

COMMONWEALTH OF VIRGINIA

**THE STATE BOARD OF
BEHAVIORAL SCIENCE**

**THE STATE BOARD OF
PROFESSIONAL COUNSELORS**

Regulations of the Boards
Adopted August 4, 1980
Effective September 8, 1980

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMERCE**
2 South Ninth Street
Richmond, Virginia 23219

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FOREWORD

Contained herein are the regulations of the Virginia Board of Behavioral Science and the Virginia Board of Professional Counselors. The regulations deal with licensing, eligibility standards, and ethical standards of Professional Counselors. This publication supersedes all previous publications of the Boards and the Department relating to the topics herein covered.

INTRODUCTION TO REGULATIONS

On August 4, 1980, a public hearing was held by the Virginia Board of Behavioral Science pursuant to and in accordance with Chapter 1.1:1 of Title 9 and Chapter 1.1 of Title 54 and Chapter 28, Section 54-927 of Title 54, Code of Virginia, 1950, as amended, in the State Capitol Building, Senate Room number four, Richmond, Virginia. The purpose of the hearing was to present the proposed amendments to the Regulations of the Virginia Board of Behavioral Science. The meeting was recorded by a court reporter and presided over by Robert A. Pustilnik, Hearing Officer. The time, place and purpose of the meeting had been previously published in accordance with law.

The hearing convened as scheduled at 9:00 a.m. The members of the Board were introduced by the Board Chairman. All persons present were given an opportunity to be heard on the regulations; however, no one chose to speak for or against, so the hearing officer adjourned the hearing at 9:35 a.m. The proceedings were duly recorded in the formal record of the meeting which has been prepared by the court reporter.

The Board of Behavioral Science approved the Regulations with one correction regarding abstention from use of alcohol, with a copy filed with the Registrar of Regulations on August 7, 1980 to become effective thirty days thereafter.

On August 4, 1980 a public hearing was held by the Virginia Board of Behavioral Science pursuant to and in accordance with Chapter 1.1:1 of Title 9 and Chapter 1.1 of Title 54 and Chapter 28, Section 54-927 of Title 54, Code of Virginia, 1950, as amended, in the State Capitol Building, Senate Room number four, Richmond, Virginia. The purpose of the hearing was to present the proposed regulations for the licensure of professional counselors by the Board of Professional Counselors. The meeting was recorded by the court reporter and presided over by Robert A. Pustilnik, Hearing Officer. The time, place, and purpose of the meeting had been previously published in accordance with law.

The hearing convened as scheduled at 9:00 a.m. The members of the Board of Behavioral Science were introduced by the Board Chairman. All persons present who wished to speak were given an opportunity to be heard on the amendments to the Regulations. There were five speakers who addressed themselves both favorably and unfavorably to the different portions of the Regulations for Certification of Drug and Alcohol Counselors. The names of each of the speakers is recorded in the formal record of the meeting which has been prepared by the court reporter.

After the speakers had been given ample opportunity to present their opinions, the hearing officer adjourned the meeting at 9:35 a.m.

The Board of Behavioral Science reviewed all testimony presented at the hearing at its meeting on August 4, 1980. The decision was made to adopt the Regulations for licensure of professional counselors but to refer the proposed Regulations back to the Virginia Drug Counseling Certification Committee to be held for thirty (30) days for written comments to be adopted at the next Board of Behavioral Science meeting.

A transcript of the oral testimony taken at the public hearing and the written proposals received may be examined at the office of the Board, 2 South 9th Street, Second Floor, Richmond, Virginia.

REGULATIONS FOR VIRGINIA BOARD OF BEHAVIORAL SCIENCE

Section I: Introduction.

POR 1.1: Identity of Board of Behavioral Science.

The Virginia Board of Behavioral Science was created by Title 54, Chapter 28 § 54-923 through 54-948 Code of Virginia, 1950, as amended, and derives its authority therefrom and Chapter 1.1, section 54-1.10.

POR 1.2: Regulations.

Pursuant to Section 54-927 of the Code of Virginia the Virginia Board of Behavioral Science hereby establishes and promulgates these regulations for conducting the business and administering the regulatory system of the Board.

Section II: Organization and General Procedural Rules of the Board.

POR 2.1: Officers.

The Board of Behavioral Science shall elect a chairman and vice-chairman from its membership at its annual meeting which shall be the first meeting after the Board is annually reconstituted. The Director of the Virginia Department of Professional and Occupational Regulation shall serve as Secretary to the Board.

POR 2.2: Meetings.

Regular meetings of the Board shall be held at such times and places as it prescribes but there shall be no less than one regular meeting each year, at which meeting candidates approved for licensure or certification by the professional boards shall be so licensed or certified. Special meetings may be held upon call of either the chairman or three members of the Board.

POR 2.3: Quorum.

A quorum of the Board of Behavioral Science shall be a majority of the Board which includes at least one member of each professional board and one citizen member. (§ 54-926 of the Code of Virginia)

POR 2.4: Majority.

