

CHAPTER 154D

BEHAVIORAL SCIENCE

Referred to in §135.24, 135L.3, 147.74, 147.76, 249A.15A, 489.1101, 622.10, 714H.4

[P]
Enforcement, §147.87, 147.92
Penalty, general, §147.86

154D.1	Definitions.	154D.5	Sexual conduct with client.
154D.2	Licensure — marital and family therapy — mental health counseling.	154D.6	Transition provisions. Repealed by 2008 Acts, ch 1088, §79.
154D.3	Board organization and authority.	154D.7	Temporary license — marital and family therapy — mental health counseling — fees.
154D.4	Exemptions.		

154D.1 Definitions.

As used in this chapter, unless the context otherwise requires:

1. “*Board*” means the board of behavioral science established in chapter 147.
 2. “*Licensed marital and family therapist*” means a person licensed to practice marital and family therapy under chapter 147 and this chapter.
 3. “*Licensed mental health counselor*” means a person licensed to practice mental health counseling under chapter 147 and this chapter.
 4. “*Licensee*” includes a licensed marital and family therapist and a licensed mental health counselor.
 5. “*Marital and family therapy*” means the application of counseling techniques in the assessment and resolution of emotional conditions. This includes the alteration and establishment of attitudes and patterns of interaction relative to marriage, family life, and interpersonal relationships.
 6. “*Mental health counseling*” means the provision of counseling services involving assessment, referral, consultation, and the application of counseling, human development principles, learning theory, group dynamics, and the etiology of maladjustment and dysfunctional behavior to individuals, families, and groups.
 7. “*Temporary license*” means a license to practice marital and family therapy or mental health counseling under direct supervision of a qualified supervisor as determined by the board by rule to fulfill the postgraduate supervised clinical experience requirement in accordance with this chapter.
 8. “*Temporary licensed marital and family therapist*” means a person licensed to practice marital and family therapy under supervision in accordance with section 154D.7.
 9. “*Temporary licensed mental health counselor*” means a person licensed to practice mental health counseling under supervision in accordance with section 154D.7.
- 91 Acts, ch 229, §6; 2007 Acts, ch 10, §149; 2008 Acts, ch 1088, §65

154D.2 Licensure — marital and family therapy — mental health counseling.

An applicant for a license to practice marital and family therapy or mental health counseling shall be granted a license by the board when the applicant satisfies all of the following requirements:

1. Possesses a master’s degree in marital and family therapy or mental health counseling, as applicable, consisting of at least sixty semester hours, or its equivalent, from a nationally accredited institution or from a program approved by the board.
 2. Has at least two years of supervised clinical experience or its equivalent as approved by the board. Standards for supervision, including the required qualifications for supervisors, shall be determined by the board by rule.
 3. Passes an examination approved by the board.
- 91 Acts, ch 229, §7; 94 Acts, ch 1170, §25, 26; 2004 Acts, ch 1090, §2, 3; 2005 Acts, ch 89, §17, 18; 2006 Acts, ch 1184, §97; 2008 Acts, ch 1088, §66

Referred to in §154D.4

154D.3 Board organization and authority.

1. In addition to duties and responsibilities provided in chapters 147 and 272C, the board shall adopt rules relating to:

- a. Standards required for licensees engaging in the professions covered by this chapter.
- b. Standards for professional conduct of persons licensed under this chapter.
- c. The administration of this chapter.
- d. The status of active and inactive licensure, and guidelines for reentry of inactive licensees.
- e. Educational activities which fulfill continuing education requirements for license renewals.

2. The board may establish subcommittees. A decision or recommendation of a subcommittee shall not become effective without approval of the board. The board may initiate action relating to either of the professions within its jurisdiction.

91 Acts, ch 229, §8; 98 Acts, ch 1050, §2, 5; 2008 Acts, ch 1088, §67

154D.4 Exemptions.

1. This chapter and chapter 147 do not prevent qualified members of other professions, including but not limited to nurses, psychologists, social workers, physicians, physician assistants, attorneys at law, or members of the clergy, from providing or advertising that they provide services of a marital and family therapy or mental health counseling nature consistent with the accepted standards of their respective professions, but these persons shall not use a title or description denoting that they are licensed marital and family therapists or licensed mental health counselors.

2. The licensure requirements of this chapter and chapter 147 do not apply to the following:

a. Students whose activities are conducted within a course of professional education in marital and family therapy or mental health counseling.

b. A person who practices marital and family therapy or mental health counseling under the supervision of a person licensed under this chapter as part of a clinical experience as described in section 154D.2, subsection 2.

c. The provision of children, family, or mental health services through the department of human services or juvenile court, or agencies contracting with the department of human services or juvenile court, by persons who do not represent themselves to be either a marital and family therapist or a mental health counselor.

91 Acts, ch 229, §9; 98 Acts, ch 1050, §3, 5; 2008 Acts, ch 1088, §68

154D.5 Sexual conduct with client.

The license of a marital and family therapist or a mental health counselor shall be revoked if the board finds that the licensee engaged in sexual activity with a client as determined by board rule. The revocation shall be in addition to any other penalties provided by law.

91 Acts, ch 229, §10; 2008 Acts, ch 1088, §69

154D.6 Transition provisions. Repealed by 2008 Acts, ch 1088, § 79.**154D.7 Temporary license — marital and family therapy — mental health counseling — fees.**

Any person who has fulfilled all of the requirements for licensure under this chapter, except for having completed the postgraduate supervised clinical experience requirement as determined by the board by rule, may apply to the board for a temporary license. The license shall be designated “temporary license in marital and family therapy” or “temporary license in mental health counseling” and shall authorize the licensee to practice marital and family therapy or mental health counseling under the supervision of a qualified supervisor as determined by the board by rule. The license shall be valid for three years and may be renewed at the discretion of the board. The fee for a temporary license shall be set by the

board to cover the administrative costs of issuing the license, and if renewed, a renewal fee as set by the board shall be required.

2008 Acts, ch 1088, §70

Referred to in §154D.1