to practice as a marriage and family therapist in another state or has engaged in the practice of marriage and family therapy for at least three (3) of the previous five (5) years.

(b) An individual may be exempted under subsection (a) if the individual:

(1) has passed a licensing examination substantially equivalent to the licensing examination required under this article;

(2) has passed an examination pertaining to the marriage and family therapy laws and rules of this state; and

(3) has not committed any act or is not under investigation for any act that constitutes a violation of this article; and is otherwise qualified under section 1 of this chapter and pays an additional fee.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.70; P.L.134-2008, SEC.50.

IC 25-23.6-8-14 Repealed

(Repealed by P.L.33-1993, SEC.74.)

INDIANA CODE § 25-23.6-8.5

Chapter 8.5. Mental Health Counselors

IC 25-23.6-8.5-1 Mental health counselor application requirements

Sec. 1. An individual who applies for a license as a mental health counselor must meet the following requirements:

(1) Furnish satisfactory evidence to the board that the individual has:

(A) received a master's or doctor's degree in an area related to mental health counseling from:

(i) an eligible postsecondary educational institution that meets the requirements under section 2 of this chapter; or

(ii) a foreign school that has a program of study that meets the requirements under section 2 of this chapter;

(B) completed the educational requirements under section 3 of this chapter; and

(C) completed the experience requirements under section 4 of this chapter.

(2) Furnish satisfactory evidence to the board that the individual:

(A) except as provided in section 1.7 of this chapter, holds a mental health counselor associate license, in good standing, issued under section 7 of this chapter; or

(B) is licensed or certified to practice as a mental health counselor in another state and is otherwise qualified under this chapter.

(3) Furnish satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.

(4) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as a mental health counselor without endangering the public.

(5) Pass an examination provided by the board.

(6) Pay the fee established by the board.

As added by P.L.147-1997, SEC.71. Amended by P.L.2-2007, SEC.340; P.L.84-2010, SEC.58; P.L.42-2011, SEC.56.

IC 25-23.6-8.5-1.5 Mental health counselor associate application requirements

Sec. 1.5. An individual who applies for a license as a mental health counselor associate must meet the following requirements:

(1) Furnish satisfactory evidence to the board that the individual has:

(A) received a master's or doctor's degree in mental health counseling therapy or in a related area as determined by the board from an institution of higher education that meets the requirements under section 2 of this chapter or from a foreign school that has a program of study that meets the requirements under section 2(3)(A) or 2(3)(B) of this chapter; and

(B) completed the educational requirements under section 3 of this chapter.

(2) Furnish satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.

(3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as a mental health counselor associate without endangering the public.

(4) Pay the fee established by the board.

(5) Pass an examination provided by the board.

As added by P.L.84-2010, SEC.59.

IC 25-23.6-8.5-1.7 Requirements while in doctoral program

Sec. 1.7. An individual who receives a master's degree and enters a doctoral program may do either of the following:

(1) Apply for a mental health counselor associate license under section 1.5 of this chapter by meeting the requirements of this chapter.

(2) Elect not to apply for a mental health counselor associate license under section 1.5 of this chapter, accrue the clinical experience required under section 4 of this chapter, and apply for a mental health counselor license at the conclusion of the doctoral program.

As added by P.L.84-2010, SEC.60.

IC 25-23.6-8.5-2 Requirements for institution attended by applicant

Sec. 2. An applicant for a mental health counselor license under section 1 of this chapter or a mental health counselor associate license under section 1.5 of this chapter must have received a master's or doctor's degree in an area related to mental health counseling from an eligible postsecondary educational institution that meets the following requirements:

- (1) If the institution was located in the United States or a territory of the United States, at the time of the applicant's graduation the institution was accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation.
- (2) If the institution was located in Canada, at the time of the applicant's graduation the institution was a member in good standing with the Association of Universities and Colleges of Canada.
- (3) If the institution was located in a foreign country other than Canada, at the time of the applicant's graduation the institution:
 - (A) was recognized by the government of the country where the school was located as a program to train in the practice of mental health counseling or psychotherapy counseling; and
 - (B) maintained a standard of training substantially equivalent to the standards of institutions accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation.

As added by P.L.147-1997, SEC.71. Amended by P.L.2-2007, SEC.341; P.L.84-2010, SEC.61.

IC 25-23.6-8.5-3 Educational requirements

Sec. 3. An applicant as a mental health counselor under section 1 of this chapter or a mental health counselor associate under section 1.5 of this chapter must complete the following educational requirements:

- (1) Complete sixty (60) semester hours of graduate course work in counseling that must include either a master's degree that required not less than forty-eight (48) semester hours or a doctor's degree in counseling. The graduate course work must include the following content areas:
 - (A) Human growth and development.
 - (B) Social and cultural foundations of counseling.
 - (C) Helping relationship, including counseling theory and practice.
 - (D) Group dynamics, processes, counseling, and consultation.
 - (E) Lifestyle and career development.
 - (F) Assessment and appraisal of individuals.
 - (G) Research and program evaluation.
 - (H) Professional orientation and ethics.
 - (I) Foundations of mental health counseling.
 - (J) Contextual dimensions of mental health counseling.
 - (K) Knowledge and skills for the practice of mental health counseling and psychotherapy.
 - (L) Clinical instruction.

- (2) Not less than one (1) supervised clinical practicum, internship, or field experience in a counseling setting, which must include a minimum of one thousand (1,000) clock hours consisting of one (1) practicum of one hundred (100) hours, one (1) internship of six hundred (600) hours, and one (1) advanced internship of three hundred (300) hours with at least one hundred (100) hours of face to face supervision. This requirement may be met by a supervised practice experience that took place away from an eligible postsecondary educational institution but that is certified by an official of the eligible postsecondary educational institution as being equivalent to a clinical mental health graduate level practicum or internship program at an institution accredited by an accrediting agency approved by the United States Department of Education or the Association of Universities and Colleges of Canada.

As added by P.L.147-1997, SEC.71. Amended by P.L.2-2007, SEC.342; P.L.84-2010, SEC.62.

IC 25-23.6-8.5-4 Clinical experience requirements

Sec. 4. (a) As used in this section, "first available examination" means the first examination after the date of an individual's:

- (1) graduation; or
- (2) moving into Indiana;

that has an application deadline that is at least thirty (30) days after the date of graduation or the date of moving into Indiana, unless the individual chooses to meet a deadline that is less than thirty (30) days after either of those events.

(b) The applicant must have at least three thousand (3,000) hours of post-graduate clinical experience over a two (2) year period. The clinical experience must consist of one hundred (100) hours of face to face supervision under the supervision of a licensed mental health counselor or an equivalent supervisor, as determined by the board.

(c) A doctoral internship may be applied toward the supervised work experience requirement.

(d) Except as provided in subsection (e), the clinical experience requirement may be met by work performed at or away from the premises of the supervising mental health counselor.

(e) The clinical work requirement may not be performed away from the supervising mental health counselor's premises if:

- (1) the work is the independent private practice of mental health counseling; and
- (2) the work is not performed at a place that has the supervision of a licensed mental health counselor or an equivalent supervisor, as determined by the board.

(f) If an individual applies for, takes, and passes the first available examination, the individual may not count more than one thousand five hundred (1,500) hours of the postdegree clinical experience that is:

- (1) required under subsection (b); and
- (2) accumulated before taking the examination toward licensure as a mental health counselor.

(g) If an individual does not pass the first available examination, the individual may:

- (1) retain the hours accumulated before taking the examination;
 - (2) continue working; and
 - (3) not accumulate any additional hours toward licensure as a mental health counselor until passing the examination.
- (h) If an individual does not take the first available examination, the individual may not begin accumulating any postdegree clinical experience hours toward licensure as a mental health counselor until the individual passes the examination.
As added by P.L.147-1997, SEC.71. Amended by P.L.84-2010, SEC.63.

IC 25-23.6-8.5-5 Eligibility for examination

Sec. 5. An individual who satisfies the requirements of:

- (1) section 1 or 1.5 of this chapter; and
- (2) section 2 of this chapter;

may take the examination provided by the board.
As added by P.L.147-1997, SEC.71. Amended by P.L.84-2010, SEC.64.

IC 25-23.6-8.5-6 Examination; times and places

Sec. 6. The board shall provide for examinations to be given at least once each year at times and places established by the board.
As added by P.L.147-1997, SEC.71.

IC 25-23.6-8.5-7 Issuance of license

Sec. 7. (a) The board shall issue a license to an applicant as a mental health counselor under section 1 of this chapter or a mental health counselor associate under section 1.5 of this chapter who:

- (1) achieves a passing score, as determined by the board, on the examination provided under this chapter; and
- (2) is otherwise qualified under this article.

(b) A person issued a license under this section may engage in the practice of mental health counseling.
As added by P.L.147-1997, SEC.71. Amended by P.L.84-2010, SEC.65.

IC 25-23.6-8.5-8 Duration of mental health counselor license; renewal

Sec. 8. (a) A mental health counselor license issued by the board is valid for the remainder of the renewal period in effect on the date the license was issued.

(b) An individual may renew a mental health counselor license by:

- (1) paying a renewal fee on or before the expiration date of the license; and
- (2) completing at least twenty (20) hours of continuing education per licensure year.

(c) If an individual fails to pay a renewal fee on or before the expiration date of a mental health counselor license, the license becomes invalid.
As added by P.L.147-1997, SEC.71. Amended by P.L.84-2010, SEC.66.

IC 25-23.6-8.5-8.5 Duration of mental health counselor associate license; renewal

Sec. 8.5. (a) A mental health counselor associate license issued by the board is valid for the remainder of the renewal period in effect on the date the license was issued.

(b) An individual may renew a mental health counselor associate license two (2) times by:

- (1) paying a renewal fee on or before the expiration date of the license; and
- (2) completing at least twenty (20) hours of continuing education per licensure year.

(c) The board may renew a mental health counselor associate license for additional periods based on circumstances determined by the board.

(d) If an individual fails to pay a renewal fee on or before the expiration date of a mental health counselor associate license, the license becomes invalid.
As added by P.L.84-2010, SEC.67.

IC 25-23.6-8.5-9 Reinstatement of invalid license

Sec. 9. (a) The board may reinstate an invalid mental health counselor license up to three (3) years after the expiration date of the license if the individual holding the invalid license meets the requirements under IC 25-1-8-6.

(b) If more than three (3) years have elapsed since the date a mental health counselor license expired, the individual holding the license may reinstate the invalid license by satisfying the requirements for reinstatement established by the board and meeting the requirements under IC 25-1-8-6.

(c) The board may reinstate an invalid mental health counselor associate license up to one (1) year after the expiration date of the license if the individual holding the invalid license meets the requirements under IC 25-1-8-6. A mental health counselor associate license that has been expired for more than one (1) year may not be reinstated under IC 25-1-8-6.
As added by P.L.147-1997, SEC.71. Amended by P.L.269-2001, SEC.23; P.L.84-2010, SEC.68.

IC 25-23.6-8.5-10 Temporary permit

Sec. 10. (a) The board may issue a temporary permit to an individual to profess to be a mental health counselor if the individual pays a fee and the individual:

- (1) has a valid license or certificate to practice from another state and the individual has applied for a license from the board;
- (2) is practicing in a state that does not license or certify mental health counselors, but is certified by a national association approved by the board and the individual has applied for a license from the board; or

- (3) has been approved by the board to take the examination and has graduated from a school or program approved by the board and the individual has completed any experience requirement.
- (b) A temporary permit expires the earlier of:
- (1) the date the individual holding the permit is issued a license under this article; or
 - (2) the date the board disapproves the individual's license application.
- (c) The board may renew a temporary permit if the individual holding the permit was scheduled to take the next examination and the individual:
- (1) did not take the examination; and
 - (2) shows good cause for not taking the examination.
- (d) A permit renewed under subsection (c) expires on the date the individual holding the permit receives the results from the next examination given after the permit was issued.
- As added by P.L.147-1997, SEC.71.*

IC 25-23.6-8.5-11 Notification of retirement from practice

- Sec. 11. (a) An individual who is licensed under this article shall notify the board in writing when the individual retires from practice.
- (b) Upon receipt of the notice, the board shall:
- (1) record the fact the individual is retired; and
 - (2) release the individual from further payment of renewal fees and continuing education requirements.
- As added by P.L.147-1997, SEC.71.*

IC 25-23.6-8.5-12 Exemption from examination requirement

- Sec. 12. An individual who applies for a license under this article may be exempted by the board from the examination requirement under this chapter if the individual:
- (1) is licensed or certified to practice as a mental health counselor in another state; or
 - (2) has engaged in the practice of mental health counseling for not less than three (3) of the previous five (5) years;
 - (3) has passed a licensing examination substantially equivalent to the licensing examination required under this article;
 - (4) has passed an examination pertaining to the mental health counseling laws and rules of this state; and
 - (5) has not committed any act or is not under investigation for any act that constitutes a violation of this article; and is otherwise qualified under sections 1 and 2 of this chapter and pays an additional fee.
- As added by P.L.147-1997, SEC.71.*

IC 25-23.6-8.5-13 Transition provisions for person who receives degree before July 1, 2010

- Sec. 13. (a) An individual who, before July 1, 2010, receives a master's or doctoral degree described in IC 25-23.6-8.5-1(1)(A) or IC 25-23.6-8.5-1.5(1)(A) and who seeks licensure under IC 25-23.6-8.5 may do either of the following:
- (1) Seek a mental health counselor associate license by:
 - (A) applying for a mental health counselor associate license under IC 25-23.6-8.5 if the individual meets the requirements under IC 25-23.6-8.5; and
 - (B) taking the required examination.
- Notwithstanding IC 25-23.6-8.5-4(f), any postdegree clinical experience that the individual obtained before July 1, 2010, counts toward the requirements of IC 25-23.6-8.5.
- (2) Seek a mental health counselor license by applying for a mental health counselor license under IC 25-23.6-8.5, if the individual meets the requirements under IC 25-23.6-8.5.
- (b) This SECTION expires June 30, 2015.
- As added by P.L.84-2010, SEC.69.*

INDIANA CODE § 25-23.6-9

IC 25-23.6-9-1 Repealed
(Repealed by P.L.147-1997, SEC.75.)