A majority vote of those present at each meeting shall constitute the action of the Board.

Section III: General.

POR 3.1: Who is required to obtain a license and/or certificate.

In order to protect the public health, safety, and welfare, any person practicing or offering to practice as a professional counselor, psychologist, school psychologist, social worker, or clinical social worker in this State except such persons as are in an exempt status as defined in Section 54-944, shall be required to submit to the appropriate professional board evidence as prescribed in the regulations of such board that he/she is qualified to practice and to be licensed or certified as herein provided.

POR 3.2: Who may apply for and be granted a license and/or certificate.

- A. Any person who has had the required training and experience prescribed in the regulations of the applicable professional board to qualify him/her to take the necessary examination(s), may, upon payment of the fee prescribed for the professional board, apply for a license and/or certificate and take the prescribed examinations of such professional board.
- B. The applicable professional board shall be the sole judge of the applicant's qualifications for licensure.

POR 3.3: Grounds for denial of renewal, suspension, or revocation; applications for reinstatement.

The Board may, after a hearing by the appropriate professional board and upon receipt of its recommendation, suspend, fail to renew, or revoke any license and/or certificate if the Board finds that the holder thereof:

1. Has been convicted of a felony since issuance of such license or certificate (§ 54-1.15) or
2. Has employed fraud or deceit in obtaining the license or certificate, or
3. Is determined to be incompetent to render professional services for which he/she is licensed and/or certified, or
4. Has acted negligently or wrongfully in the conduct of his/her profession, or not in conformance with the code of ethics adopted by the Board of Behavioral Science or the applicable professional board or certification committee, or
5. Violates or induces others to violate any provision of Chapter 28 of Title 54, Code of Virginia, any other statute applicable to the practice of the professions herein regulated or any provision of these regulations or the Code of Ethics adopted by the Board of Behavioral Science or the applicable professional board or certification committee.

Application for reinstatement shall be made to the Board which, in its discretion, may, after a hearing, grant such reinstatement. Any person who has had his/her license and/or certificate suspended, not renewed or revoked, may file an original application for such license and/or certificate two years subsequent to the action of the Board.

Section IV: Licensure, Expiration and Renewal of License and/or Certification.

- A. Every license and/or certificate issued shall expire on the thirtieth day of June of each odd number year. The Secretary shall mail each license holder or certificate holder at least thirty days prior to the first day of June of each odd numbered year, complete instructions together with the application upon which he/she may apply for renewal of the license. The renewal application shall be returned to the Secretary before June 30 of that year accompanied by a check made payable to the Treasurer of Virginia for the amount prescribed in the regulations of the applicable professional board as approved by the Board of Behavioral Science. Failure of a licensee to receive the notice and application to renew from the Secretary shall not excuse him/her from the requirements for the renewal herein contained.
- B. Renewal applications may contain questionnaires on continuing education, inspection of practices, and other related professional matters. The continuation of a license is contingent upon the completion of these questionnaires.
- C. If any licensee fails to renew his/her license as above provided within thirty (30) days from the last expiration date shown on his/her valid license, said license shall thereupon automatically become invalid. Provided that the licensee meets all requirements for renewal such license may be renewed at any time within a four-year period from the expiration date of his/her last valid license by paying a penalty fee in the amount of five dollars (\$5.00) and cost of license(s) for years not renewed. Any license holder who fails to renew his/her license for a period of four years or more shall be required to satisfy the applicable professional board that he/she has maintained competency to perform the duties regulated by that professional board.

Section V: Examining and Advisory Committee(s).

POR 5.1: Advisory Committee(s).

- A. The Board of Behavioral Science may establish Advisory Committee(s) hereinafter called Committee(s), for the purpose of rendering assistance where the Board deems it necessary.
- B. Appointment, Composition, and Terms: Each such committee shall consist of at least four members; two of whom shall be appointed by the Board of Behavioral Science, and at least two of whom shall be members of the Board of Behavioral Science. The Administrative Secretary of the Board shall serve as Secretary of each such committee. Committee members shall serve at the pleasure of the Board.
- C. Chairman: The Chairman of each Advisory Committee shall be a member of the Board of Behavioral Science.
- D. Meetings: Meetings shall be called by the Chairman of the Committee.
- E. Duties: Each Committee shall advise the Board of Behavioral Science in the exercise of its powers and the performance of its duties and make appropriate recommendations thereto.

- F. Report to the Board: The Secretary of the Committee(s) shall take the minutes of each meeting and report these to the Board of Behavioral Science.

Section VI: Inspection of Practices.

Pursuant to Section 54-927e, the Board shall ensure that inspections are conducted by each professional board relating to the practice of each practitioner in conducting his/her practice in a competent manner and within the lawful regulations promulgated by the Board of Behavioral Science and the applicable professional board and that results of said inspections shall be regularly reported to the Board of Behavioral Science.

