

Secretary of State
NOTICE OF PROPOSED RULEMAKING*
A Statement of Need and Fiscal Impact accompanies this form

<u>Board of Licensed Professional Counselors and Therapists</u>	833
Agency and Division	Administrative Rules Chapter Number
<u>Becky Eklund</u>	(503) 378-5499, ext. 3
Rules Coordinator	Telephone
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Address	

RULE CAPTION

LMFT minimum experience requirements and graduate degree standards

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

Secure approval of rule numbers with the Administrative Rules Unit prior to filing

ADOPT:

AMEND:

833-020-0051
833-040-0021
833-060-0012

REPEAL:

RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

AMEND AND RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

Statutory Authority:

ORS 675.705 - 675.835

Other Authority:

Statutes Implemented:

ORS 675.705 - 675.835

RULE SUMMARY

Reduces minimum length of supervised work experience for LMFT interns from 3 to 2 years.

Clarifies graduate degree standards, making it clear that in order for graduate degrees to meet education requirements for license, the degree must be from a regionally accredited university or a nationally accredited program.

A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative

<u>12-31-2013 Close of Business</u>	<u>Becky Eklund</u>	<u>becky eklund@state.or.us</u>
Last Day (m/d/yyyy) and Time for public comment	Rules Coordinator Name	Email Address

FILED
11-7-13 8:43 AM
ARCHIVES DIVISION SECRETARY OF STATE

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00pm on the preceding workday. ARC 923-2003

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking accompanies this form.

Board of Licensed Professional Counselors and Therapists
Agency and Division

833
Administrative Rules Chapter Number

LMFT minimum experience requirements and graduate degree standards

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Licensing of marriage and family therapists and professional counselors.

Statutory Authority:

ORS 675.705 - 675.835

Other Authority:

Statutes Implemented:

ORS 675.705 - 675.835

Need for the Rule(s):

Will implement legislation passed during the 2013 regular session about equivalent years needed to satisfy experience requirements for licensure as a marriage and family therapist.

Will reduce confusion about Board practice and policy in approving education requirements for licensure.

Documents Relied Upon, and where they are available:

HB 2768 , 2013 Legislative website; <https://olis.leg.state.or.us/liz/2013R1/Measures/Text/HB2768/Enrolled>

Fiscal and Economic Impact:

The proposed rule to shorten the length of marriage and family therapy internships will save interns money for supervision and allow them to gain reimbursement for their services from insurance companies sooner.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

None.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

None.

a. Future applicants for license as professional counselors and marriage and family therapists; number unknown.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

Proposed changes will reduce the length of time an applicant must practice under supervision, thus reducing the record keeping and reporting.

c. Equipment, supplies, labor and increased administration required for compliance:

None.

How were small businesses involved in the development of this rule?

The Board of Counselors and Therapists consists of small and large businesses.

Individual practitioners worked to get the legislative changes that led to the proposed rule change.

Administrative Rule Advisory Committee consulted?: Yes

If not, why?:

The Board of Licensed Professional Counselors and Therapists serves as an advisory committee.

Last Day (m/d/yyyy) and Time
for public comment

Printed Name

Email Address

ARCHIVES DIVISION
SECRETARY OF STATE

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.

ARC 925-2007

833-020-0051

Reciprocity Method

(1) The reciprocity method is for applicants who seek acceptance of education and supervised clinical experience previously used to obtain a comparable license in another jurisdiction. The reciprocity method requires the applicant to document that the education and experience requirements under which the applicant obtained a comparable license held in another state are equivalent to the standards required for Oregon licensure as a professional counselor or as a marriage and family therapist.

(2) The Board will review each application designating the reciprocity method to determine if licensing is appropriate. The Board will compare the minimum standards in effect in the other jurisdiction when it granted a license with the current education, clinical experience, and examination standards required for Oregon licensure.

(3) Application for licensure must be submitted to the Board office in accordance with OAR 833-020-0011.

(4) The application must also include verification of from the sending state that applicant:

(a) Has a current, active license in that state;

(b) The license is comparable to the Oregon license requested;

(c) Applicant's license from other state is not temporary, probationary, expired, revoked, or suspended;

(d) The applicant has not been disciplined, including a reprimand or letter of concern; and

(e) Documentation of the education, clinical experience, and examination requirements for licensure in that state at the time licensure was granted.

