*The Virginia General Assembly required the Board of Counseling to promulgate regulations for the issuance of a temporary license to Residents in Counseling.*

*The Board developed emergency regulations which will be effective December 23, 2019.*

*The information below was developed to assist residents and their supervisors identify the changes and the requirements for a Licensed Resident in Counseling.*

**Key Regulations changes for Resident in Counseling effective December 23, 2019.**

1. Residents will be issued a temporary license once meeting the minimum requirements outlined in 18VAC115-20-52(A).
2. Once temporarily licensed as a Resident in Counseling, a resident will not be required to submit an application if adding/changing worksites or supervisors.
3. A supervisory contract must be established prior to providing clinical counseling services and before counting hours toward licensure. *Supervisory contract is an agreement that outlines the expectations and responsibilities of the supervisor and resident in accordance with regulations of the board*
4. Licensed residents must renew their license each year and are required to complete three (3) hours of continuing education (CE) hours in ethics, standards of practice or laws governing behavioral science professions in Virginia.
5. Residents will be required to pass the NCMHCE exam within six (6) years from the date of initial issuance of a Resident in Counseling license.
6. The Verification of Supervision form completed and signed by the supervisor must be notarized.
7. Random audits will be conducted to verify the Licensed Resident in Counseling is meeting the minimum requirements which would include verification of a signed supervisory contract.
8. Licensed residents will be responsible for ensuring supervisor(s) have met the supervisor requirements and are listed on the Supervisor Registry.
9. Individuals applying for initial residency licensure will be required to complete and submit the new updated application, fee and supplemental documentation effective December 23, 2019.