Section VII: Ethical Standards.

POR 7.1: Code of Ethics.

- A. The protection of the public health, safety, and welfare and the best interest of the public shall serve as the primary source of guidance in determining the appropriate professional conduct of all persons whose activities are regulated by the Board.
- B. No person whose activities are regulated by the Board shall:
1. Engage in professional conduct inimical to the public health, safety, and welfare or the best interest of the public.
 2. Engage in professional conduct designed solely to further the financial interest of such person which is not necessary for diagnostic or therapeutic purposes.
 3. Engage in any professional conduct for which he/she is not qualified by training and/or experience.
 4. Knowingly violate or induce another to violate any provision of Chapter 28 of Title 54, Code of Virginia, any other statute applicable to the practice of the professions regulated by the Board, or any provision of the regulations or Code of Ethics adopted by the Board or by any professional board or certification committee having authority to regulate the conduct of such person.
 5. Perform or attempt to perform professional functions outside the area for which such person is licensed or certified.

POR 8.1: Disciplinary Standards.

The Virginia Board of Behavioral Science is empowered under Section 54-927g of Title 54, Chapter 28 of the Code of Virginia "To revoke, suspend or fail to renew a certificate or license which it has the authority to issue for just causes as are enumerated in regulations of the Board and the appropriate professional board." The professional boards are empowered under Section 54-928g of Title 54, Chapter 28 of the Code of Virginia, "To hold hearings and recommend to the Board (of Behavioral Science), revocation, suspension or nonrenewal of a license or certificate."

To assure uniformity in disciplinary cases, the Board of Behavioral Science has adopted the following disciplinary guidelines for use by the professional boards, Hearing Officers and itself when hearing disci-

iplinary cases involving licensees of the Board of Behavioral Science against whom charges have been filed.

All section references are to POR 3.3 and 6.2 of the regulations of the Board of Behavioral Science and professional boards, denial of renewal, suspension or revocation of license, and the Ethical Standards of the Board of Behavioral Science and appropriate professional board.

A. *Conviction of a felony.*

Maximum: Revocation

Minimum: Stayed revocation with three years' probation.

Conditions of Probation:

1. The conditions depend upon the nature of the conviction and should be tailored to educate the offender to avoid a recurrence. The conditions should include a rehabilitation program tailored to the violation.
2. In appropriate cases, the order should require treatment as recommended by a qualified professional and approved by the Board.

B. *Procuring of license by Fraud or Misrepresentation.*

Revocation—license would not have been issued but for the fraud or misrepresentation.

C. *Misuse of drugs and/or alcohol.*

Maximum: Revocation

Minimum: Stayed revocation with three years' probation.

Conditions of Probation:

1. Misuse of drugs:
 - a. Successful completion of an education program on drug abuse approved by the Board.
 - b. Abstention from use of drugs.
 - c. Treatment as recommended by a qualified professional approved by the Board.
 - d. Successful completion of an oral examination administered by the Board or its designees.
2. Misuse of alcohol:
 - a. Participation in Alcoholics Anonymous or a similar rehabilitation program approved by the Board.
 - b. Treatment as recommended by a qualified professional approved by the Board.
 - c. Abstention from use of alcohol.
 - d. Successful completion of an oral examination administered by the Board or its designees.

D. *Negligence in conduct of his/her profession or non-conformance with the Code of Ethics.*

Maximum: Revocation

Minimum: One year's suspension, stayed, with three years' probation.

Conditions of Probation:

1. Successful completion of a continuing education program related to the worker/client relationship approved by the Board.
2. Successful completion of an oral examination administered by the Board or its designees.
3. If deemed appropriate by the trier of fact, practice only in a supervised, structured environment which is approved by the Board.

E. *Performing functions outside the Board certified area of his/her competency.*

Maximum: One year's suspension with three years' probation.

Minimum: One year's suspension, stayed, with three years' probation.

Conditions of Probation:

1. Successful completion of a continuing education program approved by the Committee which bears a meaningful relationship to the violation.
2. If deemed appropriate by the trier of fact, practice only in a supervised, structured environment which is approved by the Board.
3. Successful completion of an oral examination administered by the Board or its designees.

F. *Mentally, emotionally or physically incompetent to practice profession.*

Maximum: Revocation

Minimum: Suspension. Application for reinstatement may be made after:

1. Proof of termination of disability to satisfaction of Board.
2. Successful completion of an oral examination administered by the Board or its designees.
3. If reinstated and deemed appropriate by the Board, practice only in a supervised, structured environment which is approved by the Board.

G. *Violates or induces others to violate any provision of Chapter 28, of Title 54, Code of Virginia, any other statute applicable to the practice of the professions so regulated or any provision of the regulations or the Code of Ethics of the Board of Behavioral Science or the applicable professional board of certification committee.*

Maximum: Revocation

Minimum: One year's suspension, stayed, with three year's probation.