INDIANA CODE § 25-23.6-10

IC 25-23.6-10 Repealed
(Repealed by P.L.147-1997, SEC.75.)

INDIANA CODE § 25-23.6-10.1

Chapter 10.1. Addiction Counselors and Therapists; Unlawful Practices; Penalty

IC 25-23.6-10.1-1 Prohibited use of certain titles; practice without license; exemptions

Sec. 1. (a) Beginning July 1, 2010, an individual may not:

(1) profess to be a licensed addiction counselor or licensed clinical addiction counselor;

(2) use the title:

- (A) "licensed addiction counselor";
- (B) "licensed clinical addiction counselor";
- (C) "licensed clinical addiction therapist";
- (D) "licensed addiction therapist";
- (E) "addiction counselor";
- (F) "addiction therapist";
- (G) "clinical addiction counselor";
- (H) "clinical addiction therapist";
- (I) "substance abuse counselor";
- (J) "substance abuse therapist";
- (K) "clinical substance abuse counselor"; or
- (L) "clinical substance abuse therapist";

(3) use any other title containing the words:

- (A) "licensed addiction counselor";
- (B) "licensed addiction therapist";
- (C) "licensed clinical addiction counselor";
- (D) "licensed clinical addiction therapist";
- (E) "addiction counselor";
- (F) "addiction therapist";
- (G) "clinical addiction counselor";
- (H) "clinical addiction therapist";
- (I) "substance abuse counselor";
- (J) "substance abuse therapist";
- (K) "clinical substance abuse counselor"; or
- (L) "clinical substance abuse therapist";

(4) use any other:

- (A) words;
- (B) letters;
- (C) abbreviations; or
- (D) insignia;

indicating or implying that the individual is a licensed addiction counselor or licensed clinical addiction counselor; or

(5) practice as an addiction counselor or clinical addiction counselor for compensation; unless the individual is licensed under this article.

(b) Subsection (a)(5) does not apply to a person who is described in section 2(a) or 3 of this chapter.

(c) An individual who is exempt from licensing under section 2(a)(4) of this chapter may use the title "pastoral addiction counselor" and may engage in the practice of addiction counseling for compensation.

As added by P.L.122-2009, SEC.28.

IC 25-23.6-10.1-2 Practice by individuals who are not licensed

Sec. 2. (a) This article may not be construed to limit addiction counselor or clinical addiction counselor services performed by a person who does not use a title specified in this article and who is any of the following:

(1) A licensed or certified health care professional acting within the scope of the person's license or certificate, including a:

- (A) social worker licensed under this article;
- (B) clinical social worker licensed under this article;
- (C) marriage and family therapist licensed under this article;
- (D) mental health counselor licensed under this article;
- (E) psychologist licensed under IC 25-33;
- (F) physician licensed under IC 25-22.5; or
- (G) nurse licensed under IC 25-23;

and who has training and experience in addiction counseling.

(2) A student, an intern, or a trainee pursuing a course of study in medicine or psychology or a course of study to gain licensure under this article:

- (A) in an accredited eligible postsecondary educational institution or training institution accredited by the Council for Accreditation of Counseling and Related Educational Programs;
- (B) through a National Association of Alcohol and Drug Abuse Counselors approved academic education provider; or
- (C) by a graduate accumulating experience required for licensure if:

- (i) the services are performed under qualified supervision and constitute a part of the person's supervised course of study or other level of supervision; and
 - (ii) the student or graduate uses a title that contains the term "intern", "student", or "trainee".
- (3) A nonresident of Indiana if the person performs addiction counseling or therapy in Indiana for not more than:
- (A) five (5) days in any one (1) month; or
 - (B) fifteen (15) days in any one (1) calendar year; and the person is authorized to perform such services under the laws of the state or country in which the person resides.
- (4) A rabbi, priest, Christian Science practitioner, minister, or other member of the clergy.
- (5) An employee or a volunteer for an organization performing charitable, religious, or educational functions or providing pastoral counseling or other assistance.
- (6) A person who provides school counseling.
- (7) A governmental employee who remains in the same job classification or job family of that job classification.
- (8) An employee of a court alcohol and drug program, a drug court, or a reentry court certified by the Indiana Judicial Center when performing assigned job duties.
- (9) A probation officer when performing assigned job duties.
- (b) This section does not prohibit a person referred to in subsection (a) from qualifying for licensure under this article.
- As added by P.L.122-2009, SEC.28.*

IC 25-23.6-10.1-3 Prohibited locations to provide services by individuals who are not licensed

Sec. 3. A person who is not licensed under this article may provide or ensure the provision of addiction counseling services in:

- (1) a health facility licensed under IC 16-28;
- (2) a hospital licensed under IC 16-21 or IC 12-25;
- (3) a substance abuse facility certified by the division of mental health and addiction as an addiction services regular agency;
- (4) a home health agency licensed under IC 16-27-1;
- (5) a community health center;
- (6) an institution operated by the department of correction; or
- (7) a community mental health center under IC 12-21-2-3;

If the person has met all of the requirements established by a credentialing agency approved by the department of mental health and addiction, and the person does not profess to be a licensed addiction therapist or a licensed addiction counselor under this article.

As added by P.L.122-2009, SEC.28.

IC 25-23.6-10.1-4 Required use of certain titles

Sec. 4. An individual who is licensed as an addiction counselor or clinical addiction counselor must include the words "licensed addiction counselor" or "licensed clinical addiction counselor" or the letters "LAC" or "LCAC" on all promotional materials, including:

- (1) business cards;
- (2) brochures;
- (3) stationery;
- (4) advertisements; and
- (5) signs;

That name the individual.

As added by P.L.122-2009, SEC.28.

IC 25-23.6-10.1-5 Testimony

Sec. 5. A licensed addiction counselor or licensed clinical addiction counselor licensed under this article may provide factual testimony but may not provide expert testimony.

As added by P.L.122-2009, SEC.28.

IC 25-23.6-10.1-6 Penalties

Sec. 6. An individual who knowingly and intentionally violates this chapter after July 1, 2010, commits a Class A misdemeanor.

As added by P.L.122-2009, SEC.28.

INDIANA CODE § 25-23.6-10.5

Chapter 10.5. Addiction Counselors; Clinical Addiction Counselors; Licensure; Examinations

IC 25-23.6-10.5-1 Addiction counselor license requirements

Sec. 1. An individual who applies for a license as an addiction counselor must meet the following requirements:

- (1) Furnish satisfactory evidence to the board that the individual has:
 - (A) received a baccalaureate or higher degree in addiction counseling or in a related area as determined by the board from:

- (i) an eligible postsecondary educational institution that meets the requirements under section 3(1) of this chapter; or
- (ii) a foreign school that has a program of study that meets the requirements under section 3(2) or 3(3) of this chapter;
- (B) completed the educational requirements under section 5 of this chapter; and
- (C) completed the experience requirements under section 7 of this chapter.
- (2) Furnish satisfactory evidence to the board that the individual does not have a:
 - (A) conviction for a crime of violence (as defined in IC 35-50-1-2(a)(1) through IC 35-50-1-2(a)(13); or
 - (B) conviction in the previous two (2) years that has a direct bearing on the individual's ability to practice competently.
- (3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as an addiction counselor without endangering the public.
- (4) Pass an examination established by the board.
- (5) Pay the fee established by the board.

As added by P.L.122-2009, SEC.29.

IC 25-23.6-10.5-2 Clinical addiction license requirements

Sec. 2. An individual who applies for a license as a clinical addiction counselor must meet the following requirements:

- (1) Furnish satisfactory evidence to the board that the individual has:
 - (A) received a master's or doctor's degree in addiction counseling, addiction therapy, or a related area as determined by the board from an eligible postsecondary educational institution that meets the requirements under section 4(a)(1) of this chapter or from a foreign school that has a program of study that meets the requirements under section 4(a)(2) or 4(a)(3) of this chapter;
 - (B) completed the educational requirements under section 6 of this chapter; and
 - (C) completed the experience requirements under section 8 of this chapter.
- (2) Furnish satisfactory evidence to the board that the individual does not have a:
 - (A) conviction for a crime of violence (as defined in IC 35-50-1-2(a)(1) through IC 35-50-1-2(a)(13); or
 - (B) conviction in the previous two (2) years that has a direct bearing on the individual's ability to practice competently.
- (3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as a clinical addiction counselor without endangering the public.
- (4) Pass an examination established by the board.
- (5) Pay the fee established by the board.

As added by P.L.122-2009, SEC.29.

IC 25-23.6-10.5-3 Addiction counselor education requirements

Sec. 3. An applicant under section 1 of this chapter must have a baccalaureate or higher degree in addiction counseling or in a related area as determined by the board from an eligible postsecondary educational institution that meets the following requirements:

- (1) If the institution is located in the United States or a territory of the United States, at the time of the applicant's graduation the institution was accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation.
- (2) If the institution is located in Canada, at the time of the applicant's graduation the institution was a member in good standing with the Association of Universities and Colleges of Canada.
- (3) If the institution is located in a foreign country other than Canada, at the time of the applicant's graduation the institution:
 - (A) was recognized by the government of the country where the school was located as a program to train in the practice of addiction counseling; and
 - (B) maintained a standard of training substantially equivalent to the standards of institutions accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation.

As added by P.L.122-2009, SEC.29.

IC 25-23.6-10.5-4 Clinical addiction counselor education requirements

Sec. 4. (a) An applicant under section 2 of this chapter must have a master's or doctor's degree in addiction counseling, addiction therapy, or a related area as determined by the board from an eligible postsecondary educational institution that meets the following requirements:

- (1) If the institution is located in the United States or a territory of the United States, at the time of the applicant's graduation the institution was accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation.
- (2) If the institution is located in Canada, at the time of the applicant's graduation the institution was a member in good standing with the Association of Universities and Colleges of Canada.
- (3) If the institution is located in a foreign country other than Canada, at the time of the applicant's graduation the institution:
 - (A) was recognized by the government of the country where the school was located as a program to train in the practice of addiction counseling; and
 - (B) maintained a standard of training substantially equivalent to the standards of institutions accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation.
- (b) An applicant under section 2 of this chapter who has a master's or doctor's degree from a program that did not emphasize addiction counseling may complete the course work requirement from an institution that is:
 - (1) accredited by the Council for Accreditation of Counseling and Related Educational Programs;
 - (2) recognized by the National Association of Alcohol and Drug Abuse Counselors;
 - (3) recognized by the International Certification and Reciprocity Consortium;
 - (4) accredited by the Commission on Accreditation of Marriage and Family Therapy Education;
 - (5) accredited by the American Psychological Association's Commission on Accreditation; or
 - (6) accredited by the Council on Social Work Education.

As added by P.L. 122-2009, SEC.29.

IC 25-23.6-10.5-5 Addiction counselor educational requirements

Sec. 5. (a) An applicant under section 1 of this chapter must complete the following educational requirements:

- (1) Forty (40) semester hours or sixty (60) quarter hours of course work from an eligible postsecondary educational institution that includes the following content areas:
 - (A) Addictions theory.
 - (B) Psychoactive drugs.
 - (C) Addictions counseling skills.
 - (D) Theories of personality.
 - (E) Developmental psychology.
 - (F) Abnormal psychology.
 - (G) Treatment planning.
 - (H) Cultural competency.
 - (I) Ethics and professional development.
 - (J) Family education.
 - (K) Areas of content as approved by the board.
- (2) At least one (1) supervised practicum, internship, or field experience in an addiction counseling setting that requires the applicant to provide at least three hundred fifty (350) hours of addiction counseling services.
- (b) The content areas under subsection (a)(1) may be combined into any one (1) college level course if the applicant can prove that the course work was devoted to each content area listed in subsection (a)(1).

As added by P.L. 122-2009, SEC.29.

IC 25-23.6-10.5-6 Clinical addiction counselor educational requirements

Sec. 6. (a) An applicant under section 2 of this chapter must complete the following educational requirements:

- (1) Twenty-seven (27) semester hours or forty-one (41) quarter hours of graduate course work that must include graduate level course credits with material in at least the following content areas:
 - (A) Addiction counseling theories and techniques.
 - (B) Clinical problems.
 - (C) Psychopharmacology.
 - (D) Psychopathology.
 - (E) Clinical appraisal and assessment.
 - (F) Theory and practice of group addiction counseling.
 - (G) Counseling addicted family systems.
 - (H) Multicultural counseling.
 - (I) Research methods in addictions.
 - (J) Areas of content as approved by the board.
- (2) At least one (1) graduate level course of two (2) semester hours or three (3) quarter hours in the following areas:
 - (A) Legal, ethical, and professional standards issues in the practice of addiction counseling and therapy or an equivalent course approved by the board.
 - (B) Appraisal and assessment for individual or interpersonal disorder or dysfunction.
- (3) At least one (1) supervised clinical practicum, internship, or field experience in an addiction counseling setting that requires the applicant to provide seven hundred (700) hours of clinical addiction counseling services and that must include the following:
 - (A) Two hundred eighty (280) face to face client contact hours of addiction counseling services under the supervision of a licensed clinical addiction counselor who has at least five (5) years of experience or a qualified supervisor approved by the board.
 - (B) One hundred five (105) hours of supervision from a licensed clinical addiction counselor who has at least five (5) years experience as a qualified supervisor approved by the board.
- (4) Any qualifications established by the board under subsection (c).
- (b) The content areas under subsection (a)(1) may be combined into any one (1) graduate level course if the applicant can prove that the course work was devoted to each content area.
- (c) The board shall adopt rules to establish any additional educational or clinical qualifications as specified by the Council for Accreditation of Counseling and Related Educational Programs or a successor organization.