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| **Residency Requirements** | **(OLD) Registration as a Resident in Counseling** | **(NEW) Licensed as a Resident in Counseling – Effective 12/23/2019** |
| --- | --- | --- |
| Education Requirements | Must meet the graduate degree requirements specified in [18VAC115-20-49](https://www.dhp.virginia.gov/counseling/counseling_laws_regs.htm) and coursework and internship requirements specified in [18VAC115-20-51](https://www.dhp.virginia.gov/counseling/counseling_laws_regs.htm) prior to being approved to start residency. | Requirements remain unchanged. |
| Initial application | Submit application signed by applicant and supervisor, official transcript, verification of coursework, degree and internship, application fee, and evidence of supervisor’s training. The Board must approve prior to resident providing clinical counseling services and before counting hours toward licensure. | Submit application signed by applicant, copy of signed supervisory contract, application fee, official transcript, NPDB report, evidence that supervisor meets the minimum requirements and is listed on the [supervisor registry](https://www.dhp.virginia.gov/counseling/counseling_supervisors.htm) and verification of coursework, degree and internship. You must hold a current Resident in Counseling license prior to providing clinical counseling services and before counting hours toward licensure. |
| Change in Supervision | Submit application signed by applicant and supervisor and evidence of supervisor’s training prior to providing clinical counseling services or counting hours toward licensure. | After issuance of a temporary residency license, a resident will not be required to submit an application, pay a fee or notify the Board in order to add/change a supervisor or worksite. However, a resident must have a signed and established supervisory contract for each supervisor and worksite prior to providing clinical counseling services and before counting hours toward licensure. A copy each supervisory contract is to be retained by the resident and supervisor. |
| Supervisor Qualifications  Supervisor Qualifications | Supervisor must hold an active, unrestricted licensed as a LPC or LMFT with two years of post-licensure active clinical practice. Supervisor must have received professional training in supervision consisting of three (3) credit hours of graduate level coursework in supervisor or at least 20 hours of continuing education in supervision offered by an approved provider. Board verifies the supervisor is qualified. | Requirements remain unchanged; however, when adding or changing a supervisor, the licensed Resident in Counseling is responsible for ensuring the supervisor meets the supervisor requirements by verifying the supervisor’s credentials and approval as a supervisor on the [*Supervisor Registry*](https://www.dhp.virginia.gov/counseling/counseling_supervisors.htm) on the Board’s website. |
| Approval Notification | Board sends an email to the resident and supervisor. Residents who were approved after August 24, 2016 can look up their status on “[License Lookup](https://dhp.virginiainteractive.org/Lookup/Index)”. | Board will send an email to the resident and supervisor and issue the resident a temporary license as a Resident in Counseling. The temporary residency license information will be available on “[License Lookup](https://dhp.virginiainteractive.org/Lookup/Index)”. Licensed residents are required to post a copy of their license in a conspicuous place as stated in section § 54.1-3506.1. of the Code of Virginia. |
| Residency Requirements | Complete a total of 3,400 hours of total residency with 2,000 hours of face-to-face client contact in no less than 21 months and no more than four years as specified in [18VAC115-20-52](https://www.dhp.virginia.gov/counseling/counseling_laws_regs.htm). | Requirements remain unchanged. |
| Supervision Requirements | Complete 200 hours of in-person supervision of which 100 hours must be with a qualified LPC supervisor. (100 of the 200 hours can be in group supervision.) Supervision must occur at a minimum of one hour and a maximum of four hours per 40 hours of work experience during the residency. | Requirements remain unchanged. |
| Time Frame | Residency expires four years after approved. | Resident license expires each year on the month in which the resident license was initially issued and can be renewed up to five (5) times for a total of six (6) years. |
| Examination | Typically, the Board approves a resident to sit for the examination after residency hours are completed and resident submits an application for licensure. Once the licensure application is approved, the resident is given two (2) years to pass the examination. If the resident did not pass the examination within the two (2) years, the resident can reapply to sit for the examination and be given an opportunity for an additional two years to pass the examination. | The NCMCHE Examination must be passed within six (6) years from the date of initial issuance of the resident license. A licensed resident can take the examination at any point during the residency without Board pre-approval. An extension request after the six (6) year time period will not be considered. |
| Residency hours completed but resident is still waiting to pass the examination | Regulations require anyone providing clinical counseling services in Virginia in a non-exempt setting to be under Board approved supervised residency or be licensed as a VA LPC. | A resident must remain in residency practicing under supervision with a current resident license until passage of the NCMHCE exam, submitted an application for licensure, and granted a license as a VA LPC. |
| Applying for licensure by submitting the LPC by Examination Application | Residents submit the LPC by Examination application once they have completed their residency. | Licensed residents will be required to submit the LPC by Examination application once they have completed the residency requirements and passed the NCMHCE examination. |
| Renewal | Residents were not required to renew. | All licensed residents must renew their license each year. The resident must attest that they hold a current supervisory contract with a board-approved supervisor for each location where the resident is providing clinical counseling services. A licensed resident must meet the renewal requirements in [18VAC115-20-100](https://www.dhp.virginia.gov/counseling/counseling_laws_regs.htm) in order to maintain a license in current active status. |
| Continuing Education | None required. | All licensed residents must complete three (3) hours of continuing education hours that emphasize ethics, standards of practice or laws governing behavioral science professions in Virginia, offered by an approved provider in [18VAC115-20-106(B).](https://www.dhp.virginia.gov/counseling/counseling_laws_regs.htm) |
| Quarterly Evaluation Forms | [Quarterly Evaluation Forms](https://www.dhp.virginia.gov/counseling/counseling_forms.htm) must be completed by the Board-approved supervisor at the end of each three-month period and given to the resident to hold in their records until they submit the LPC by Examination application. | Requirements remain unchanged. |
| Verification of Clinical Supervision Form | [Verification of Supervision form](https://www.dhp.virginia.gov/counseling/counseling_forms.htm) should be completed by the Board-approved supervisor at the completion or termination of supervision. The verification form should be given to the resident to keep in their records until they submit the LPC by Examination application. | Requirements remain unchanged except for the verification form must now be notarized. (Verification forms that were completed and signed prior to December 23, 2019 are not required to be notarized.) |
| Audit | Not applicable. | License residents will be randomly audited by the Board to ensure they are practicing in accordance with the Regulations, which can include but not limited to, practicing under a Board-approved supervisor with a signed supervisory contract. |
| Practicing with expired license | Not applicable. | Practice with an expired license is prohibited and may constitute grounds for disciplinary action. |
| [Supervisory Contract](https://www.dhp.virginia.gov/counseling/counseling_forms.htm) | The application signed by the resident and supervisor was considered a contract. | All licensed residents must have an established supervisory contract in place. Examples of a supervisory contract is available on the Board’s website. |
| [Fees](https://www.dhp.virginia.gov/counseling/counseling_fees.htm) | Initial Residency Application: $65.00  Add/Change of Supervision Application: $30.00 | Initial Residency Licensure Application Fee: $65.00  Annual Renewal Fee: $30.00  Late Renewal Fee: $10.00 |
| Billing | Residents cannot directly bill for services rendered. | Requirements remain unchanged. |
| Notification to Public | Residents cannot call themselves professional counselors or in any way represent themselves as independent, autonomous practitioners or professional counselors. During the residency, residents must use their names and initials of their degree, and the title “Resident in Counseling” in all written communications. Clients must be informed in writing the supervisor’s name, professional address and phone number. | Residents cannot call themselves professional counselors or in any way represent themselves as independent, autonomous practitioners or professional counselors. During the residency, resident must use their names and initials of their degree, their resident license number, and the title “Resident in Counseling” in all written communications. Clients must be informed in writing that the resident does not have authority for independent practice and is under supervision and must provide the supervisor’s name, professional address and phone number. |