Conditions of Probation:

1. Successful completion of a continuing education program related to the worker/client relationship approved by the Board.
2. Successful completion of an oral examination administered by the Board or its designees.
3. If deemed appropriate by the trier of fact, practice only in a supervised, structured environment which is approved by the Board.

**REGULATIONS OF
VIRGINIA BOARD OF BEHAVIORAL SCIENCE**
for
**VIRGINIA BOARD OF PROFESSIONAL
COUNSELORS**

Section I: Classification of Licensure Applicants.

POR 1.1: Applicant for Licensure as a Professional Counselor.

Category 1) *Reciprocity Applicant.*

The written examination(s) may be waived for the applicant certified or licensed in another jurisdiction where it is adjudged by the Board of Professional Counselors that the applicant was so certified or licensed by equivalent procedures.

Category 2) *Personnel & Guidance Counselors Previously Certified in Virginia.*

An individual certified in Virginia as a Personnel and Guidance Counselor or qualified for certification and who has filed proper application for such certification prior to January 1, 1977, shall be licensed to practice as a Professional Counselor. (See § 54-935)

Category 3) *All Other Applicants.*

All other applicants for licensure as professional counselor will be duly examined as set forth in POR 3.1., Regulations of the Virginia Board of Professional Counselors.

Section II: Qualifications of Applicants for Examination.

POR 2.1: Character and Professional Integrity.

The applicant must submit endorsement letters from five responsible persons attesting to the character and professional integrity of the applicant.

POR 2.2: Education for Professional Counselors.

- A. *Graduate Degree in Counseling:* The applicant must have completed 60 semester hours or 90 quarter hours of graduate study which are primarily counseling in nature including a graduate degree in counseling from a college or university approved by a regional accrediting agency or the Virginia State Council of Higher Education, or present other academic training or specialized experience acceptable to the Board of Professional Counselors as equivalent to the graduate degree in counseling, pursuant to 2.2:B. The graduate course work must include study in the following areas:
1. Theories of human behavior, learning, and personality;
 2. Group dynamics, theories, and techniques;
 3. Counseling theories and techniques;
 4. Understanding abnormal behavior;
 5. Professional identity, function, and ethics;

6. Evaluation and appraisal procedures;
 7. Supervised practicum; and
 8. Career Development.
- Authenticated transcripts must be received from all schools attended.

B. *Criteria for Equivalency to Graduate Degree in Counseling:*

The equivalent of a graduate degree in counseling shall be a graduate degree in a related discipline offered by an academic unit other than a department of counselor education provided:

1. The aforementioned academic unit is in, or formally connected with, an institution accredited by a regional accrediting association, and
2. At least 60 semester hours or 90 quarter hours of graduate course credits required for the degree have been successfully earned in graduate courses which, in the judgment of the Board of Professional Counselors and the institution granting the degree, are predominantly counseling in content.

C. *Post Graduate Degree Training for Professional Counselors:*

1. The applicant is required to have had two years of full-time post graduate degree experience in counseling practice, research, or teaching under supervision satisfactory to the Board. If the supervisor is in private practice, he or she shall be licensed and meet the guidelines of the Board. This experience shall include, during its entire duration, a minimum of two hours per week of face to face consultation between supervisor and applicant. A post graduate internship may count as one of the two years of post graduate degree experience.
2. Verification of compliance with this regulation in the form of letters from all supervisors is required.
3. Individuals in the process of obtaining their two years of post graduate degree training may not call themselves a Professional Counselor, solicit clients, bill for their services, or in any way represent themselves as professional counselors.
4. The supervisor of the trainee assumes full responsibility for the activities of the trainee and determines the amount of supervision required.
5. All individuals obtaining their post graduate degree training in Virginia shall be registered with the Board by the supervisor on a registration form provided by the Board.

D. *Requirements for Board Approved or Board Eligible Supervisors of Candidates for licensure as Professional Counselors:*

Any individual seeking to provide post graduate degree supervision for prospective applicants in the field of professional counseling or seeking to offer post graduate degree training in the field of professional counseling may be designated by the Board of Professional Counselors to supervise prospective applicants provided he or she meets the following requirements:

1. a. Is licensed or is qualified for licensure for a period of 2 years as a professional counselor, psychologist, clinical psychologist, school psychologist, social worker or psychiatrist, and
- b. Has successfully completed a graduate practicum in counseling supervision from an approved institution of higher education, and

