

PROFESSIONAL LICENSURE DIVISION[645]

Adopted and Filed

Pursuant to the authority of Iowa Code section 147.76, the Board of Behavioral Science hereby amends Chapter 31, "Licensure of Marital and Family Therapists and Mental Health Counselors," and Chapter 33, "Discipline for Marital and Family Therapists and Mental Health Counselors," Iowa Administrative Code.

These amendments clarify the amount of time a licensure application is active, update the supervised clinical experience requirements, remove outdated language for licensure by endorsement, and clarify that conviction of a crime includes when judgment of conviction or sentence was deferred.

Notice of Intended Action was published in the Iowa Administrative Bulletin on April 3, 2013, as **ARC 0679C**. A public hearing was held April 23, 2013, from 8 to 8:30 a.m. in the Fifth Floor Board Conference Room 526, Lucas State Office Building. No public comment was received on the proposed amendments. These amendments are identical to those published under Notice.

These amendments were adopted by the Iowa Board of Behavioral Science on May 14, 2013.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code sections 147.3, 147.10, 147.55, 154D.2 and 154D.7.

These amendments will become effective on July 17, 2013.

The following amendments are adopted.

ITEM 1. Rescind subrule 31.2(10) and adopt the following **new** subrule in lieu thereof:

31.2(10) Submitting complete application materials. An application for a temporary or permanent license will be considered active for two years from the date the application is received. If the applicant does not submit all materials within this time period or if the applicant does not meet the requirements for the license, the application shall be considered incomplete. An applicant whose application is filed incomplete must submit a new application, supporting materials, and the application fee. The board shall destroy incomplete applications after two years.

ITEM 2. Rescind subrule 31.5(1) and adopt the following **new** subrule in lieu thereof:

31.5(1) The supervised clinical experience shall:

a. Be a minimum of two years or the equivalent of full-time, postgraduate supervised professional work experience in marital and family therapy.

b. Be completed following completion of the practicum, internship, and all graduate coursework, with the exception of the thesis.

c. Include successful completion of at least 3,000 hours of marital and family therapy that shall include at least 1,500 hours of direct client contact and 200 hours of clinical supervision. Applicants who entered a program of study prior to July 1, 2010, shall include successful completion of 200 hours of clinical supervision concurrent with 1,000 hours of marital and family therapy conducted in person with couples, families and individuals.

d. Include a minimum of 25 percent of all clinical supervision in person. Up to 75 percent of all supervision may be completed by electronic means with no more than 50 percent completed by telephone. Supervision by electronic means is acceptable if:

(1) The first two meetings are face-to-face and in person; and

(2) The system utilized is a confidential, interactive, secure, real-time system that provides for visual and audio interaction between the licensee and the supervisor.

e. Include in the 200 hours of clinical supervision at least 100 hours of individual supervision.

f. Follow and maintain a plan throughout the supervisory period established by the supervisor and the licensee. Such a plan must be kept by the licensee for a period of five years following receipt of the permanent license and must be submitted to the board upon request. The plan for supervision shall include:

- (1) The name, license number, date of licensure, address, telephone number, and e-mail address (when available) of the supervisor;
 - (2) The name, license number, address, telephone number, and e-mail address (when available) of supervisee;
 - (3) Employment setting in which experience will occur;
 - (4) The nature, duration and frequency of supervision;
 - (5) The number of hours of supervision per month;
 - (6) The supervisor/licenses type (individual/group) and mode (face-to-face/electronic) of supervision;
 - (7) The methodology for secure transmission of case information;
 - (8) The beginning date of supervised professional practice and estimated date of completion;
 - (9) The goals and objectives for the supervised professional practice; and
 - (10) The signatures of the supervisor and licensee, and the dates of signatures.
- g. Have only supervised clinical contact credited for this requirement.

ITEM 3. Rescind subrule 31.7(1) and adopt the following **new** subrule in lieu thereof:

31.7(1) The supervised clinical experience shall:

- a. Be a minimum of two years or the equivalent of full-time, postgraduate supervised professional work experience in mental health counseling.
- b. Be completed following completion of the practicum, internship, and all graduate coursework, with the exception of the thesis.
- c. Include successful completion of at least 3,000 hours of mental health counseling that shall include at least 1,500 hours of direct client contact and 200 hours of clinical supervision. Applicants who entered a program of study prior to July 1, 2010, shall include successful completion of 200 hours of clinical supervision concurrent with 1,000 hours of mental health counseling conducted in person with couples, families and individuals.
- d. Include a minimum of 25 percent of all clinical supervision in person. Up to 75 percent of all supervision may be completed by electronic means with no more than 50 percent completed by telephone. Supervision by electronic means is acceptable if:
 - (1) The first two meetings are face-to-face and in person; and
 - (2) The system utilized is a confidential, interactive, secure, real-time system that provides for visual and audio interaction between the licensee and the supervisor.
- e. Include in the 200 hours of clinical supervision at least 100 hours of individual supervision.
- f. Follow and maintain a plan throughout the supervisory period established by the supervisor and the licensee. Such a plan must be kept by the licensee for a period of five years following receipt of the permanent license and must be submitted to the board upon request. The plan for supervision shall include:
 - (1) The name, license number, date of licensure, address, telephone number, and e-mail address (when available) of the supervisor;
 - (2) The name, license number, address, telephone number, and e-mail address (when available) of supervisee;
 - (3) Employment setting in which experience will occur;
 - (4) The nature, duration and frequency of supervision;
 - (5) The number of hours of supervision per month;
 - (6) The supervisor/licenses type (individual/group) and mode (face-to-face/electronic) of supervision;
 - (7) The methodology for secure transmission of case information;
 - (8) The beginning date of supervised professional practice and estimated date of completion;
 - (9) The goals and objectives for the supervised professional practice; and
 - (10) The signatures of the supervisor and licensee, and the dates of signatures.
- g. Have only supervised clinical contact credited for this requirement.

ITEM 4. Amend subparagraph **31.7(2)“b”(3)** as follows:
(3) May be an alternate supervisor who possesses qualifications equivalent to a licensed mental health counselor with at least three years of postlicensure clinical experience, including mental health professionals licensed pursuant to Iowa Code chapter 147 to practice independently; and

ITEM 5. Rescind numbered paragraph “7” in rule **645—31.8(154D)**.

ITEM 6. Amend subparagraph **31.16(3)“a”(2)** as follows:
(2) Verification of completion of 40 hours of continuing education obtained within the two years of immediately preceding the application for reactivation.

ITEM 7. Amend subparagraph **31.16(3)“b”(2)** as follows:
(2) Verification of completion of 80 hours of continuing education obtained within the two years of immediately preceding the application for reactivation.

ITEM 8. Amend subrule 33.2(12) as follows:
33.2(12) Conviction of a crime related to the profession or occupation of the licensee or the conviction of any crime that would affect the licensee’s ability to practice within the profession, regardless of whether the judgment of conviction or sentence was deferred. A copy of the record of conviction or plea of guilty shall be conclusive evidence.

[Filed 5/14/13, effective 7/17/13]

[Published 6/12/13]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 6/12/13.