(5) The applicant's license in the other state must have:

(a) Required at least a graduate degree in counseling, a graduate degree in marriage and family therapy, or a related degree. A related degree must have systemic coursework for a license as a marriage and family therapist;

(b) Been issued to an applicant whose qualifying degree meets Majority Standards for Graduate Degrees specified in OAR 833 Division 60;

(c) Required passage of a state or national competency exam; and

(d) Been obtained by a method of application that involved state review of documentation of education and clinical experience under adopted standards, and not obtained through reciprocity; act of portability; mutual recognition; recognition of non-governmental, professional certification or membership; waiver of any of the education, experience, or examination requirements; or "grandparenting".

(6) Five years or more of licensed clinical experience in another state may substitute for a maximum of 15 semester or 20 quarter credits of academic education required for licensure. Clinical experience may not substitute for diagnosis training.

(7) Completed supervised clinical experience performing direct client counseling or marriage and family therapy, which must have included no less than:

(a) At least 2,000 hours in at least two years or the equivalent for licensed professional counselor;

(A) A minimum of 1,000 hours of the required 2,000 must be direct client contact;

(B) A maximum of 1,000 hours of the required 2,000 may be from supervision, consulting, reporting.

(b) At least 2,000 hours earned in at least 3 years must be in the presence of a client for licensed marriage and family therapist.

(c) For those who apply on or after January 2, 2014, at least 2,000 hours earned in at least two years or the equivalent must be in the presence of a client for licensed marriage and family therapist.

(8) Five or more years of post license clinical experience may substitute for 1,000 hours of the required, supervised direct client contact hours required for Oregon licensure.

(9) The applicant must meet the examination requirements specified in:

(a) 833-020-0081 and 833-030-0041 for licensure as a professional counselor; or

(b) 833-020-0081 and 833-040-0041 for licensure as a marriage and family therapist.

(10) Documentation of acceptance on the national credentials registry for professional counselors may substitute for education and experience requirements for licensure as a professional counselor.

OAR 833-040-0021

Experience Requirements for Licensure as a Marriage and Family Therapist

(1) To qualify for licensure as a marriage and family therapist under ORS 675.715(4) and 675.720, an applicant must have completed at least three years of full-time supervised clinical

experience that consisted of no less than 2,000 supervised client contact hours of therapy with at least 1,000 of those hours working with couples and families.

(2) Those who apply to become a licensed marriage and family therapist on or after January 2, 2014, must have completed the equivalent of three years of full-time supervised clinical experience that consisted of no less than 2,000 supervised client contact hours of therapy with at least 1,000 of those hours working with couples and families.

(2-3) Direct client contact hours must have been:

(a) Obtained after receipt of the qualifying graduate degree; and

(b) Face to face with a client or clients including through electronic communication.

833-060-0012

Comparable Full Standards

The Board shall determine which graduate degrees are comparable in content and quality to degrees from CACREP, COAMFTE, or CORE approved programs and consistent with the Board's Code of Ethics. Degrees must meet the following standards. The degree was from an institution that:

(1) Was a fully accredited member of one of the regional institutional accreditation bodies at the time the degree was granted; ~~or~~

(2) Offered a minimum of a master's degree;

(3) Was at least two years' duration and at least:

(a) 48 semester credit hours or 72 quarter hours for graduate degrees granted before October 1, 2014; or

(b) 60 semester credit hours or 90 quarter credit hours for graduate degrees granted on or after October 1, 2014.

(4) Included all coursework requirements set forth in OAR 833-060-0042 or 833-060-0052.

(5) Included a required supervised clinical experience for all students of no less than:

(a) 600 total clock hours to include 240 direct client contact hours, for graduate degrees granted before October 1, 2014; or

(b) 700 total clock hours to include 280 direct client contact hours, for graduate degrees granted on or after October 1, 2014.

- (6) Facilitated a practicum and/or internship experience that:
- (a) Had supervisory staff with a minimum of a master's degree in the program emphasis and with pertinent professional experience;
 - (b) Made provision for faculty monitoring of operations;
 - (c) Kept records of student-client contact hours including summary of student progress by the supervisor;
 - (d) Had a written agreement with the program and student specifying learning objectives; and
 - (e) Had a mechanism for program evaluation.