- c. Has provided the Board of Professional Counselors with three letters of reference from clinical peers in the same profession of supervisory practice. These letters should attest to the supervisor's experience, his/her skills in supervision and areas of competency and/or specialty in the field of supervision of counselors, and
 - d. Has submitted to the Board of Professional Counselors a written paper on, or outline of, the philosophy of supervision (not to exceed two typed double spaced pages) which indicates the appropriate integration of academic and professional issues in the practice of supervision and which makes clear the distinction and relation between supervision and counseling.
2. *Equivalency*
- a. Is licensed or qualified for licensure as described under 1.A, and
 - b. Has completed a program of at least fifty (50) hours in the practice of supervising applicants while receiving at least twenty-five (25) hours of supervision (at least ten (10) hours of this supervision must be obtained in face-to-face settings in which the supervision of one applicant's work has been presented for feedback to one supervisor), and
 - c. Has received at least eighteen (18) classroom, seminar, or clock hours of professional training in guided reading practicums designed to familiarize the prospective supervisor with the relevant literature in the field of counseling supervision, and
 - d. Has provided the Board of Professional Counselors with three letters of reference from clinical peers in the same profession of supervisory practice. These letters should attest to the supervisor's experience, his/her skills in supervision and areas of competency and/or specialty in the field of supervision of counselors, and
 - e. Has submitted to the Board of Professional Counselors a written paper on, or outline of, the philosophy of supervision (not to exceed two typed double spaced pages) which indicates the appropriate integration of academic and professional issues in the practice of supervision and which makes clear the distinction and relation between supervision and counseling, or
 - f. In lieu of 2.b, c. & d. above, any licensed or qualified to be licensed professional counselor, psychologist, clinical psychologist, school psychologist, social worker, clinical social worker or psychiatrist in Virginia may be designated to offer post graduate degree supervision providing that he/she demonstrates involvement in five (5) years of documented experience supervising students in counseling. Reports substantiating the five years of experience will be required from five (5) professional peers whose training is in an area closely related to that of the prospective designated supervisor. These five (5) letters should attest to the supervisor's experience, his/her skills in supervision and areas of competency and/or specialty in the field of super-

vision of counselors and the writer's opinion of the supervisor's readiness to provide independent supervision of counselors and/or of supervision by others.

E. *Requirements for Post-Graduate-Degree Supervision:*

The Virginia Board of Professional Counselors requires that all licensed professional counselors who are providing the post-graduate supervision for prospective applicants inform the Board of their supervisory activities, including the name(s) of the supervisee(s). The provision of post-graduate-degree supervision must meet the following general guidelines in order to be acceptable to the Board:

1. The individual receiving the supervision and the individual or agency providing the supervision shall have a typed letter of agreement signed by both parties covering the details of the supervision arrangement.
 2. The supervising counselor will not provide supervision for activities for which the prospective applicant has not had appropriate education.
 3. The supervising counselor will not provide supervision for activities for which he/she is not qualified to render.
 4. Group supervision involving up to six (6) members will be acceptable for one of the two hours per week on the basis of two hours of group supervision equals one hour of individual supervision. In no case will a person receiving supervision receive less than one hour of face-to-face individual supervision per week.
 5. Up to one-half of a prospective applicant's supervision may be provided by a licensed professional in an area closely related to that in which the prospective applicant applies; this includes licensed psychologists, social workers and psychiatrists. This type of arrangement must be approved by the Board in advance.
 6. At the time of the prospective applicant's formal application for licensure, the individual or agency providing the supervision shall complete and send to the Board a typed report stating the total number of hours of supervision, the period of time in which it was rendered, and an evaluation of the applicant's relative strengths and weaknesses.
 7. Supervision between members of the same immediate family, i.e., spouse, parents and siblings within that system, will not be approved.
- F. Applications before January 1, 1982. Any person who applies for licensure on or before January 1, 1982, may be examined by the Board if he or she meets the following qualifications:
1. Has at least a master's degree from an accredited institution in counseling or a related field approved by the Board and
 2. Has completed two years of full-time supervised experience as set forth in POR 2.2:C.1, or ten (10) years of experience, as a counselor as defined in § 54-932.a. Reports substantiating the ten years of experience will be required from five (5) professional peers in the same profession. These five reports will detail the applicant's experience, evaluative skills, communication effectiveness, and areas of competency. They will also report on the applicant's readiness for unsupervised private practice.

POR 2.3: Education for Professional Counselors Wishing to be Designated as a Specialist.

Licensees may not represent themselves to the public or others as a specialist unless so designated by the Board.

A. The applicant for specialty designation shall meet all educational requirements for licensure as a Professional Counselor, except where noted, plus any listed additional requirements in the specialty, which may be included within the 60 semester hours or 90 quarter hours required in POR 2.2:A. Authenticated transcripts must be received from all schools attended.

B. *Marriage and Family Counselor*

1. The applicant must meet all requirements for licensure as a professional counselor as set forth in POR 2.2:A., B or D. Within the 60 graduate semester hours or 90 quarter hours required, at least 15 semester hours or 22½ quarter hours respectively shall be in the following areas:

- a. Dynamics of marriage and family systems.
- b. Human sexuality.
- c. Marriage and family counseling theory and techniques.
- d. Supervised practicum in marriage and family counseling.