**Licensed Resident in Counseling FAQs**

**RESIDENCY:**

**I was previously approved by the Board as a Resident in Counseling, how do these new regulation affect me?**

If you were approved as a resident in counseling prior to 12/23/2019, the below regulations changes will affect you:

* As a resident, you will need to hold a current supervisory contract that outlines the expectations and responsibilities of the supervisor and resident in accordance with the regulations of the board for each supervisor and worksite. [Supervisory contract](https://www.dhp.virginia.gov/counseling/counseling_supervisors.htm) example is available under “Applications & Forms” or under “Supervisor Information” on the Board’s website.
* You will be required to renew your license ($30.00 fee) each year in which you are in residency. You will be required to renew on or before January 31st of each year starting January 31, 2021.
* Complete 3 hours of continuing education in ethics, standards of practice, or laws governing behavioral science professions in Virginia, offered by an approved provider listed in [18VAC115-20-106(B)](https://www.dhp.virginia.gov/counseling/counseling_laws_regs.htm) prior to your expiration date.
* Residents must remain in a residency with an active resident license practicing under supervision until the resident has passed the NCMHCE, applied for licensure by submitting the LPC by Examination application and granted a licensed as a Virginia License Professional Counselor (LPC).
* Only after you have completed your residency hours and passed the NCMHCE examination do you submit the LPC by Examination Application Packet. You are not required to gain pre-approval to sit for the NCMHCE examination. You can take the examination at any point during your residency. You will need to register directly with the examination provider. Please refer to the [Examination Information](https://www.dhp.virginia.gov/counseling/counseling_exam.htm) on our website for information related to the examination.
* During the residency, resident must use their names and initials of their degree, their resident license number, and the title “Resident in Counseling” in all written communications. Clients must be informed in writing that the resident does not have authority for independent practice and is under supervision and must provide the supervisor’s name, professional address and phone number.
* To change or add a supervisor or worksite, a resident will no longer be required to submit an application, pay a fee or notify the Board in order to add/change a supervisor or worksite. However, a resident must have a signed and established supervisory contract for each supervisor and worksite prior to providing clinical counseling services and before counting hours toward licensure. A copy each supervisory contract is to be retained by the resident and supervisor. Additionally, it is the resident’s responsibility to ensure that the supervisor is qualified to supervise your residency.
* After 12/23/2019, your supervisor should use the current verification of supervision form which must be notarized. Verification forms completed and signed prior to 12/23/2019 are not required to be notarized.
* As a Licensed Resident in Counseling you are not allowed to directly bill for services.
* Once you receive your resident license, you must post a copy of their license in a conspicuous place as stated in section § 54.1-3506.1 of the Code of Virginia.
* The residency requirement remain the same and you must complete your hours in no less than 21 months and no more than four years. In total, your residency license can be renewable 5 times (6 total years), which will allow residents adequate time to sit and pass the NCMHCE examination.