As added by P.L. 122-2009, SEC.29.

IC 25-23.6-10.5-7 Addiction counselor counseling experience

Sec. 7. (a) An applicant under section 1 of this chapter must have at least two (2) years of addiction counseling experience that must include at least one hundred fifty (150) hours under supervision, one hundred (100) hours of which must be under individual supervision and fifty (50) hours of which must be under group supervision. The supervision required must be provided by a qualified supervisor, as determined by the board.

- (b) A doctoral internship may be applied toward the supervised work experience requirement.
- (c) Except as provided in subsection (d), the experience requirement may be met by work performed at or away from the premises of the qualified supervisor.
- (d) The work requirement may not be performed away from the qualified supervisor's premises if:

- (1) the work is the independent private practice of addiction counseling; and
- (2) the work is not performed at a place that has the supervision of a qualified supervisor.

As added by P.L.122-2009, SEC.29.

IC 25-23.6-10.5-8 Clinical addiction counselor counseling experience

Sec. 8. (a) An applicant under section 2 of this chapter must have at least two (2) years of clinical addiction counseling experience that must include at least two hundred (200) hours under supervision, one hundred (100) hours of which must be under individual supervision and one hundred (100) hours of which must be under group supervision. The supervision required must be provided by a qualified supervisor, as determined by the board.

(b) A doctoral internship may be applied toward the supervised work experience requirement.

(c) Except as provided in subsection (d), the experience requirement may be met by work performed at or away from the premises of the qualified supervisor.

(d) The work requirement may not be performed away from the qualified supervisor's premises if:

- (1) the work is the independent private practice of addiction therapy; and
- (2) the work is not performed at a place that has the supervision of a qualified supervisor.

As added by P.L.122-2009, SEC.29.

IC 25-23.6-10.5-9 Requirements to take examination

Sec. 9. (a) An individual who satisfies the requirements of sections 4, 6, and 8 of this chapter may take the licensed clinical addiction counselor examination established by the board.

(b) An individual who satisfies the requirements of sections 3, 5, and 7 of this chapter may take the licensed addiction counselor examination established by the board.

As added by P.L.122-2009, SEC.29.

IC 25-23.6-10.5-10 Temporary permit

Sec. 10. (a) The board may issue a temporary permit to allow an individual to profess to be a licensed addiction counselor or licensed clinical addiction counselor if the individual pays a fee established by the board and the individual:

- (1) has a valid license or certificate to practice from another state and the individual has applied for a license from the board;
- (2) is practicing in a state that does not license addiction counselors or therapists but is certified by a national association approved by the board and the individual has applied for a license from the board; or
- (3) has been approved by the board to take the examination and has graduated from a school or program approved by the board and the individual has completed any experience requirement.

(b) A temporary permit issued under this section expires the earliest of:

- (1) the date the individual holding the permit is issued a license under this article;
- (2) the date the board disapproves the individual's license application; or
- (3) one hundred eighty (180) days after the initial permit is issued.

(c) The board may renew a temporary permit if the individual holding the permit is scheduled to take the next examination and the individual:

- (1) does not take the examination; and
- (2) shows good cause for not taking the examination.

(d) A permit renewed under subsection (c) expires on the date the individual holding the permit receives the results from the next examination given after the permit was issued.

As added by P.L.122-2009, SEC.29.

IC 25-23.6-10.5-11 Examination exemptions

Sec. 11. (a) An individual who applies for an addiction counselor license under this article may be exempted by the board from the examination requirement under section 1 of this chapter if the individual:

- (1) is licensed or certified as an addiction counselor in another state and has passed a licensing examination substantially equivalent to the licensing examination required under this article;
- (2) has engaged in the practice of addiction counseling for at least three (3) of the previous five (5) years;
- (3) has passed an examination pertaining to the addiction counseling laws and rules of Indiana; and
- (4) has not committed any act and is not under investigation for any act that constitutes a violation of this article;

and is otherwise qualified under sections 1, 3, 5, and 7 of this chapter.

(b) An individual who applies for a clinical addiction counselor license under this article may be exempted by the board from the examination requirement under section 2 of this chapter if the individual:

- (1) is licensed or certified as a clinical addiction counselor in another state and has passed a licensing examination substantially equivalent to the licensing examination required under this article;
- (2) has passed an examination pertaining to the addiction therapy laws and rules of Indiana; and
- (3) has not committed any act and is not under investigation for any act that constitutes a violation of this article;

and is otherwise qualified under sections 2, 4, 6, and 8 of this chapter.

As added by P.L.122-2009, SEC.29.

IC 25-23.6-10.5-12 Renewal

Sec. 12. (a) A license issued by the board under this chapter is valid for the remainder of the renewal period in effect on the date the license was issued.

- (b) An individual may renew a license by paying a renewal fee on or before the expiration date of the license.
- (c) If an individual fails to pay a renewal fee on or before the expiration date of a license, the license becomes invalid.

As added by P.L.122-2009, SEC.29.

IC 25-23.6-10.5-13 Reinstatement of invalid license

Sec. 13. (a) The board may reinstate an invalid license up to three (3) years after the expiration date of the license if the individual holding the invalid license meets the requirements under IC 25-1-8-6.

(b) If more than three (3) years have elapsed since the date a license expired, the individual holding the license may renew the license by satisfying the requirements for renewal established by the board and meeting the requirements of IC 25-1-8-6.

As added by P.L.122-2009, SEC.29.

IC 25-23.6-10.5-14 Notification of retirement

Sec. 14. (a) An individual who is licensed under this article shall notify the board in writing when the individual retires from practice.

(b) Upon receipt of the notice, the board shall:

- (1) record the fact the individual is retired; and
- (2) release the individual from further payment of renewal fees.

As added by P.L.122-2009, SEC.29.

IC 25-23.6-10.5-15 Exemptions from requirements for certain counselors

(This section expired on July 1, 2011 by P.L.122-2009, SEC.29)

IC 25-23.6-10.5-15 Exemptions from requirements for certain counselors EXPIRED

(This section expired on 12-31-2012 by P.L.28-2012, SEC.25.)

INDIANA CODE § 25-23.6-11

Chapter 11. Prohibited Practices

IC 25-23.6-11-1 Description of services

Sec. 1. (a) Except for an individual who is licensed under IC 25-22.5, licensed under IC 25-33, is an advanced practice nurse (as defined by IC 25-23-1-1(b)), or licensed under this article, and who uses the terms within the scope of the individual's education, training, and licensure, an individual may not knowingly describe services the individual performs using the following terms:

- (A) "Psychotherapy".
- (B) "Clinical psychology".

(b) An individual who violates this section commits a Class A misdemeanor.

As added by P.L.147-1997, SEC.72.

IC 25-23.6-11-2 Use of license

Sec. 2. (a) An individual may not knowingly use a license issued under this article unless:

- (1) the license was issued to the individual; and
- (2) the license is valid.

(b) An individual who violates this section commits a Class A misdemeanor.

As added by P.L.147-1997, SEC.72.

IC 25-23.6-11-3 False or forged information to obtain license

Sec. 3. (a) An individual may not knowingly present false or forged information or documents to the board for the purpose of obtaining a license under this article.

(b) An individual who violates this section commits a Class A misdemeanor.

As added by P.L.147-1997, SEC.72.

Non-Code Provision Under Public Law 122-2009

P.L.122-2009, SECTION 31.

(This Section expired June 30, 2013)

Non-Code Provision Under Public Law 177-2009

P.L.177-2009, SECTION 64.

(This section expired June 30, 2013).

TITLE 839 BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD

NOTE: Under P.L.147-1997, SECTION 13, the name of the Social Work Certification and Marriage and Family Therapists Credentialing Board is changed to the Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board, effective July 1, 1997.

NOTE: Under P.L.122-2009, SECTION 22, the name of the Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board is changed to the Behavioral Health and Human Services Licensing Board, effective July 1, 2009.

ARTICLE 1. GENERAL PROVISIONS

Rule 1. Definitions

839 IAC 1-1-1 Applicability

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 1. The definitions in this rule apply throughout this article.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-1-1; filed Jul 1, 1992, 12:00 p.m.: 15 IR 2456; readopted filed Oct 25, 2001, 4:20 p.m.: 25 IR 939; readopted filed Jul 19, 2007, 12:54 p.m.: 20070808-IR-839070049RFA; readopted filed November 25, 2013, 9:18 a.m.: 20131225-IR-839130273RFA)

839 IAC 1-1-2 "CMFT" defined (Repealed)

Sec. 2. (Repealed by Behavioral Health and Human Services Licensing Board; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1516)

839 IAC 1-1-3 "CCSW" defined (Repealed)

Sec. 3. (Repealed by Behavioral Health and Human Services Licensing Board; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1516)

839 IAC 1-1-3.2 "Graduate" defined

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-4-2; IC 25-23.6-5-2; IC 25-23.6-6-2

Sec. 3.2. "Graduate" means an applicant who has obtained the required degree for social worker, clinical social worker, marriage and family therapist, or mental health counselor licensure.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-1-3.2; filed Dec 18, 2001, 9:11 a.m.: 25 IR 1633; readopted filed Jul 19, 2007, 12:54 p.m.: 20070808-IR-839070049RFA; readopted filed November 25, 2013, 9:18 a.m.: 20131225-IR-839130273RFA)

839 IAC 1-1-3.3 "Graduate accumulating experience" defined

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-4-2; IC 25-23.6-5-2; IC 25-23.6-6-2

Sec. 3.3. A "graduate accumulating experience" required for licensure includes applicants who have failed the required examination.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-1-3.3; filed Dec 18, 2001, 9:11 a.m.: 25 IR 1633; readopted filed Jul 19, 2007, 12:54 p.m.: 20070808-IR-839070049RFA; readopted filed November 25, 2013, 9:18 a.m.: 20131225-IR-839130273RFA)

839 IAC 1-1-3.5 "LCSW" defined

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 3.5. "LCSW" means a licensed clinical social worker licensed under IC 25-23.6.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-1-3.5; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1503; readopted filed Dec 2, 2001, 12:30 p.m.: 25 IR 1308; readopted filed Jul 19, 2007, 12:54 p.m.: 20070808-IR-839070049RFA; readopted filed November 25, 2013, 9:18 a.m.: 20131225-IR-839130273RFA)

839 IAC 1-1-3.6 "LMFT" defined

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 3.6. "LMFT" means a licensed marriage and family therapist licensed under IC 25-23.6.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-1-3.6; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1503; readopted filed Oct 25, 2001, 4:20 p.m.: 25 IR 939; readopted filed Jul 19, 2007, 12:54 p.m.: 20070808-IR-839070049RFA; readopted filed November 25, 2013, 9:18 a.m.: 20131225-IR-839130273RFA)

839 IAC 1-1-3.7 "LMHC" defined

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 3.7. "LMHC" means a licensed mental health counselor licensed under IC 25-23.6.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-1-3.7; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1503; readopted filed Oct 25, 2001, 4:20 p.m.: 25 IR 939; readopted filed Jul 19, 2007, 12:54 p.m.: 20070808-IR-839070049RFA; readopted filed November 25, 2013, 9:18 a.m.: 20131225-IR-839130273RFA)

839 IAC 1-1-3.8 "LSW" defined

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 3.8. "LSW" means a licensed social worker licensed under IC 25-23.6.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-1-3.8; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1504; readopted filed Oct 25, 2001, 4:20 p.m.: 25 IR 939; readopted filed Jul 19, 2007, 12:54 p.m.: 20070808-IR-839070049RFA; readopted filed November 25, 2013, 9:18 a.m.: 20131225-IR-839130273RFA)

839 IAC 1-1-3.9 "LMFTA" defined

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 3.9. "LMFTA" means a licensed marriage and family therapist associate under IC 25-23.6.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-1-3.9; filed Jun 29, 2011, 9:12 a.m.: 20110727-IR-839090811FRA; readopted filed November 25, 2013, 9:18 a.m.: 20131225-IR-839130273RFA)

839 IAC 1-1-4 "Practitioner" defined

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 4. "Practitioner" means:

- (1) a social worker;
- (2) a clinical social worker;
- (3) a marriage and family therapist;
- (4) a marriage and family therapist associate;
- (5) an addiction counselor;
- (6) a clinical addiction counselor;
- (7) a mental health counselor; or
- (8) a mental health counselor associate;

licensed under IC 25-23.6.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-1-4; filed Jul 1, 1992, 12:00 p.m.: 15 IR 2456; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1504; readopted filed Dec 2, 2001, 12:30 p.m.: 25 IR 1308; readopted filed Jul 19, 2007, 12:54 p.m.: 20070808-IR-839070049RFA; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA; readopted filed November 25, 2013, 9:18 a.m.: 20131225-IR-839130273RFA)

839 IAC 1-1-5 "CSW" defined (Repealed)

Sec. 5. *(Repealed by Behavioral Health and Human Services Licensing Board; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1516)*

839 IAC 1-1-6 "LAC" defined

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 6. "LAC" means a licensed addiction counselor licensed under IC 25-23.6.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-1-6; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA; readopted filed November 25, 2013, 9:18 a.m.: 20131225-IR-839130273RFA)

839 IAC 1-1-7 "LCAC" defined

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 7. "LCAC" means a licensed clinical addiction counselor licensed under IC 25-23.6.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-1-7; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA; readopted filed November 25, 2013, 9:18 a.m.: 20131225-IR-839130273RFA)

839 IAC 1-1-8 "LMHCA" defined

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 8. "LMHCA" means a licensed mental health counselor associate licensed under IC 25-23.6.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-1-8; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA; readopted filed November 25, 2013, 9:18 a.m.: 20131225-IR-839130273RFA)

Rule 2. Licensure and Fees

839 IAC 1-2-1 Application by examination

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 1. (a) An applicant for licensure as a social worker, clinical social worker, marriage and family therapist, marriage and family therapist associate, addiction counselor, clinical addiction counselor, mental health counselor, or mental health counselor associate shall:

(1) make application in writing on forms provided by the board; and

(2) furnish satisfactory evidence to the board that the qualifying requirements have been met as provided for in the state licensing statutes and 839 IAC 1-3 through 839 IAC 1-5.5.