2. Post Graduate Degree Training:

Either as a part of or in addition to the two years of full-time post graduate degree experience required for generic licensure as set forth in POR 2.2:C.1, the applicant shall have at least 100 hours of supervision of his or her marriage and family counseling by a licensed or qualified to be licensed professional Counselor or other licensed professional satisfactory to the Board.

C. *Pastoral Counselors*

1. The applicant must meet all requirements for licensure as a professional counselor as set forth in POR 2.2:A, B or D with the graduate degree being either a Masters of Divinity, Masters of Theology, Doctor of Ministry, Doctor of Philosophy, Doctor of Theology, or its equivalent covering the following areas of study:

- a. Marriage and family counseling
- b. Theology of pastoral care
- c. Supervised practicum in clinical pastoral education (A.C.P.E. or A.A.P.C. approved or meet the guidelines of the Board.)

2. Post Graduate Degree Training:

a. Either as a part of or in addition to the two years of full-time post graduate degree experience required for generic licensure as set forth in POR 2.2:C.1, the applicant shall have successfully completed an accredited program in pastoral counseling to include at least 100 hours of supervision of his/her pastoral counseling by a licensed or qualified to be licensed professional counselor or other licensed professional satisfactory to the Board.

D. *Rehabilitation Counselor*

1. The applicant must meet all requirements for licensure as a professional counselor as set forth in POR 2.2:A, B or D.

Within the 60 graduate semester hours or 90 quarter hours required, at least 18 semester hours or 27 quarter hours respectively shall be in the following areas:

- a. Rehabilitation, philosophy, and practice.
- b. Evaluation, including areas of aptitude and achievement tests and work evaluation methods.
- c. Medical, psycho-social, and psychiatric aspects of disability.
- d. Occupational information and job placement techniques.
- e. Supervised practicum in rehabilitation counseling.

2. Post Graduate Degree Training:

Either as a part of or in addition to the two years of full-time post graduate degree experience required for generic licensure as set forth in POR 2.2:C.1, the applicant shall have at least one year of full-time supervision of his/her rehabilitation counseling by a licensed or qualified to be a licensed professional counselor or other licensed professional satisfactory to the Board.

E. *Substance Abuse Counselor*

1. The applicant must meet all requirements for licensure as a professional counselor as set forth in POR 2.2:A, B or D. Within the 60 graduate semester hours or 90 quarter hours required, at least 18 semester hours or 27 quarter hours respectively shall be in the following areas:

- a. Clinical assessment of substance abuse disfunction.
- b. Substance abuse and human behavior.
- c. Delivery services to the substance abuser.
- d. Interdisciplinary principles, methods, and techniques in treatment of the substance abuser.
- e. Crisis intervention with the substance abuser.
- f. Practicum in the rehabilitation of the substance abuser.
- g. Or specialized experience and/or training acceptable to the Board as equivalent to the above course work, (a) through (f).

2. Post Graduate Degree Training:

Either as a part of or in addition to the two years of full-time post graduate degree experience required for generic licensure as set forth in POR 2.2:C.1, the applicant shall have at least one year of full-time supervised experience in substance abuse by a licensed or qualified to be licensed professional counselor or other licensed professional satisfactory to the Board.

F. *Career Counselor*

1. The applicant must meet all requirements for licensure as a professional counselor as set forth in POR 2.2:A, B or D. Within the 60 graduate semester hours or 90 quarter hours required, at least 15 semester hours or 22½ quarter hours respectively shall be in the following areas:

- a. Theories of career development
- b. Career appraisal techniques
- c. Information sources for career choices including educational, occupational, and leisure time opportunities.
- d. Techniques and dynamics of career counseling.
- e. Supervised practicum in career counseling.

2. Post Graduate Degree Training:

Either as a part of or in addition to the two years of full-time

post graduate degree experience required for generic licensure as set forth in POR 2.2:C.1, the applicant shall have at least one year of supervised career counseling by a licensed or qualified to be licensed professional counselor or other licensed professional satisfactory to the Board.

G. Research Counselor

1. The applicant seeking the research designation must meet all requirements for licensure as a professional counselor as set forth in POR 2.2:A, B or D and be proficient in a variety of research and diagnostic techniques such as interviews, life histories, tests, case observations and experimental methods dealing with human subjects.
2. The applicant must hold a doctoral degree in counseling or the equivalent thereof in a related discipline acceptable to the Board of Professional Counselors.
3. The applicant must have completed course work in the following areas:
 - a. Fundamentals of research with human subjects.
 - b. Research design and experimental methods.
 - c. Supervised experience doing research with human subjects.
 - d. Diagnostic methods including interviewing, case observation and compiling of life histories.
 - e. Dissertation which demonstrates detailed and systematic attempts to discover or confirm through objective investigation the facts pertaining to a specified problem of human behavior.
4. The applicant must have completed a doctoral level internship in addition to the two years of full-time post graduate degree experience required for generic licensure as set forth in POR 2.2:C.

Section III: Examinations.