**I was approved by the Board previously to sit for the examination, how does the new Regulations affect me?**

If you were approved as a resident and previously approved to sit for the examination, the below changes will affect you:

* Your LPC by examination application will expire after the two year time limit sent to you via email when you were first approved to sit for the exam. If you do not pass the examination within this two years you will be required to re-apply once you pass the examination. If you pass the examination within the two years, you are not required to submit another LPC by Examination application or fee.
* In total, your temporary residency license can be renewed 5 times (6 total years), which will allow residents adequate time to sit and pass the NCMHCE examination. The regulations state that a resident is required to pass the NCMHCE within six years from the date of initial issuance of a resident license by the board. Therefore, you will be given an additional 6 years to pass the examination. Examination scores after the 6 year period will not be accepted.
* As a resident, you will need to hold a current supervisory contract that outlines the expectations and responsibilities of the supervisor and resident in accordance with the regulations of the board for each supervisor and worksite. [Supervisory contract](https://www.dhp.virginia.gov/counseling/counseling_supervisors.htm) example is available under “Applications & Forms” or under “Supervisor Information” on the Board’s website.
* You will be required to renew your license ($30.00 fee) each year in which you are in residency. You will be required to renew on or before January 31st of each year starting January 31, 2021.
* Complete 3 hours of continuing education in ethics, standards of practice, or laws governing behavioral science professions in Virginia, offered by an approved provider listed in [18VAC115-20-106(B)](https://www.dhp.virginia.gov/counseling/counseling_laws_regs.htm) prior to your expiration date.
* Residents must remain in a residency with an active resident license practicing under supervision until the resident has passed the NCMHCE, applied for licensure by submitting the LPC by Examination application and granted a licensed as a Virginia License Professional Counselor (LPC).
* During the residency, resident must use their names and initials of their degree, their resident license number, and the title “Resident in Counseling” in all written communications. Clients must be informed in writing that the resident does not have authority for independent practice and is under supervision and must provide the supervisor’s name, professional address and phone number.
* To change or add a supervisor or worksite, a resident will no longer be required to submit an application, pay a fee or notify the Board in order to add/change a supervisor or worksite. However, a resident must have a signed and established supervisory contract for each supervisor and worksite prior to providing clinical counseling services and before counting hours toward licensure. A copy each supervisory contract is to be retained by the resident and supervisor. Additionally, it is the resident’s responsibility to ensure that the supervisor is qualified to supervise your residency.
* As a Licensed Resident in Counseling you are not allowed to directly bill for services.
* Once you receive your resident license, you must post a copy of their license in a conspicuous place as stated in section § 54.1-3506.1. of the Code of Virginia.

**I am currently a Resident in Counseling. Will I be issued a residency license?**

Yes, all current Residents in Counseling registered and approved by the Board will be issued a resident license and will be required to renew their license one year from issuance of the resident license. The Board will issue all current Residents in Counseling a license in January 2020.

**As a licensed Resident in Counseling, will I receive a license in the mail?**

Yes, all licensed Residents in Counseling will receive a hard copy license, which will be mailed to the address of record with the Board. If your address has changed, you should immediately submit a [Name/Address Change Form](https://www.dhp.virginia.gov/Forms/counseling/NameAddressChangeForm.pdf).

The hard copy license will be issued without an expiration date. (Your expiration date can be found on DHP’s [License Lookup](https://dhp.virginiainteractive.org/Lookup/Index).) This final copy should be maintained, carried, or posted in accordance with relevant applicable laws and regulations. State health regulatory boards, employers, insurance providers and citizens seeking verification of current licensure status in the Commonwealth of Virginia may obtain this information via DHP [License Lookup](https://dhp.virginiainteractive.org/Lookup/Index).