(b) Applicants for licensure as a social worker shall be required to pass the intermediate level of the national examination as provided by the Association of Social Work Boards.

(c) Applicants for licensure as a clinical social worker shall be required to pass the clinical level of the national examination as provided by the Association of Social Work Boards.

(d) 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.

(e) Applicants for licensure as a mental health counselor shall be required to pass the National Clinical Mental Health Counselor Examination as provided by the National Board for Certified Counselors.

(f) Applicants for licensure as a mental health counselor associate shall be required to pass the examination provided for mental health counselor associates by a testing service selected by the board.

(g) Applicants for licensure as an addiction counselor shall be required to pass an examination provided for addiction counselors by a testing service selected by the board.

(h) Applicants for licensure as a clinical addiction counselor shall be required to pass an examination provided for clinical addiction counselors by a testing service selected by the board.

(i) All applications for the LSW and LCSW examination must be complete in every respect, including accompanying data and the required fee.

(j) All applications for the LMHC, LMHCA, LMFT, LMFTA, LAC, and LCAC examination must be complete in every respect, including accompanying data and the required fee, and filed with the board at least ninety (90) days prior to the examination for which application is being made.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-2-1; filed Jul 1, 1992, 12:00 p.m.: 15 IR 2456; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1504; readopted filed Dec 2, 2001, 12:30 p.m.: 25 IR 1308; readopted filed Sep 26, 2008, 10:50 a.m.: 20081015-IR-839080337RFA; filed Jun 29, 2011, 9:12 a.m.: 20110727-IR-839090811FRA; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA)

839 IAC 1-2-2 License renewal

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-5

Sec. 2. (a) A license to practice as a:

(1) social worker;

(2) clinical social worker;

(3) marriage and family therapist;

(4) marriage and family therapist associate;

(5) mental health counselor;

(6) mental health counselor associate;

(7) addiction counselor; or

(8) clinical addiction counselor;

will expire on April 1 of even-numbered years.

(b) Applicants for renewal of licensure shall pay a renewal fee.

(c) Applications for renewal shall be mailed to the last known address of the practitioner. Failure to receive the application for renewal shall not relieve the practitioner of the responsibility for renewing the license by the renewal date.

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

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

(f) If a license to practice social work, clinical social work, marriage and family therapy, mental health counseling, addiction counseling, or clinical addiction 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 a 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.

(g) If a marriage and family therapist associate license or mental health counselor 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.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-2-2; filed Jul 1, 1992, 12:00 p.m.: 15 IR 2456; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1504; readopted filed Dec 2, 2001, 12:30 p.m.: 25 IR 1308; readopted filed Sep 26, 2008, 10:50 a.m.: 20081015-IR-839080337RFA; filed Jun 29, 2011, 9:12 a.m.: 20110727-IR-839090811FRA; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA)

839 IAC 1-2-2.1 Licensure retirement

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-8-9

Sec. 2.1. (a) An individual who:

- (1) is licensed to practice:
 - (A) social work;
 - (B) clinical social work;
 - (C) marriage and family therapy;
 - (D) mental health counseling;
 - (E) addiction counseling; or
 - (F) clinical addiction counseling; and

- (2) would like to retire the license;

shall notify the board in writing when the individual retires from practice.

(b) An individual who has placed his or her license in retirement may not practice as:

- (1) a social worker;
- (2) a clinical social worker;
- (3) a marriage and family therapist;
- (4) a mental health counselor;
- (5) an addiction counselor; or
- (6) a clinical addiction counselor;

until the license has been reinstated by the board.

(c) In order to reinstate a retired license, an individual shall do the following:

- (1) Complete a retirement reinstatement application, provided by the board, which must be approved by the board.
- (2) Pay a reinstatement fee established by the board.
- (3) Submit proof of continuing education requirements, as outlined by the board, depending on the number of years the license has been in retirement as follows:
 - (A) Zero (0) to three (3) years, twenty (20) hours of continuing education shall be required and must be completed within twelve (12) months prior to the petition for reinstatement.
 - (B) Three (3) to six (6) years, forty (40) hours of continuing education shall be required and must be completed within twenty-four (24) months prior to the petition for reinstatement.
 - (C) Six (6) to ten (10) years, sixty (60) hours of continuing education shall be required and must be completed within thirty-six (36) months prior to the petition for reinstatement.
 - (D) Ten (10) years or more shall require board determination of the continuing education needed and may require a personal appearance before the board prior to reinstatement.
 - (E) Retirement years shall be calculated from the receipt of request to retire the license until reinstatement of the license.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-2-2.1; filed Dec 18, 2001, 9:11 a.m.: 25 IR 1633; filed Apr 9, 2003, 3:00 p.m.: 26 IR 2622; readopted filed Dec 1, 2009, 9:12 a.m.: 20091223-IR-839090777RFA; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA)

839 IAC 1-2-3 Verification; board authority

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-5; IC 25-23.6-8

Sec. 3. An applicant, by submitting an application, authorizes the board to investigate or contact persons to verify information in the application. The board may request that the applicant provide additional verification or documentation to aid in the board's decision making.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-2-3; filed Jul 1, 1992, 12:00 p.m.: 15 IR 2456; readopted filed Oct 25, 2001, 4:20 p.m.: 25 IR 939; readopted filed Jul 19, 2007, 12:54 p.m.: 20070808-IR-839070049RFA; readopted filed November 25, 2013, 9:18 a.m.: 20131225-IR-839130273RFA)

839 IAC 1-2-4 Disclosure of credentials (Repealed)

Sec. 4. *(Repealed by Behavioral Health and Human Services Licensing Board; filed Dec 18, 2001, 9:11 a.m.: 25 IR 1634)*

839 IAC 1-2-5 Fees

Authority: IC 25-1-8-2; IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 5. (a) Candidates for examination shall pay the examination fee directly to the examination service.

(b) The application/issuance fee for licensure to practice as:

- (1) a social worker;
- (2) a clinical social worker;
- (3) a marriage and family therapist;

- (4) a marriage and family therapist associate;
- (5) a mental health counselor;
- (6) a mental health counselor associate;
- (7) an addiction counselor; or
- (8) a clinical addiction counselor;

shall be fifty dollars (\$50).

- (c) The fee for issuance of a temporary permit shall be twenty-five dollars (\$25).
- (d) The fee for verification of licensure to another state or jurisdiction shall be ten dollars (\$10).
- (e) The fee for renewal of a license to practice as:
 - (1) a social worker;
 - (2) a clinical social worker;
 - (3) a marriage and family therapist;
 - (4) a marriage and family therapist associate;
 - (5) a mental health counselor;
 - (6) a mental health counselor associate;
 - (7) an addiction counselor; or
 - (8) a clinical addiction counselor;

shall be fifty dollars (\$50) biennially.

- (f) The fee for reinstatement of a retired license to practice as:
 - (1) a social worker;
 - (2) a clinical social worker;
 - (3) a marriage and family therapist;
 - (4) a mental health counselor;
 - (5) an addiction counselor; or
 - (6) a clinical addiction counselor;

shall be fifty dollars (\$50).

- (g) The application fee for approval as a sponsor of continuing education shall be fifty dollars (\$50).
- (h) The renewal fee for approval to sponsor continuing education shall be fifty dollars (\$50) biennially.
- (i) The fee for a duplicate wall certificate shall be ten dollars (\$10).
- (j) 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.
- (k) All application fees are nonrefundable.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-2-5; filed Nov 4, 1992, 5:00 p.m.: 16 IR 870; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1505; readopted filed Dec 2, 2001, 12:35 p.m.: 25 IR 1307; filed Apr 9, 2003, 3:00 p.m.: 26 IR 2623; readopted filed Dec 1, 2009, 9:12 a.m.: 20091223-IR-839090777RFA; filed Jun 3, 2010, 3:17 p.m.: 20100630-IR-839090796FRA; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA) NOTE: 839 IAC 1-2-6 was renumbered by Legislative Services Agency as 839 IAC 1-2-5.

Rule 3. Social Workers; Clinical Social Workers

839 IAC 1-3-1 Educational institution requirements for social worker's licensure

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-5-1

Sec. 1. "Institution of higher education approved by the board", as used in IC 25-23.6-5-1, means an institution of higher education that has a program that is accredited or approved for candidacy by the Council on Social Work Education at the time the applicant was granted the degree. For an applicant whose degree was granted prior to June 30, 1995, the term also includes a nonaccredited program in social work or clinical social work from an institution of higher education.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-3-1; filed Jul 1, 1992, 12:00 p.m.: 15 IR 2457; filed Nov 4, 1992, 5:00 p.m.: 16 IR 871; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1505, eff Jul 1, 1999; readopted filed Dec 2, 2001, 12:30 p.m.: 25 IR 1309; readopted filed Sep 26, 2008, 10:50 a.m.: 20081015-IR-839080337RFA)

839 IAC 1-3-2 Licensure by examination for social workers and clinical social workers

Authority: IC 25-23.6-2-8

Affected: IC 25-22.5; IC 25-23.6-5-1; IC 25-23.6-5-3.5; IC 25-33

Sec. 2. (a) An applicant for licensure as a social worker or clinical social worker shall pass an examination required by the board.

(b) As used in IC 25-23.6-5-1 and IC 25-23.6-5-3.5, "experience" means full-time paid experience of at least one thousand five hundred (1,500) hours per year. Part-time experience will be considered if the applicant can verify a total of four thousand five hundred (4,500) hours, three thousand (3,000) hours of which must take place after receiving the graduate degree.

(c) As used in IC 25-23.6-5-1 and IC 25-23.6-5-3.5, supervision must be face-to-face contact between the supervisor and supervisee for the purpose of assisting the supervisee in the process of learning the skills of social work or clinical social work practice for a minimum of four (4) hours per month.

(d) Experience, as that term is used in IC 25-23.6-5-1 and IC 25-23.6-5-3.5, shall be earned as an employee in one (1) of the following settings:

- (1) Social service agencies.
- (2) Schools.

- (3) Institutions of higher education.
- (4) Hospitals.
- (5) Private practice.
- (6) Mental health centers.
- (7) Correctional institutions.
- (8) Home health agencies.
- (9) Long term health care facilities.
- (10) Employee assistance programs.
- (11) Occupational social services.
- (12) Military facilities.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-3-2; filed Jul 1, 1992, 12:00 p.m.: 15 IR 2457; filed Nov 4, 1992, 5:00 p.m.: 16 IR 871; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1505, eff Jul 1, 1999; filed Oct 1, 2003, 9:28 a.m.: 27 IR 517; readopted filed Dec 1, 2009, 9:12 a.m.: 20091223-IR-839090777RFA)

839 IAC 1-3-2.5 Temporary permits for social workers and clinical social workers

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-5-11

Sec. 2.5. (a) As used in IC 25-23.6-5-11, "the date the board disapproves the individual's license application" means the date an applicant for licensure receives notice from the board of:

- (1) failure of the required examination; or
- (2) denial of the individual's license application.

(b) As used in IC 25-23.6-5-11, "good cause" means any reason approved by the board following written notice to the board from the applicant within thirty (30) days of the date the applicant was scheduled to take the examination.

(c) An applicant for licensure as a social worker or as a clinical social worker who fails the initial examination may renew the temporary permit, a maximum of two (2) times, if the applicant retakes the repeat examination within six (6) months of the date of the previously failed examination; failure to take within the six (6) months will automatically invalidate the temporary permit.