POR 3.1: Application and Examination Process.

A. Waiver of Examinations.

1. The written examination may be waived, in whole or part, for an applicant certified or licensed in another jurisdiction where it is adjudged by the Board that the applicant was so certified or licensed by equivalent procedures.
2. Those persons certified as personnel and guidance counselors under Chapter 5.2, Title 54 (§ 54-102.15 et seq.) prior to January 1, 1977, shall be waived from taking the required examinations for licensure as a professional counselor. However, should such person(s) wish to be designated as a specialist(s), they shall produce evidence of the required education and training in the specialty and shall be duly examined as set forth in POR 3.1, Regulations of the Virginia Board of Professional Counselors.

B. Work sample needed for oral examination.

The work sample must be submitted no later than thirty (30) days prior to the oral examination.

1. The work sample must be typed, double-space, on one side of

the paper and limited to six (6) pages in length. Seven (7) clearly legible copies must be submitted. The work sample must be disguised so that all identities are kept confidential. Your name and address should be on the cover page.

2. The work sample must be a case study drawn from your practice within the past six months. If you are applying for a specialty designation, your work sample must be reflective of your work in that specialty area.
3. The case study must clearly state the problem(s), movement shown, and the role you have played in facilitating that movement. Focus should be on your theoretical position, counseling principles, tools and techniques you utilize in the treatment process, and your role as a professional agent for change.
4. The case study will be used as the basis for questioning by the examination committee. The examination will also include a discourse on the Code of Ethics of the Virginia Board of Professional Counselors and a discourse on the nature of your practice as well as plans for private practice.
5. Your case study should be mailed to the Virginia Board of Professional Counselors, Department of Commerce, 2 South Ninth Street, Richmond, Virginia 23219. All material submitted becomes the property of the Board.

C. Fees:

1. The application fee for licensure as professional counselor shall be \$50.00 and shall not be refundable. The application fee shall accompany the application.
2. The examination fee shall be payable upon notification of Board approval to sit for examination and shall be as follows:
 - a. Licensure as a professional counselor . \$75.00
 - b. Specialty designation \$25.00 per specialty
3. A candidate who fails any section(s) of the examination may be reexamined upon payment of the appropriate fee(s) as listed below:

Objective Examination	\$35.00
Specialty Examination	\$35.00
Oral Examination	\$35.00
Essay Examination	\$35.00

Section IV: Licensure.

POR 4.1: Temporary Permit.

The Board of Professional Counselors may, as authorized by the Board of Behavioral Science pursuant to § 54-948, issue to any person who has been approved to sit for examination a temporary permit to practice counseling in the State. Such a permit shall expire when the results of the next scheduled examination are known.

POR 4.2: Licensure as a Professional Counselor.

A license authorizing the holder to engage in the practice of counseling shall be issued by the Virginia Board of Behavioral Science to each successful candidate for licensure as a Professional Counselor.

POR 4.3: Specialty Designation.

Within the generic license of "Professional Counselor," the Board may register one or more specialty areas of professional practice of licensees (§ 54-931). These specialties will include: marriage-family, pastoral, rehabilitation, substance abuse, career, and research.

POR 4.4: Certificate of Licensure.

1. The certificate of licensure issued to each professional counselor will bear the designation licensed as a Professional Counselor.
2. Directory of licensees. The Board of Professional Counselors shall publish on a biennial basis a directory of its licensees with their specialties, if any, indicated.

POR 4.5: Renewal of License.

A. Fees:

1. The renewal application shall be returned to the Secretary of the Board before June 30 of each odd numbered year accompanied by a check for sixty dollars (\$60.00) made payable to the Treasurer of Virginia.

Section V: Powers and Duties of the Board of Professional Counselors.

POR 5.1: Inspections of Practices.

The Board shall, pursuant to Section 54-927(e), conduct inspections relating to the practice of each practitioner in conducting his/her practice in a competent manner and within the lawful regulations promulgated by the Board of Behavioral Science and the Board of Professional Counselors and results of said inspections shall be regularly reported to the Virginia Board of Behavioral Science.

REGULATIONS OF VIRGINIA BOARD OF PROFESSIONAL COUNSELORS

Section I: Introduction.

POR 1.1: Identity of Board of Professional Counselors.

The Virginia Board of Professional Counselors exists under and is empowered by Title 54, Chapter 28, Sections 54-932 through 54-935, and Chapter 1.1, Section 54-1.10.

POR 1.2: Regulations.

As provided for in Chapter 28 of Article 1, Section 54-929, the Virginia Board of Professional Counselors hereby establishes regulations for conducting the business of the Board, including the acceptance of applications and the administration of examinations for applicants for licensure as professional counselors.

POR 1.3: Definitions.

"The candidate for licensure" herein designates that person who has satisfactorily completed all requirements for licensure, including passing of the examinations where required. Prior thereto, the individual seeking licensure is referred to as "the applicant."