A duplicate license can be obtained by going to the DHP [Online Licensing System](http://www.dhp.virginia.gov/mylicense/renewalintro.asp) and submitting the duplicate license fee of $10.00. After you have been issued a resident license, you should update any changes to your address by logging into the [Online Licensing System](http://www.dhp.virginia.gov/mylicense/renewalintro.asp).

**Will my Resident in Counseling number be available on “License Lookup”?**

Yes, if you were ever approved as a Resident in Counseling, you will automatically be issued a license as a Resident in Counseling.

**After I have receive my temporary resident license, will I need to submit a copy of the supervisory contract when adding or changing a supervisor or worksite?**

No, you must keep the supervisory contract in your records in case you are audited and required to submit the contract for review.

**I will complete my residency hours after the new regulations take effect on December 23, 2019, will I need to submit the LPC by Examination application in order to gain approval to sit for the examination?**

You should submit the LPC by Examination application once you have completed your residency hours and passed the NCMHCE examination.

To register for the exam, please visit [NBCC/CCE’s website](http://www.cce-global.org/). Choose the “ProCounselor Login” tab at top right hand corner and follow the instructions to create an account and to register for the NCMHCE exam. Once you have completed the required information, you will be prompted to enter your credit card information.  The current exam fee is $275.00. If you need assistance in the exam registration process, please contact NBCC/CCE at (336) 482-2856.

**Since my resident license is valid for six (6) years (5 renewals) does this mean that my residency time can be spread over a six year period**?

No, the Regulations still require that you complete your Board approved supervised residency experience in no less than 21 months and no more than four years.

**My initial residency four year time limit will expire soon and I have not completed my residency, what should I do?**

The regulations currently state that your residency must be completed in no less than 21 months and no more than four years. An individual who does not complete the residency after four years must submit evidence to the board showing why the supervised experience should be allowed to continue. In order to be considered for an extension, you should send an email to the Board at [coun@dhp.virginia.gov](mailto:coun@dhp.virginia.gov) requesting an Extension of Residency form.

**What do I do if my supervisor is not listed on the Supervisor Registry?**

You should have your supervisor submit the [Supervisor Approval Application](https://www.dhp.virginia.gov/counseling/counseling_supervisors.htm) which can be found on the Board’s website under “Supervisor Information”. Supervisor applications are reviewed within 3 to 5 business days of receipt. The Supervisor Registry is now updated weekly.

**Do I have to use the supervisory contract on the Board’s website?**

You and your supervisor are welcome to edit the supervisory contract listed on the Board’s website or use another supervisory contract. However, the supervisory contract must outline the expectations and responsibilities of the supervisor and resident, and list the effective date and worksites where the resident will be providing clinical counseling services.

**Can I bill directly for services as a Licensed Resident in Counseling?**

The regulations state that residents may **not** directly bill for services rendered.

**What is my title once I am approved as a licensed resident?**

During the residency, residents must use their names and the initials of their degree, their resident license number, and the title "Resident in Counseling" in all written communications. Clients must be informed in writing that the resident does not have authority for independent practice and is under supervision and must provide the supervisor's name, professional address, and phone number.

**Am I now considered a LMHP if I hold a license as a Resident in Counseling?**

The term LMHP or LMHP-R is not defined or used by the Board of Counseling.

[Virginia Department of Behavioral Health & Developmental Services (DBHDS](http://www.dbhds.virginia.gov/)) defines "Licensed mental health professional" or "LMHP" to *mean a physician, licensed clinical psychologist, licensed professional counselor, licensed clinical social worker, licensed substance abuse treatment practitioner, licensed marriage and family therapist, certified psychiatric clinical nurse specialist, licensed behavior analyst, or licensed psychiatric/mental health nurse practitioner.*

DBHDS defines a LMHP-R as the following:

*"LMHP-resident" or "LMHP-R" means the same as "resident" as defined in (i)* [*18VAC115-20-10*](https://law.lis.virginia.gov/admincode/title18/agency115/chapter20/section10/) *for licensed professional counselors; (ii)* [*18VAC115-50-10*](https://law.lis.virginia.gov/admincode/title18/agency115/chapter50/section10/) *for licensed marriage and family therapists; or (iii)* [*18VAC115-60-10*](https://law.lis.virginia.gov/admincode/title18/agency115/chapter60/section10/) *for licensed substance abuse treatment practitioners. An LMHP-resident shall be in continuous compliance with the regulatory requirements of the applicable counseling profession for supervised practice and shall not perform the functions of the LMHP-R or be considered a "resident" until the supervision for specific clinical duties at a specific site has been preapproved in writing by the Virginia Board of Counseling. For purposes of Medicaid reimbursement to their supervisors for services provided by such residents, they shall use the title "Resident" in connection with the applicable profession after their signatures to indicate such status.*

**Should I submit a copy of my Quarterly Evaluation form(s) or Verification of Supervision form prior to applying for licensure by examination?**

No, your supervisor should complete a Quarterly Evaluation form at the end of each quarter and complete a Verification of Supervision form at the end of your residency. Both of these forms should be kept in the resident’s records until applying for licensure.

**What is a Pre-Education Review Application?**

The Board now offers a service to review an applicant’s education prior to applying for licensure. The pre-review of education application is only to provide education guidance and is not an application for licensure nor is the application a pre-requisite for licensure. The guidance provided during this review cannot be appealed and is based on the current regulations. The fee for this application is $75.00.

**EXAMINATION:**

**I applied to sit for the examination and was given two years to sit and pass the examination. Do I still need to pass the examination within the two years of approval?**

Once you are licensed as a Resident in Counseling, you will be allowed to continue to be a Resident in Counseling for an additional six (6) years if you are under the supervision of a Board-approved supervisor, hold a current supervisory contract, and hold a current resident license.

Please note that the LPC by Examination application that was previously submitted will expire two years from the date that you were approved to sit for the examination. After this date, you will be required to re-apply once you complete your residency hours and passed the NCMHCE exam.

**What is the NCMHCE examination?**

The National Clinical Mental Health Counselor Examination (NCMHCE) is the national clinical counseling examination that is developed and administered by NBCC and is required by the Board for initial LPC licensure.

**How long do I have to sit and pass the NCMHCE examination?**

Residents are required to sit and pass the examination within six (6) years of initial issuance of a resident license.

**How long after I take the examination will my scores be transferred to the Board?**

Typically, it takes up to 6 weeks for your official score report to be transferred from NBCC/CCE to the Board. Please note that your passing examination score must be received directly from NBCC. Copies of a passing score cannot be considered.

**RENEWAL:**

**How will I know when I need to renew my resident license?**

Your resident license will expire at the end of the month for which you were originally licensed. For example, if you were issued a resident license on January 15, 2020, you will be required to renew your resident license by January 31st of each year you are in residency (up to 5 renewals). The Board will send you a renewal email approximately six (6) weeks prior to your license expiration and will provide you instructions on how to renew online. Please ensure that you keep your email updated with the Board. After you have been issued a resident license, you should update your email address by logging onto the DHP [Online Licensing System](http://www.dhp.virginia.gov/mylicense/renewalintro.asp).

**Will I need to renew my resident license once I am licensed as a License Professional Counselor (LPC)?**

No.

**How do I know if my continuing education hours will count toward renewal?**

As a licensed Resident in Counseling, you will be required to complete three (3) hours of continuing education (CE) in ethics, standards of practice, or laws governing behavioral science professions in Virginia each year. Your course(s) must be provided by an approved provider listed in Regulations [18VAC115-20-106](https://www.dhp.virginia.gov/counseling/counseling_laws_regs.htm). Please note that staff will not pre-approve your CE hours. You must use your best and professional judgement to determine if the course meets the requirements as outlined in the Regulations.

**What happens if I don’t renew my license by the expiration date?**

If you do not renew by your expiration date, you will be required to pay a late renewal fee. You are able to renew late for up to one year after the expiration date. Please note that practice with an expired license is prohibited and may constitute grounds for disciplinary action by the Board.