(d) As used in IC 25-23.6-5-11, "national association approved by the board" means either of the following:

- (1) National Association of Social Workers.
- (2) Any national social work association with educational and clinical experience requirements substantially equivalent to National Association of Social Workers.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-3-2.5; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1506, eff Jul 1, 1999; readopted filed Dec 2, 2001, 12:30 p.m.: 25 IR 1309; readopted filed Sep 26, 2008, 10:50 a.m.: 20081015-IR-839080337RFA)

839 IAC 1-3-3 Examination exemption (Repealed)

Sec. 3. *(Repealed by Behavioral Health and Human Services Licensing Board; filed Dec 19, 1996, 11:00 a.m.: 20 IR 1121)*

839 IAC 1-3-3.5 Exemption from examination for social workers and clinical social workers

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-5-11; IC 25-23.6-5-14

Sec. 3.5. An examination shall be considered to be substantially equivalent, as used in IC 25-23.6-5-11 and IC 25-23.6-5-14, if the examination is the same examination used by the board and is equal to or higher than the level for which licensure is being requested. The board will review all examinations other than the one used by the board to determine equivalency.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-3-3.5; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1506, eff Jul 1, 1999; readopted filed Dec 2, 2001, 12:30 p.m.: 25 IR 1309; readopted filed Sep 26, 2008, 10:50 a.m.: 20081015-IR-839080337RFA)

839 IAC 1-3-4 Standards for the competent practice of social work and clinical social work

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 4. (a) The competent practice of social work and clinical social work requires remaining current with generally accepted developments within the area of specialization and the development and exercise of judgment as to when to apply specific procedures in a reasonable, effective, efficient, and economical manner.

(b) The competent practice of social work and clinical social work includes acting within generally accepted ethical principles and guidelines of the profession and maintaining an awareness of personal and professional limitations. These ethical principles include, but are not limited to, the following:

- (1) A social worker or clinical social worker shall provide a clear description of what the client may expect in the way of services, reports, fees, billing, and schedules.
- (2) A social worker or clinical social worker shall not misrepresent the practitioner's qualifications, training, or experience. If a social worker or a clinical social worker engages in advertising, the practitioner's credentials shall be presented factually.
- (3) A social worker or clinical social worker may not practice beyond the practitioner's competence. A social worker or clinical social worker shall make appropriate referrals when the client's needs exceed the practitioner's competency level. Such referrals should be timely.
- (4) A social worker or clinical social worker shall assure that referrals are always based solely on the best interest of the client and not for personal gain.

(5) A social worker or clinical social worker shall not provide social work or clinical social work services while under the influence of alcohol or other mind-altering or mood-altering drugs, which impair delivery of such services.

(6) Relationships with clients shall not be exploited by the social worker or clinical social worker for personal gain. A social worker or clinical social worker shall not violate such positions of trust and dependency by committing any act detrimental to a client.

(7) A social worker or clinical social worker shall not abandon or neglect a client in need of immediate professional services without making reasonable arrangements for the provision or the continuation of services.

(8) The social worker or clinical social worker shall under no circumstances engage in sexual activities with clients.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-3-4; filed Jul 1, 1992, 12:00 p.m.: 15 IR 2458; filed Nov 4, 1992, 5:00 p.m.: 16 IR 872; readopted filed Dec 2, 2001, 12:30 p.m.: 25 IR 1310; readopted filed Sep 26, 2008, 10:50 a.m.: 20081015-IR-839080337RFA)

839 IAC 1-3-4.5 Enrollment

Authority: IC 25-23.6-2-8

Affected: P.L.147-1997, SEC. 80

Sec. 4.5. As used in P.L.147-1997, SECTION 80, "enrolled" means the point at which a student has begun to take classes to complete either a master's or doctoral degree program in social work from an institution of higher education accredited or approved for candidacy by the Council on Social Work Education.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-3-4.5; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1506; readopted filed Dec 2, 2001, 12:30 p.m.: 25 IR 1310; readopted filed Sep 26, 2008, 10:50 a.m.: 20081015-IR-839080337RFA)

839 IAC 1-3-5 Examination requirements

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-5-1

Sec. 5. (a) An applicant applying for licensure by examination as a clinical social worker or a social worker, 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 exam 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.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-3-5; filed Dec 18, 2001, 9:11 a.m.: 25 IR 1634; readopted filed Sep 26, 2008, 10:50 a.m.: 20081015-IR-839080337RFA)

Rule 4. Marriage and Family Therapists

839 IAC 1-4-1 Approved course work (Repealed)

Sec. 1. *(Repealed by Behavioral Health and Human Services Licensing Board; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1516)*

839 IAC 1-4-2 Certification by examination (Repealed)

Sec. 2. *(Repealed by Behavioral Health and Human Services Licensing Board; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1516)*

839 IAC 1-4-3 Exemption from examination (Repealed)

Sec. 3. *(Repealed by Behavioral Health and Human Services Licensing Board; filed Dec 19, 1996, 11:00 a.m.: 20 IR 1121)*

839 IAC 1-4-3.1 Educational requirements for marriage and family therapists and marriage and family therapist associates

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-8

Sec. 3.1. (a) As used in IC 25-23.6-8-1, "master's degree in an area related to marriage and family therapy" means a degree earned in one (1) of the following areas 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) Another 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:
 - (A) be clearly identified as a marriage and family therapy program in pertinent catalogs and brochures; and
 - (B) 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 a minimum of one hundred (100) hours of supervision from an LMFT 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 an LMFT 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:

- (1) be enrolled in a clinical practicum, internship, or field experience in marriage and family therapy; and
- (2) conduct therapy under the auspices of that graduate program.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-4-3.1; filed Jun 29, 2011, 9:12 a.m.: 20110727-IR-839090811FRA)

839 IAC 1-4-3.2 Experience requirements for marriage and family therapists

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-8-2.7

Sec. 3.2. (a) As used in IC 25-23.6-8-2.7, "one thousand (1,000) hours of postgraduate clinical experience" means experience under approved supervision, acquired over not less than twenty-four (24) months, any time subsequent to the date:

- (1) the individual is licensed as a marriage and family therapist associate; or
- (2) 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 practicum or 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.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-4-3.2; filed Jun 29, 2011, 9:12 a.m.: 20110727-IR-839090811FRA)

839 IAC 1-4-3.3 Examination requirements for marriage and family therapist and marriage and family therapist associate

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-8-3

Sec. 3.3. (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.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-4-3.3; filed Jun 29, 2011, 9:12 a.m.: 20110727-IR-839090811FRA)

839 IAC 1-4-4 Standards for the competent practice of marriage and family therapy

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 4. (a) Marriage and family therapists shall not exploit the trust and dependency of clients. Marriage and family therapists shall avoid dual relationships with clients that could impair their professional judgment or increase the risk of exploitation. Examples of such dual relationships include, but are not limited to, business or close personal relationships with clients.

(b) Marriage and family therapists shall respect the right of clients to make decisions and help them to understand the consequences of these decisions. Marriage and family therapists shall clearly advise a client that a decision on marital status is the responsibility of the client.

(c) Marriage and family therapists shall continue therapeutic relationships only so long as it is reasonably clear that clients are benefiting from the relationship.

(d) Marriage and family therapists shall not abandon or neglect clients in treatment without making reasonable arrangements for the continuation of such treatment.

(e) Marriage and family therapists may use client and/or clinical materials in teaching, writing, and public presentations only if a written waiver has been received from the client or when appropriate steps have been taken to protect client identity.

(f) Marriage and family therapists shall store or dispose of client records in ways that maintain confidentiality.

(g) Marriage and family therapists shall seek to remain abreast of new developments in family therapy knowledge and practices through both educational activities and clinical experiences.

(h) Marriage and family therapists shall not attempt to diagnose, treat, or advise on problems outside their competence.

(i) Marriage and family therapists shall not offer or accept payment for referrals.

(j) Marriage and family therapists shall disclose the marriage and family therapist's fee structure to clients at the onset of treatment.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-4-4; filed Jul 1, 1992, 12:00 p.m.: 15 IR 2459; readopted filed Oct 25, 2001, 4:20 p.m.: 25 IR 939; readopted filed Jul 19, 2007, 12:54 p.m.: 20070808-IR-839070049RFA; readopted filed November 25, 2013, 9:18 a.m.: 20131225-IR-839130273RFA)

839 IAC 1-4-5 Supervision for marriage and family therapist licensure applicants

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-8-2.5; IC 25-23.6-8-2.7

Sec. 5. (a) As used in IC 25-23.6-8-2.5, "qualified supervisor" means 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 has demonstrated to the marriage and family therapy section of the board possession of a master's degree or higher in the mental health field, training and supervision in marriage and family therapy that focused on family systems, and completion of at least thirty (30) clock hours in marriage and family therapy supervision training.

(b) As used in IC 25-23.6-8-2.7, "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 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) provides documentation of training, education, and experience in individual, couple, and family therapy supervision by providing 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 five (5) years experience supervising marriage and family therapy.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-4-5; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1507, eff Jul 1, 1999; filed Oct 1, 2003, 9:28 a.m.: 27 IR 518; readopted filed Dec 1, 2009, 9:12 a.m.: 20091223-IR-839090777RFA; filed Jun 29, 2011, 9:12 a.m.: 20110727-IR-839090811FRA)

839 IAC 1-4-6 Temporary permits for marriage and family therapists

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-8-10

Sec. 6. (a) As used in IC 25-23.6-8-10, "the date the board disapproves the individual's license application" means the date an applicant for licensure receives notice of:

(1) failure of the required examination; or

(2) denial of the individual's license application.

(b) As used in IC 25-23.6-8-10, "good cause" means any reason approved by the board following written notice to the board from the applicant within thirty (30) days of the date the applicant was scheduled to take the examination.

(c) An applicant for licensure as a marriage and family therapist who fails the required examination shall not be issued a second temporary permit.

(d) As used in IC 25-23.6-8-10, "national association approved by the board" means either of the following:

- (1) Clinical membership in the American Association for Marriage and Family Therapy.
- (2) Clinical membership in any national marriage and family therapy association with educational and clinical experience requirements substantially equivalent to the American Association for Marriage and Family Therapy.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-4-6; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1507, eff Jul 1, 1999; readopted filed Dec 2, 2001, 12:30 p.m.: 25 IR 1310; readopted filed Sep 26, 2008, 10:50 a.m.: 20081015-IR-839080337RFA)

839 IAC 1-4-7 Examination exemption for marriage and family therapists

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-8-13

Sec. 7. An examination shall be considered to be substantially equivalent, as used in IC 25-23.6-8-13, if:

- (1) the examination is the same examination used by the board; or
- (2) the board, after reviewing the examination, finds it comparable to the examination used by the board.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-4-7; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1507, eff Jul 1, 1999; readopted filed Oct 25, 2001, 4:20 p.m.: 25 IR 939; readopted filed Jul 19, 2007, 12:54 p.m.: 20070808-IR-839070049RFA; readopted filed November 25, 2013, 9:18 a.m.: 20131225-IR-839130273RFA)

Rule 5. Mental Health Counselors

839 IAC 1-5-1 Educational requirements for mental health counselors and mental health counselor associates

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-8.5

Sec. 1. (a) As used in IC 25-23.6-8.5-1, "master's degree in an area related to mental health counseling" means a degree earned in one (1) of the following programs:

- (1) Clinical social work.
- (2) Psychology.
- (3) Human services.
- (4) Human development.
- (5) Family relations.
- (6) Counseling.
- (7) Programs accredited by the Council for Accreditation of Counseling and Related Education Programs (CACREP) or the Council on Rehabilitation Education (CORE).

(b) An applicant for licensure as a mental health counselor or mental health counselor associate with a graduate degree not listed in subsection (a), or an applicant asserting that his or her program is equivalent to a program in counseling whose content areas are listed in IC 25-23.6-8.5-3, 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 counseling 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 25-23.6-8.5-2, "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 mental health counselor or mental health counselor associate under IC 25-23.6-8.5 must show successful completion of a degree curriculum that shall encompass a minimum of forty-eight (48) semester hours or seventy-two (72) quarter hours of graduate study for the master's degree or a minimum of ninety-six (96) semester hours or one hundred forty-four (144) quarter hours of graduate study for the doctoral degree. If the course titles as stated on the transcript do not clearly reflect the course work content areas as listed in IC 25-23.6-8.5-3, the applicant must document the course or combination of courses in which the material was covered. Further, the applicant for licensure shall document a minimum of sixty (60) semester hours or ninety (90) quarter hours of graduate credit in mental health counseling or a related field. 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 counseling or an area related to mental health counseling:

- (1) The program, wherever it may be housed, shall:
 - (A) be clearly identified as a counseling program in pertinent catalogs and brochures; and
 - (B) specify the program's intent to educate and train counselors.
- (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 the following:

- (A) An identifiable mental health professional responsible for the program.
 - (B) An integrated, organized sequence of study that follows the CACREP standards.
 - (C) An identifiable body of students who are matriculated in that program for a degree.
- (4) The program shall include a supervised practicum and internship.
- (5) The degree program may or may not include an advanced internship. However, the advanced internship must be conducted in a setting focused on mental health counseling or mental health services, or both, under the auspices of an approved graduate counseling program.
- (f) As used in IC 25-23.6-8.5-3, "practicum" means a distinctly defined, supervised curricular experience intended to enable the student to develop basic counseling skills and to integrate professional knowledge and skills appropriate to the student's program emphasis. The practicum shall be a minimum of one hundred (100) clock hours and include the following:
- (1) A minimum of forty (40) hours of direct service with clients so that experience can be gained in individual and group interactions. At least one-fourth (1/4) of these hours should be in group work.
 - (2) A minimum of one (1) hour per week of individual supervision, over a minimum of one (1) academic term by a program faculty member or a supervisor working under the supervision of a program faculty member, using at least one (1) of the following:
 - (A) Audiotape.
 - (B) Videotape.
 - (C) Direct observation.
 - (3) A minimum of one and one-half (1 1/2) hours per week of group supervision with other students in similar practica over a minimum of one (1) academic term by a program faculty member or a supervisor working under the supervision of a program faculty member.
 - (4) An evaluation of the student's performance throughout the practicum, including a formal evaluation at the completion of the practicum.
- (g) As used in IC 25-23.6-8.5-3, "internship" means a distinctly defined, supervised curricular experience intended to enable the student to refine and enhance basic counseling skills, to develop more advanced counseling skills, and to integrate professional knowledge and skills appropriate to the student's initial postgraduation professional placement. A supervised internship of six hundred (600) clock hours that is begun after successful completion of the student's practicum includes the following:
- (1) A minimum of two hundred forty (240) hours of direct service with clients appropriate to the program of study.
 - (2) A minimum of one (1) hour per week of individual supervision, throughout the internship, usually performed by the onsite supervisor.
 - (3) A minimum of one and one-half (1 1/2) hours per week of group supervision, throughout the internship, usually performed by a program faculty member supervisor.
 - (4) The opportunity for the student to become familiar with a variety of professional activities other than direct service.
 - (5) The opportunity for the student to develop audiotapes or videotapes, or both, of the student's interactions with clients appropriate for use in supervision.
 - (6) The opportunity for the student to gain supervised experience in the use of a variety of professional resources, such as the following:
 - (A) Assessment instruments.
 - (B) Computers.
 - (C) Print and nonprint media.
 - (D) Professional literature.
 - (E) Research.
 - (F) Information and referral to appropriate providers.
 - (7) A formal evaluation of the student's performance during the internship, by a program faculty supervisor, in consultation with the site supervisor.
- (h) The practicum and internship experiences listed in this section are tutorial forms of instruction. Individual supervision is supervision rendered to one (1) person at a time, and group supervision is supervision rendered to at least two (2) and not more than twelve (12) individuals at one (1) time.
- (i) As used in IC 25-23.6-8.5-3, "advanced internship" means a minimum of three hundred (300) clock hours of supervised experience that must be completed in a setting in which the individual is providing mental health services under the direct supervision of a professional as defined in subsection (m).
- (j) The required practicum, internship, and advanced internship experiences listed in this section must have been primarily in the provision of direct counseling services. This includes knowledge, skill, or experience derived from direct observations of, and participation in, the practice of counseling. No course intended primarily for practice in the administration and grading of appraisal or assessment instruments shall count toward these clinical semester hour requirements.
- (k) The required experiences gained through the practicum, internship, and advanced internship may not be taken concurrently, and the academic credit must appear on the applicant's official graduate transcript.
- (l) As used in IC 25-23.6-8.5-3, "one hundred (100) hours of face-to-face supervision" refers to the entire clinical experience requirement of one thousand (1,000) hours. This includes individual and group supervision. The applicant must document that at least one hundred (100) hours were spent face-to-face with a supervisor during the practicum, internship, and advanced internship. The graduate counseling student may work away from the premises of the educational institution but must:
- (1) be enrolled in a counseling practicum, internship, or advanced internship; and
 - (2) conduct counseling under the auspices of that graduate program.
- (m) As used in IC 25-23.6-8.5-3, "supervised practice experience" means experience gained under supervision provided by:
- (1) a counselor educator;
 - (2) a licensed master's level or doctoral level:
 - (A) mental health counselor;
 - (B) clinical social worker;
 - (C) marriage and family therapist;
 - (D) physician who has training in psychiatric medicine;
 - (E) psychologist; or

(F) clinical nurse specialist in psychiatric or mental health nursing; or
(3) another state-regulated mental health professional or, if the experience was gained in a state where no regulation exists, by a mental health professional of equivalent status.
(Behavioral Health and Human Services Licensing Board; 839 IAC 1-5-1; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1507; readopted filed Dec 2, 2001, 12:30 p.m.: 25 IR 1311; filed Oct 1, 2003, 9:28 a.m.: 27 IR 518; readopted filed Dec 1, 2009, 9:12 a.m.: 20091223-IR-839090777RFA; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA)

839 IAC 1-5-1.5 Experience requirements for mental health counselors

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-8.5-4

Sec. 1.5. (a) As used in IC 25-23.6-8.5-4, "three thousand (3,000) hours of postgraduate clinical experience over a two (2) year period" means experience under approved supervision, acquired over no less than twenty-one (21) months and over no more than forty-eight (48) months, any time subsequent to the date certified by the degree-granting institution as that on which all requirements for the master's degree have been completed. The doctoral student may continue to accrue hours for this clinical experience requirement once the doctoral internship has been completed.

(b) As used in IC 25-23.6-8.5-4, "equivalent supervisor" means an individual who is supervising within their scope of experience and training and is any of the following:

- (1) Licensed as a clinical social worker.
- (2) Licensed as a marriage and family therapist.
- (3) Licensed as a physician who has training in psychiatric medicine.
- (4) Licensed as a psychologist.
- (5) Licensed as a clinical nurse specialist in psychiatric or mental health nursing.
- (6) A mental health professional of equivalent status if the supervision was provided in a state where no regulation exists.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-5-1.5; filed Oct 1, 2003, 9:28 a.m.: 27 IR 520; readopted filed Dec 1, 2009, 9:12 a.m.: 20091223-IR-839090777RFA)

839 IAC 1-5-2 Examination requirements for mental health counselors and mental health counselor associates

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-8.5-5

Sec. 2. (a) An applicant for licensure by examination as a mental health counselor or mental health counselor 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 exam 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 shall personally appear before the board prior to retaking the examination.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-5-2; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1509; readopted filed Dec 2, 2001, 12:30 p.m.: 25 IR 1313; readopted filed Sep 26, 2008, 10:50 a.m.: 20081015-IR-839080337RFA; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA)

839 IAC 1-5-3 Temporary permits for mental health counselors

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-8.5-10

Sec. 3. (a) As used in IC 25-23.6-8.5-10, "the date the board disapproves the individual's license application" means the date an applicant for licensure receives notice of:

- (1) failure of the required examination; or
- (2) denial of the individual's license application.

(b) As used in IC 25-23.6-8.5-10, "good cause" means any reason approved by the board following written notice to the board from the applicant within thirty (30) days of the date the applicant was scheduled to take the examination.

(c) An applicant for licensure as a mental health counselor who fails the required examination shall not be issued a second temporary permit.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-5-3; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1510; readopted filed Dec 2, 2001, 12:30 p.m.: 25 IR 1313; readopted filed Sep 26, 2008, 10:50 a.m.: 20081015-IR-839080337RFA; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA)

839 IAC 1-5-4 Exemption from examination for mental health counselors

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-8.5-12

Sec. 4. (a) As used in IC 25-23.6-8.5-12, "exempted by the board from the examination requirement" means the board will not grant blanket reciprocity to applicants for licensure as a mental health counselor under this section. Minimum standards for licensure set by the other state at the time the applicant's mental health counselor licensure was granted in that state will be compared for equivalency with the minimum standards for Indiana licensure. The board will review each applicant for licensure as a mental health counselor by examination exemption on an individual basis.

(b) As used in IC 25-23.6-8.5-12, "engaged in the practice of mental health counseling" means the applicant has worked at least five (5) hours per week, averaged over the entire time the applicant has been in practice, with no more than a one (1) year's absence from the practice of mental health counseling, except the following:

(1) If the applicant has more than one (1) year's absence from practice of mental health counseling, the board will review the reason for such absence on an individual basis.

(2) If the applicant has taught mental health counseling, the applicant may count the hours spent teaching as hours of active practice of mental health counseling, provided such teaching was in courses in the same or similar field of mental health counseling as the competency area claimed by the applicant. Teaching shall include time spent in preparation, in meeting with students, and in related activities. Teaching of mental health counseling shall not count for more than seventy percent (70%) of the number of active practice hours claimed by the applicant.

(c) An examination shall be considered to be substantially equivalent, as used in IC 25-23.6-8.5-12, if the examination is either the same examination used by the board or an examination that tested the clinical skills and knowledge of the applicant. The board will review all examinations other than the one used by the board to determine equivalency.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-5-4; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1510; readopted filed Oct 25, 2001, 4:20 p.m.: 25 IR 939; readopted filed Jul 19, 2007, 12:54 p.m.: 20070808-IR-839070049RFA; readopted filed November 25, 2013, 9:18 a.m.: 20131225-IR-839130273RFA)

839 IAC 1-5-5 Standards for the competent practice of mental health counseling

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 5. The licensed mental health counselor must comply with IC 25-23.6 governing the practice of mental health counseling and shall abide by the following standards:

(1) A mental health counselor's primary professional responsibility is to the client. The mental health counselor shall make every reasonable effort to advance the welfare and best interests of the client, including respecting the rights of those persons seeking assistance and making reasonable efforts to ensure that the mental health counselor's services are used appropriately.

(2) The mental health counselor shall act in accordance with the highest standards of professional integrity and competence. The mental health counselor is honest in dealing with clients, students, trainees, colleagues, and the public. The mental health counselor seeks to eliminate incompetence or dishonesty from the profession.

(3) The mental health counselor holds in confidence information obtained in the course of professional service; the mental health counselor safeguards client confidences as permitted by law.

(4) The mental health counselor respects the rights and responsibilities of professional colleagues and, as the employee of an organization, remains accountable as an individual to the ethical principles of the profession. The mental health counselor treats colleagues with respect and good faith and relates to the clients of colleagues with full professional consideration.

(5) When using assessment instruments or techniques, the mental health counselor shall make every effort to promote the welfare and best interests of the client. The mental health counselor guards against the misuse of assessment results, and respects the client's right to know the results, the interpretations, and the basis for any conclusions or recommendations.

(6) The mental health counselor recognizes that research activities must be conducted with full respect for the rights and dignity of participants and with full concern for their welfare. Participation in research must be voluntary unless it can be demonstrated that involuntary participation will have no harmful effects on the subjects and is essential to the investigation.

(7) The mental health counselor adheres to professional rather than commercial standards when making known his or her availability for professional services. The mental health counselor shall provide information that accurately informs the public of the professional services, expertise, and techniques available.

(8) The mental health counselor shall not abandon or neglect clients in treatment without making reasonable arrangements for the continuation of such treatment.

(9) The mental health counselor is aware of anything that might interfere with the counselor's effectiveness and shall refrain from any activity that might lead to inadequate performance or harm to anyone, including himself or herself and the client.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-5-5; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1510; readopted filed Oct 25, 2001, 4:20 p.m.: 25 IR 939; readopted filed Jul 19, 2007, 12:54 p.m.: 20070808-IR-839070049RFA; readopted filed November 25, 2013, 9:18 a.m.: 20131225-IR-839130273RFA)

839 IAC 1-5-6 Examination exemption for mental health counselors (Repealed)

Sec. 6. *(Repealed by Behavioral Health and Human Services Licensing Board; filed Dec 18, 2001, 9:11 a.m.: 25 IR 1634)*

Rule 5.5. Addiction Counselors; Clinical Addiction Counselors

839 IAC 1-5.5-1 Educational requirements for addiction counselors

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-10.5

Sec. 1. (a) As used in IC 25-23.6-10.5-1, "a baccalaureate degree in addiction counseling or in a related area" means a degree earned in one (1) of the following:

- (1) Addiction studies
- (2) Chemical dependency.
- (3) Social work.
- (4) Psychology.
- (5) Human services.
- (6) Human development.

- (7) Family relations.
 - (8) Counseling.
- (b) If an applicant is seeking licensure as an addiction counselor based upon a baccalaureate degree not listed in subsection (a), the applicant 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 baccalaureate degree in addiction counseling 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 25-23.6-10.5-3, "eligible postsecondary educational institution" means a college or university that was accredited prior to the applicant's graduation or within two (2) years from the date 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 an addiction counselor must show successful completion of the degree curriculum set forth in IC 25-23.6-10.5-5 with a minimum of forty (40) semester hours or sixty (60) quarter hours of course work in the following content areas:
- (1) Addictions theory.
 - (2) Psychoactive drugs.
 - (3) Addictions counseling skills.
 - (4) Theories of personality.
 - (5) Developmental psychology.
 - (6) Abnormal psychology.
 - (7) Treatment planning.
 - (8) Cultural competency.
 - (9) Ethics and professional development.
 - (10) Family education.

If the course titles as stated on the transcript do not clearly reflect the course work content areas as listed in IC 25-23.6-10.5-5, the applicant must document the course or combination of courses in which the material was covered. At the discretion of the board, applicants may be required to provide further documentation, beyond an official transcript, to demonstrate that submitted course work covered the required content areas.

