

CHAPTER 33
DISCIPLINE FOR MARITAL AND FAMILY THERAPISTS,
MENTAL HEALTH COUNSELORS, BEHAVIOR ANALYSTS,
AND ASSISTANT BEHAVIOR ANALYSTS

[Prior to 1/30/02, see 645—Chapter 31]

645—33.1(154D,272C) Grounds for discipline. The board may impose any of the disciplinary sanctions provided in rule 645—33.3(147,272C) when the board determines that the licensee is guilty of any of the following acts or offenses or those listed in 645—Chapter 13:

33.1(1) Failure to comply with the national association’s code of ethics.

a. Marital and family therapists. Failure to comply with the current American Association for Marriage and Family Therapy (AAMFT) Code of Ethics revised January 2015, which is hereby adopted by reference. Copies of the Code of Ethics may be obtained from the AAMFT’s website.

b. Mental health counselors. Failure to comply with the current Code of Ethics of the American Counseling Association (ACA) published 2014, which is hereby adopted by reference. Copies of the Code of Ethics may be obtained from the ACA website.

c. Behavior analysts and assistant behavior analysts. Failure to comply with the current Behavior Analyst Certification Board (BACB) Professional and Ethical Compliance Code for Behavior Analysts published January 2023, which is hereby adopted by reference. Copies of the Professional and Ethical Compliance Code may be obtained from the BACB website.

33.1(2) Sexual relationships.

a. Current clients. A licensee shall not engage in sexual activities or sexual contact with a client, regardless of whether such contact is consensual or nonconsensual.

b. Former clients. A licensee shall not engage in sexual activities or sexual contact with a former client within the five years following termination of the client relationship. A licensee shall not engage in sexual activities or sexual contact with a former client, regardless of the length of time elapsed since termination of the client relationship, if the client has a history of physical, emotional, or sexual abuse or if the client has ever been diagnosed with any form of psychosis or personality disorder or if the client is likely to remain in need of therapy due to the intensity or chronicity of a problem.

c. A licensee shall not engage in sexual activities or sexual contact with a client’s or former client’s spouse or significant other.

d. A licensee shall not engage in sexual activities or sexual contact with a client’s or former client’s relative within the second degree of consanguinity (client’s parent, grandparent, child, grandchild, or sibling) when there is a risk of exploitation or potential harm to a client or former client.

e. A licensee shall not provide clinical services to an individual with whom the licensee has had prior sexual contact.

33.1(3) Physical contact. A licensee shall not engage in physical contact with a client when there is a possibility of psychological harm to the client as a result of the contact. A licensee who engages in appropriate physical contact with a client is responsible for setting clear, appropriate, and culturally and age-sensitive boundaries which govern such contact.

This rule is intended to implement Iowa Code chapters 17A, 147, 154D and 272C.
[ARC 7919C, IAB 5/1/24, effective 6/5/24]

[Filed emergency 9/24/93—published 10/13/93, effective 9/24/93]

[Filed 2/11/94, Notice 10/13/93—published 3/2/94, effective 4/7/94]

[Filed 11/17/94, Notice 9/14/94—published 12/7/94, effective 1/11/95]

[Filed 8/21/98, Notice 7/15/98—published 9/9/98, effective 10/14/98]

[Filed 4/2/99, Notice 2/10/99—published 4/21/99, effective 5/26/99]

[Filed 5/28/99, Notice 4/7/99—published 6/16/99, effective 7/21/99]

[Filed 2/1/01, Notice 10/18/00—published 2/21/01, effective 3/28/01]

[Filed 12/6/01, Notice 10/3/01—published 12/26/01, effective 1/30/02]

[Filed 12/12/03, Notice 10/15/03—published 1/7/04, effective 2/11/04]

[Filed 6/15/05, Notice 4/13/05—published 7/6/05, effective 8/10/05]

[Filed 12/9/05, Notice 10/12/05—published 1/4/06, effective 2/8/06]

[Filed 2/10/06, Notice 1/4/06—published 3/1/06, effective 4/5/06]

[Filed 12/11/08, Notice 10/22/08—published 1/14/09, effective 2/18/09]

[Filed ARC 9547B (Notice ARC 9416B, IAB 3/9/11), IAB 6/1/11, effective 7/6/11]

[Filed ARC 0777C (Notice ARC 0679C, IAB 4/3/13), IAB 6/12/13, effective 7/17/13]

[Filed Emergency ARC 4390C, IAB 4/10/19, effective 3/22/19]

[Filed ARC 4557C (Notice ARC 4389C, IAB 4/10/19), IAB 7/17/19, effective 8/21/19]

[Filed ARC 5767C (Notice ARC 5442C, IAB 2/24/21), IAB 7/14/21, effective 8/18/21]

[Filed ARC 7919C (Notice ARC 7295C, IAB 1/24/24), IAB 5/1/24, effective 6/5/24]