- (e) When evaluating an applicant's baccalaureate degree in addiction counseling or in a related area, the board shall consider, as factors in its evaluation, whether the degree granting program:
- (1) identifies itself as an addiction counseling program in its catalogs and brochures and demonstrates the program's intent to educate and train counselors in its advertising materials;
 - (2) has an identifiable addiction counseling professional responsible for the program who has clear authority and primary responsibility for the core and specialty areas, whether or not the program cuts across administrative lines;
 - (3) has an integrated and organized sequence of study;
 - (4) has an identifiable body of students who are matriculated in that program for a degree;
 - (5) includes a supervised practicum, internship, or field experience; and
 - (6) the degree program practicum, internship, or field experience should be conducted in a setting focused on addiction counseling services under the auspices of an approved addiction counseling program.
- (f) The required practicum, internship, or field experience listed in this section must have been primarily in the provision of direct addiction counseling services. This includes knowledge, skill, or experience derived from direct observations of, and participation in, the practice of addiction counseling. No course intended primarily for practice in the administration and grading of appraisal or assessment instruments shall count toward these clinical semester hour requirements.
- (g) As used in IC 25-23.6-10.5-5, "supervised practice, internship, or field experience" means experience gained under an individual who is supervising within his or her scope of experience and training and holds an active license at the time of the supervision as:

- (1) an addiction counselor;
- (2) a clinical addiction counselor;
- (3) a mental health counselor;
- (4) a clinical social worker;
- (5) a marriage and family therapist;
- (6) a physician with training in psychiatric medicine;
- (7) a psychologist;
- (8) a clinical nurse specialist in psychiatric or mental health nursing; or
- (9) another state-regulated addiction counseling professional or, if the experience was gained in a state where no regulation

exists, by an addictions or behavioral health professional of equivalent status;
who has at least three (3) years of experience in providing addiction services. (*Behavioral Health and Human Services Licensing Board; 839 IAC 1-5.5-1; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA*)

839 IAC 1-5.5-2 Experience requirements for addiction counselors

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-10.5-7

Sec. 2. (a) As used in IC 25-23.6-10.5-7, "two (2) years of addiction counseling experience that must include at least one hundred fifty (150) hours under supervision" means experience under approved supervision, acquired over not less than twenty-one (21) months and over not more than forty-eight (48) months, at any time subsequent to the date certified by the degree-granting institution as that on which all requirements for the baccalaureate degree have been completed. A doctoral student may accrue hours for this addiction counseling experience requirement during a doctoral internship.

(b) As used in IC 25-23.6-10.5-7, "qualified supervisor" means an individual who is supervising within his or her scope of experience and training and holds an active license at the time of supervision as:

- (1) a clinical addiction counselor;
- (2) a clinical social worker;
- (3) a marriage and family therapist;
- (4) a physician with training in psychiatric medicine;
- (5) a psychologist;
- (6) a clinical nurse specialist in psychiatric or mental health nursing; or
- (7) another state-regulated addiction counseling professional or, if the experience was gained in a state where no regulation exists, by an addictions or behavioral health professional of equivalent status;

who has at least three (3) years of experience in providing addiction services.

(*Behavioral Health and Human Services Licensing Board; 839 IAC 1-5.5-2; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA*)

839 IAC 1-5.5-3 Educational requirements for clinical addiction counselors

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-10.5

Sec. 3. (a) As used in IC 25-23.6-10.5-2, "master's degree or doctor's degree in addiction counseling, addiction therapy, ora related area" means a degree earned in one (1) of the following programs:

- (1) Addiction studies.
- (2) Chemical dependency.
- (3) Social work.
- (4) Psychology.
- (5) Human services.
- (6) Human development.
- (7) Family relations.
- (8) Counseling.

(b) If an applicant is seeking licensure as an addiction counselor based upon a graduate degree not listed in subsection (a), the applicant 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 addiction counseling 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 25-23.6-10.5-4, "eligible postsecondary educational institution" means a college or university that was accredited prior to the applicant's graduation or within two (2) years from the date 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 clinical addiction counselor must show successful completion of the graduate degree curriculum set forth in IC 25-23.6-10.5-5 with a minimum of twenty-seven (27) semester hours or forty-one (41) quarter hours in the following content areas:

- (1) Addiction counseling theories and techniques.
- (2) Clinical problems.
- (3) Psychopharmacology.
- (4) Psychopathology.
- (5) Clinical appraisal.
- (6) Theory and practice of group addiction counseling.
- (7) Counseling addicted family systems.
- (8) Multicultural counseling.

(9) Research methods in addiction.

(10) Human development.

If the course titles as stated on the transcript do not clearly reflect the course work content areas as listed in IC 25-23.6-10.5-5, the applicant must document the course or combination of courses in which the material was covered. At the discretion of the board, applicants may be required to provide further documentation, beyond an official transcript, to demonstrate that submitted course work covered the required content areas. Only graduate level courses are acceptable for establishing equivalency. The board will not accept course work counted or credited toward an undergraduate degree.

(e) When evaluating an applicant's master's or doctor's degree in addiction counseling, addiction therapy, or a related area, the board shall consider, as factors in its evaluation, whether the degree granting program:

(1) identifies itself as an addiction counseling program in its catalogs and brochures and demonstrates the program's intent to educate and train counselors in its advertising materials;

(2) has an identifiable addiction counseling professional responsible for the program who has clear authority and primary responsibility for the core and specialty areas, whether or not the program cuts across administrative lines;

(3) has an integrated and organized sequence of study;

(4) has an identifiable body of students who are matriculated in that program for a degree;

(5) includes a supervised practicum, internship, or field experience; and

(6) the degree program practicum, internship or field experience should be conducted in a setting focused on addiction counseling services under the auspices of an approved graduate addiction counseling program.

(f) As used in IC 25-23.6-10.5-6, "supervised clinical practicum, internship, or field experience" means a supervised curricular experience intended to enable the student to develop basic addiction counseling skills and to integrate professional knowledge and skills appropriate to the student's program emphasis. The supervised clinical practicum, internship, or field experience shall be a minimum of seven hundred (700) hours and include the following:

(1) A minimum of two hundred eighty (280) face-to-face client contact hours of addiction counseling services under the supervision of an LCAC who has at least five (5) years of experience as a qualified supervisor.

(2) A minimum of one hundred five (105) hours of supervision from a LCAC who has at least five (5) years experience as a qualified supervisor.

(g) As used in IC 25-23.6-10.5-6, "qualified supervisor" means an individual who is supervising within his or her scope of experience and training and holds an active license at the time of supervision as:

(1) a clinical addiction counselor;

(2) a clinical social worker;

(3) a marriage and family therapist;

(4) a physician with training in psychiatric medicine;

(5) a psychologist;

(6) a clinical nurse specialist in psychiatric or mental health nursing; or

(7) another state-regulated addiction counseling professional or, if the experience was gained in a state where no regulation exists, by an addictions or behavioral health professional of equivalent status;

who has at least five (5) years of experience in providing addiction services.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-5.5-3; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA)

839 IAC 1-5.5-4 Experience requirements for clinical addiction counselors

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-10.5-8

Sec. 4. (a) As used in IC 25-23.6-10.5-8, "two (2) years of clinical addiction counseling experience" means experience under qualified supervision, acquired over not less than twenty-one (21) months and over not more than forty-eight (48) months, any time subsequent to the date certified by the degree-granting institution as that on which all requirements for the master's degree have been completed. A doctoral student may continue to accrue hours for this clinical addiction counseling experience requirement once the doctoral internship has been completed.

(b) As used in IC 25-23.6-10.5-8, "qualified supervisor" means an individual who is supervising within his or her scope of experience and training and holds an active license at the time of supervision as:

(1) a clinical addiction counselor;

(2) a clinical social worker;

(3) a marriage and family therapist;

(4) a physician who has training in psychiatric medicine;

(5) a psychologist;

(6) a clinical nurse specialist in psychiatric or mental health nursing; or

(7) another state-regulated addiction counseling professional or, if the experience was gained in a state where no regulation exists, by an addictions or behavioral health professional of equivalent status;

with at least five (5) years of experience in addictions counseling.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-5.5-4; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA)

839 IAC 1-5.5-5 Examination requirements for addiction counselors and clinical addiction counselors

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-10.5-9

Sec. 5. (a) An applicant for licensure by examination as an addiction counselor or a clinical addiction counselor, 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 exam 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) An applicant who fails the examination and wishes to retake the examination shall submit a new application and must meet all other requirements provided in 839 IAC 1-2-1.

(c) An applicant who fails the examination three (3) times shall personally appear before the board prior to retaking the examination. Following the personal appearance, the board may approve, deny, or table the applicant's request to sit for the examination.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-5.5-5; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA)

839 IAC 1-5.5-6 Temporary permits for addiction counselors and clinical addiction counselors

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-10.5-10

Sec. 6. (a) As used in IC 25-23.6-10.5-10, "the date the board disapproves the individual's license application" means the date an applicant for licensure receives notice of:

(1) failure of the required examination; or

(2) denial of the individual's license application.

(b) As used in IC 25-23.6-10.5-10, "good cause" means any reason approved by the board following written notice to the board from the applicant within thirty (30) days of the date the applicant was scheduled to take the examination.

(c) An applicant for licensure as an addiction counselor or a clinical addiction counselor who fails the required examination shall not be issued a second temporary permit.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-5.5-6; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA)

839 IAC 1-5.5-7 Exemption from examination for addiction counselors and clinical addiction counselors

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6-10.5-11

Sec. 7. (a) As used in IC 25-23.6-10.5-11, "engaged in the practice of addiction counseling" means an applicant has worked at least five (5) hours per week, averaged over the entire time the applicant has been in practice.

(b) If an applicant has taught addiction counseling, the applicant may count the hours spent teaching as hours of active practice of addiction counseling, provided such teaching was in courses in the field of addiction counseling. Teaching shall include time spent in preparation, in meeting with students, and in related activities. Teaching of addiction counseling shall not count for more than seventy percent (70%) of the number of active practice hours claimed by an applicant.

(c) An examination shall be considered to be substantially equivalent, as used in IC 25-23.6-10.5-11, if the examination is either the same examination used by the board or an examination that tested the clinical skills and knowledge of the applicant. The board will review all examinations other than the one used by the board to determine equivalency.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-5.5-7; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA)

839 IAC 1-5.5-8 Standards for the competent practice of addiction and clinical addiction counseling

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 8. The LAC and LCAC must comply with IC 25-23.6 governing the practice of addiction and clinical addiction counseling, IC 25-1-9 governing health professions standards of practice, and shall abide by the following standards:

(1) An addiction counselor or a clinical addiction counselor shall not exploit the trust and dependency of clients. Addiction counselors and clinical addiction counselors shall avoid dual relationships with clients that could impair their professional judgment or increase the risk of exploitation. Examples of such dual relationships include, but are not limited to, business, close personal, and intimate relationships.

(2) An addiction counselor or a clinical addiction counselor shall not undertake any professional activity that the addiction counselor or clinical addiction counselor is not qualified by education, training, experience, and scope of practice to undertake.

(3) An addiction counselor or a clinical addiction counselor's primary professional responsibility is to the client. An addiction counselor or a clinical addiction counselor shall make every reasonable effort to advance the welfare and best interests of the client, including respecting the rights of those persons seeking assistance and making reasonable efforts to ensure that the addiction counselor or a clinical addiction counselor's services are used appropriately.

(4) An addiction counselor or a clinical addiction counselor shall act in accordance with the highest standards of professional integrity and competence. An addiction counselor or a clinical addiction counselor is honest in dealing with clients, students, trainees, colleagues, and the public. An addiction counselor or a clinical addiction counselor seeks to eliminate incompetence or dishonesty from the profession.

(5) An addiction counselor or a clinical addiction counselor holds in confidence information obtained in the course of professional service. An addiction counselor or a clinical addiction counselor safeguards client confidences as permitted by law.

(6) An addiction counselor or a clinical addiction counselor respects the rights and responsibilities of professional colleagues and, as the employee of an organization, remains accountable as an individual to the ethical principles of the profession. An addiction counselor or a clinical addiction counselor:

- (A) treats colleagues with respect and good faith; and
 - (B) relates to the clients of colleagues with full professional consideration.
- (7) When using assessment instruments or techniques, an addiction counselor or a clinical addiction counselor shall make every effort to promote the welfare and best interests of the client. An addiction counselor or a clinical addiction counselor:
- (A) guards against the misuse of assessment results; and
 - (B) respects the client's right to know the results, interpretations, and basis for any conclusions or recommendations.
- (8) An addiction counselor or a clinical addiction counselor recognizes that research activities must be conducted with full respect for the rights and dignity of participants and with full concern for their welfare. Participation in research must be voluntary unless it can be demonstrated that involuntary participation will have no harmful effects on the subjects and is essential to the investigation.
- (9) An addiction counselor or a clinical addiction counselor adheres to professional rather than commercial standards when making known his or her availability for professional services. An addiction counselor or a clinical addiction counselor shall provide information that accurately informs the public of the professional services, expertise, and techniques available.
- (10) An addiction counselor or a clinical addiction counselor shall not abandon or neglect clients in treatment without making reasonable arrangements for the continuation of such treatment.
- (11) An addiction counselor or a clinical addiction counselor is aware of anything that might interfere with the addiction counselor's or clinical addiction counselor's effectiveness and shall refrain from any activity that might lead to inadequate performance or harm to anyone, including himself or herself and the client.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-5.5-8; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA)

Rule 6. Continuing Education

839 IAC 1-6-1 Continuing education

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 1. (a) As used in IC 25-23.6, "continuing education" means education provided by board-approved providers that is obtained by a licensee in order to maintain, improve, or expand the licensee's skills and knowledge. As used in this rule, "CEU" means one (1) continuing education hour.

(b) Continuing education shall be comprised of two (2) categories, Category I and Category II. The licensee:

- (1) shall obtain a minimum of fifty percent (50%) of the required amount of CEUs for renewal from Category I; and
- (2) may obtain a maximum of fifty percent (50%) of the required amount of CEUs for renewal from Category II.

(c) Category I is defined as continuing education that is formal programming, which includes the following:

- (1) Formally organized courses.
- (2) Workshops.
- (3) Seminars.
- (4) Symposia.
- (5) Institutes.
- (6) Home study programs, including:
 - (A) computer;
 - (B) audio; and
 - (C) video;

instructional programs accredited by board-approved organizations.

(7) Courses that are relevant to the license holder's professional skills, which are part of the curriculum of an accredited university, college, or educational institution, shall earn:

- (A) fifteen (15) CEUs for each academic semester hour completed; or
- (B) ten (10) CEUs for each academic quarter hour completed.

(8) Faculty teaching a course for the first time at an accredited university, college, or educational institution shall earn one and one-half (1½) CEUs for every credit hour taught. Continuing education credit will be granted only the first time faculty teaches the course within the same semester.

(d) CEUs obtained from Category I sponsors shall earn the amount of continuing education hours granted by the program sponsor. If the sponsor does not grant continuing education hours, then one (1) CEU will be granted for each clock hour of attendance.

(e) Category II is defined as continuing education that is self-directed, which includes the following:

- (1) Journal reading, earns one (1) CEU for each hour.
- (2) Office inservices, earns one (1) CEU for each hour attended.
- (3) Case conferences that are specifically designed for training or teaching, earns one (1) CEU for each hour attended.
- (4) Services as an instructor, presenter, or supervisor in a relevant professional seminar, workshop, or training conference earns one (1) CEU for each hour of service, but only for the initial instruction, presentation, or supervision given.
- (5) Research and publication of research results in a recognized professional journal or book form, earns ten (10) CEUs, but may only be claimed for the initial publication of the information.
- (6) Providing consultation, critique, or peer review of therapy and skills for an individual:

- (A) pursuing a:
 - (i) bachelor's degree;
 - (ii) master's degree; or

- (iii) doctoral degree; or
- (B) working:
 - (i) to meet the experience requirement for licensure; or
 - (ii) for another licensee;

earns one (1) CEU for each hour spent with the individual for this purpose.

(7) Services on boards and commissions and holding office in professional organizations, specifically related to the licensee's profession, earns one (1) CEU for each hour of service.

(8) Faculty teaching a course at an accredited university, college, or educational institution, earns one (1) CEU for every credit hour taught. Continuing education credit will be granted only the first time faculty teaches the course within the same semester.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-6-1; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1512; readopted filed Dec 2, 2001, 12:30 p.m.: 25 IR 1313; filed Jun 1, 2006, 9:45 a.m.: 29 IR 3373; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA)

839 IAC 1-6-2 Approval of continuing education programs

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 2. (a) The following criteria shall be used for the approval of providers of continuing education programs for LSWs, LCSWs, LMFTs, LMFTAs, LMHCs, LMHCAs, LACs, and LCACs:

- (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.

(b) Organizations applying for board approval to be a sponsor of continuing education programming must submit an application to the board for approval at least ninety (90) days before the presentation of any program. The board shall act upon the application within ninety (90) days of receipt. The approval, if granted, is effective until April 1 of every even-numbered year.

(c) An approval to provide continuing education units for:

- (1) LSWs;
- (2) LCSWs;
- (3) LMFTs;
- (4) LMFTAs;
- (5) LMHCs;
- (6) LMHCAs;
- (7) LACs; and
- (8) LCACs;

will expire on April 1 of the even-numbered years.

(d) The sponsor of the program is responsible for monitoring attendance in such a manner that verification of attendance throughout the entire program can be reliably assured.

(e) The sponsor shall maintain attendance records for a minimum of four (4) years from the date of the program. These records must include the following:

- (1) The date of the program.
- (2) The program title.
- (3) The presenter's name.
- (4) The names of all participants.
- (5) The number of continuing education hours granted each participant.

(f) Continuing education programs that are sponsored, accredited, or approved by the following organizations shall be deemed approved, and no prior approval by the board shall be required:

- (1) Academy for Cerebral Palsy and Developmental Medicine.
- (2) Academy of Family Mediators.

- (3) Accreditation Council on Continuing Medical Education (programs or seminars related to mental health).
- (4) American Association for Continuity of Care.
- (5) American Association for Diabetes.
- (6) American Association for Social Work with Groups/Spinal Cord Injury.
- (7) American Association of Marriage and Family Therapy.
- (8) American Association of Sex Educators, Counselors, and Therapists.
- (9) American Cancer Society.
- (10) American Counseling Association.
- (11) American Health Care Institute (programs or seminars related to mental health).
- (12) American Hospital Association (programs or seminars related to mental health).
- (13) American Medical Association (programs or seminars related to mental health).
- (14) American Mental Health Counselors Association.
- (15) American Psychiatric Association.
- (16) American Psychological Association.
- (17) American Red Cross (programs or seminars related to mental health).
- (18) Arthritis Association.
- (19) Association of Oncology Social Work.
- (20) Association of Pediatric Oncology Social Work.
- (21) Association for Treatment of Sexual Abusers.
- (22) Association of Social Work Boards.
- (23) Chicago Center for Family Health.
- (24) Commission on Rehabilitation Counselor Certification.
- (25) Employee Assistance Professional Association.
- (26) Employee Assistance Society of North America.
- (27) Federation of Societies for Clinical Social Work.
- (28) Federation of Society of Sex Educators and Therapists.
- (29) First Steps.
- (30) Healthy Families.
- (31) Hoosier Oncology Group.
- (32) Hospice Foundation of America.
- (33) Indiana Association of Home and Hospice Care.
- (34) Indiana Commission on Continuing Legal Education (programs or seminars related to mental health).
- (35) Indiana Council of Nephrology Social Workers.
- (36) Indiana Council on Adolescent Pregnancy.
- (37) Indiana Counselors Association for Alcohol and Drug Abuse.
- (38) Indiana Healthcare Ethics Network.
- (39) Indiana Hospice Association.
- (40) Indiana Hospital and Health Association (programs or seminars related to mental health).
- (41) Indiana Organ Procurement Organization.
- (42) Indiana Perinatal Association.
- (43) International Critical Incident Stress Foundation.
- (44) Leukemia and Lymphoma Society.
- (45) Mediation Matters.
- (46) Mental Health Association.
- (47) Midwest Regional Network for Intervention with Sex Offenders.
- (48) National Association for Family-Based Services.
- (49) National Association of Alcoholism and Drug Abuse Counselors.
- (50) National Association of Liver Transplant Social Workers.
- (51) National Association of Perinatal Social Work.
- (52) National Association of Social Workers.
- (53) National Board for Certified Counselors.
- (54) National Board of Addiction Examiners.
- (55) National Brain Tumor Foundation.
- (56) National Committee to Prevent Child Abuse.
- (57) National Council of Community Mental Health Centers.
- (58) National Council of Sexual Addiction and Compulsivity.
- (59) National Hospice Association.
- (60) National Kidney Foundation.
- (61) National Organization for Victim Assistance.
- (62) National Resource Center for Family Centered Practice.
- (63) National Spina Bifida Association.
- (64) Society of Heart and Lung Transplant Social Workers.

- (65) Solutions Training Institute.
- (66) The Alfred Adler Institute of Chicago.
- (67) The American Professional Society on the Abuse of Children.
- (68) The Center for Family Studies, Chicago, Illinois.
- (69) The Cincinnati Psychoanalytic Institute.
- (70) The Family Institute of Chicago.
- (71) The Family Institute/Center for Family Studies.
- (72) The Gestalt Institute of Cleveland.
- (73) The Indianapolis Gestalt Institute.
- (74) The Institute for Clinical Social Work, Chicago, Illinois.
- (75) The Institute for Psychoanalysis, Chicago, Illinois.
- (76) The International Institute of Object Relations Therapy.
- (77) The Jungian Institute of Chicago.
- (78) The National Association of Family Mediators.
- (79) The National Center for Child Abuse and Neglect.
- (80) The National Children's Advocacy Center.
- (81) The Society of Social Work Leadership in Health Care.
- (82) A national, regional, state, district, or local organization that operates as an affiliated entity under the approval of any organization listed in subdivisions (1) through (81).
- (83) Any institute or program focused on self-psychology.
- (84) Any institute or program approved by the social worker, marriage and family therapist, mental health counselor, and addiction counselor board of another state.
- (85) A university, college, or other teaching institution accredited by the United States Department of Education or the Council on Postsecondary Education.
- (86) A federal, state, or local government agency that coordinates and presents continuing education courses and programs in conjunction with this rule.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-6-2; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1512; readopted filed Dec 2, 2001, 12:30 p.m.: 25 IR 1314; filed Jun 1, 2006, 9:45 a.m.: 29 IR 3373; filed Jun 29, 2011, 9:12 a.m.: 20110727-IR-839090811FRA; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA)

839 IAC 1-6-3 Continuing education requirements

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 3. (a) A renewal period is defined as the two (2) year period beginning with April 1 of even-numbered years. A licensure year is defined as April 1 through March 31 of the following year.

(b) A licensee who renews a license as a social worker, clinical social worker, marriage and family therapist, marriage and family therapist associate, mental health counselor, mental health counselor associate, addiction counselor, or clinical addiction 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.

(c) A minimum of one (1) CEU of the required ten (10) Category I CEUs per year shall have a content area focusing on ethics and professional conduct, including boundary issues, from a Category I provider.

(d) If a licensee holds more than one (1):

- (1) social worker;
- (2) clinical social worker;
- (3) marriage and family therapist;
- (4) marriage and family therapist associate;
- (5) mental health counselor;
- (6) mental health counselor associate;
- (7) addiction counselor; or
- (8) clinical addiction counselor;

license issued under IC 25-23.6, then CEUs obtained to meet the CEUs required for renewal of one (1) license may be applied towards the CEUs required for renewal of each license held.

(e) CEUs shall:

- (1) be obtained within the biennial renewal period in which the licensee is applying; and
- (2) not be carried over from one (1) biennial renewal period to another.

(f) A holder of a license issued under IC 25-23.6 must retain a record of the continuing education required by section 2(a) of this rule for four (4) years following the end of the biennial renewal period in which it was obtained.

(g) Continuing education used to satisfy the continuing education requirements of another state, in which the licensee also holds a license to practice as a mental health professional, may be applied towards the CEUs required for renewal of a license issued under IC 25-23.6.

(h) A holder of a license issued under IC 25-23.6 who has been licensed for less than two (2) full years before the first renewal date for that license shall meet the following continuing education requirements for the licensee's first renewal period:

(1) A licensee who has been licensed for at least twelve (12) months, but less than twenty-four (24) months, shall complete at least one-half (1/2) of the CEUs required for renewal of that license. At least fifty percent (50%) of these CEUs shall be obtained from Category I, and not more than fifty percent (50%) shall be obtained from Category II.

(2) A licensee who has been licensed for less than twelve (12) months shall be exempt from the CEUs required for renewal of that initial license.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-6-3; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1514; readopted filed Dec 2, 2001, 12:30 p.m.: 25 IR 1316; filed Jun 1, 2006, 9:45 a.m.: 29 IR 3375; filed Jun 29, 2011, 9:12 a.m.: 20110727-IR-839090811FRA; filed Aug 1, 2012, 11:01 a.m.: 20120829-IR-839110676FRA)

839 IAC 1-6-4 Continuing education audit

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 4. The board may require additional evidence demonstrating the license holder's compliance with the continuing education requirements of this rule. This additional evidence shall be required in the context of a random audit. It is the responsibility of the license holder to verify that the CEUs obtained to meet the continuing education required for the renewal of their license have been approved by the board. It is the responsibility of the license holder to retain or otherwise produce evidence of compliance.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-6-4; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1515; readopted filed Oct 25, 2001, 4:20 p.m.: 25 IR 939; readopted filed Jul 19, 2007, 12:54 p.m.: 20070808-IR-839070049RFA; readopted filed November 25, 2013, 9:18 a.m.: 20131225-IR-839130273RFA)

839 IAC 1-6-5 Request for a waiver of the continuing education requirement

Authority: IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 5. (a) A holder of a license issued under IC 25-23.6, seeking renewal of that license without having completed the CEUs required for renewal under this rule, must submit:

- (1) a statement explaining the reasons for noncompliance;
 - (2) a request for a waiver of the CEUs required for renewal; and
 - (3) the renewal application and all required fees;
- at least forty-five (45) days prior to the license expiration date.

(b) The license holder must submit evidence that an extreme hardship exists, to the satisfaction of the board, to be granted a waiver.

(c) If the request is granted, the waiver will be effective for the length of the current renewal period only.

(d) If the request is denied, the license holder is responsible for completing the full amount of continuing education required for license renewal.

(e) Waivers may be granted if an extreme hardship exists. The board will determine whether an extreme hardship exists that would have prevented the licensee from obtaining his or her CEUs, including, but not limited to, the following:

(1) For at least one (1) year during the current renewal period, the licensee was absent from Indiana due to full-time service in the Armed Services of the United States.

(2) During the licensee's current renewal period, the licensee or an immediate family member, where the licensee has primary responsibility for the care of that family member, was suffering from or suffered a disability. A disability is a physical or mental impairment that substantially limits one (1) or more of the major life activities of an individual. The existence of the disability must be verified by a licensed physician or psychologist, with special expertise in the area of the disability. Verification of the disability must include the following:

(A) The nature and extent of the disability.

(B) An explanation of how the disability would hinder the licensee from completing the continuing education requirement.

(C) The name, title, address, telephone number, professional license number, and original signature of the licensed physician or psychologist verifying the disability.

(Behavioral Health and Human Services Licensing Board; 839 IAC 1-6-5; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1515; readopted filed Dec 2, 2001, 12:30 p.m.: 25 IR 1316; readopted filed Sep 26, 2008, 10:50 a.m.: 20081015-IR-839080337RFA)

839 IAC 1-6-6 Continuing education required for renewal on April 1, 2000 (Repealed)

Sec. 6. *(Repealed by Behavioral Health and Human Services Licensing Board; filed Dec 18, 2001, 9:11 a.m.: 25 IR 1634)*

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