Section II: Organization & General Procedural Rules of the Board.

POR 2.1: Officers.

The Board of Professional Counselors shall elect a chairman and vice-chairman and two persons to serve on the Virginia Board of Behavioral Science from its membership at its annual meeting which shall be the first meeting after the Board is annually reconstituted. The Director of the Virginia Department of Professional and Occupational Regulation shall serve as Secretary to the Board.

POR 2.2: Meetings.

Regular meetings of the Board shall be held at such times and places as it prescribes, and special meetings may be held upon the call of the chairman, but there shall be no less than one regular meeting each year, at which meeting candidates applying for licensing shall be examined and their qualifications determined. If, in the discretion of the Board, more than one examination in any one year is necessary, it may hold such other examinations at such times and places as it may designate.

POR 2.3: Quorum.

Four members of the Board of Professional Counselors present shall constitute a quorum for the transaction of business. All action by the Board requires a majority vote of the total Board.

Section III: Examinations.

POR 3.1: Application and Examination Process.

- A. Filing date: All applications must be fully documented thirty (30) days prior to examination date.
- B. Notification: The Secretary will notify each applicant in writing as to the time and place of the examination for which he or she has been approved by the Board of Professional Counselors. It shall be the duty of the applicant to confirm to the Secretary, in writing at least one week prior, of his or her intention to sit for the scheduled examination, and should he or she fail to appear, after pledging to do so, shall forfeit the examination fee.
- C. Fees:
 - 1. No candidate shall sit for examination who has not paid the required fee.
 - 2. All checks shall be made payable to the Treasurer of Virginia.
- D. Description of Examinations:
 - 1. The written examinations shall be administered on the same day in the months of March, September and such other months as are deemed necessary by the Board, and shall consist of:
 - a. An objective, multiple choice examination consisting of questions constructed, standardized, and distributed by Professional Examination Services. These questions shall cover the following areas:
 - 1. Theories of human behavior, learning, and personality;
 - 2. Group dynamics, theories, and techniques;
 - 3. Counseling theories and techniques;
 - 4. Understanding abnormal behavior;
 - 5. Professional identity, function, and ethics;
 - 6. Evaluation and appraisal procedures.
 - b. Essay Examination:
This examination shall include essay and/or objective questions on the:
 - Applicant's stated area(s) of practice
 - Law covering the practice of Professional Counseling
 - Regulations of the Board
 - Code of Ethics of the Board
 - 2. An oral examination of applicants who have successfully passed the written examination shall take place each May and November. If in the Board's discretion additional oral examinations are necessary in any year, the Board may select one or more other months during which such examinations shall be given. Applicants successfully passing the written examinations shall be notified of the time, date and place of the oral examination and shall be instructed to submit a work sample. The oral examination shall consist of an interview between the Board or its designees and the applicant for the purpose of:
 - a. Acknowledging the applicant's successful passing of the written examination.
 - b. Reviewing the applicant's education, training and experience.
 - c. Evaluating the applicant's professional, emotional, and social maturity, the extent and nature of the applicant's profes-

sional identity, and his/her knowledge of the Code of Ethics and probable ability to successfully apply such Code to his/her professional practice.

- d. Discussing the applicant's work sample.
 - e. Probing and evaluating the applicants knowledge of and judgment in professional counseling.
- E. Whenever it becomes evident that an applicant is seeking to be registered as a specialist in an area of professional practice other than that/those specifically delineated by the applicant on his/her original application, the Board, in its discretion, shall have the right to require such applicant to successfully pass such written and/or oral examination(s) in such area of professional practice as the Board may deem appropriate under the circumstances.
- G. Grading:
1. The Board of Professional Counselors shall establish passing scores on the objective examination. Successful candidates must be passed by a majority of the Board on the essay and oral section(s).
 2. In order that all applicants be accorded the same information, no applicant or other individual except the Board and/or its staff will be allowed access to materials relating to the examination.
- H. Notification of Results:
The Secretary will notify each applicant of his/her success or failure on the examinations. Grades will not be furnished by the Board.
- I. Reexamination:
Reexamination will be required only on the examination failed. An applicant may be reexamined on any one examination up to two times without reapplying and presenting additional education and experience.
- J. Examining and Advisory Committee(s):
1. The Board of Professional Counselors may establish Examining and Advisory Committee(s), hereinafter called Committee(s), for the purpose of assistance in evaluating candidates for licensure and their specialties.
 2. Appointment, Composition, and Terms:
The Committee(s) shall consist of at least 3 members; 2 of whom shall be appointed by the Board of Professional Counselors, and at least one of whom shall be a member of the Board of Professional Counselors. The Administrative Secretary of the Board of Professional Counselors shall serve as Secretary of the Committee(s). Those appointed by the Board shall be representative of specialty(ies) the Committee(s) is/are examining. Appointed terms shall be at the pleasure of the Board of Professional Counselors.
 3. Chairman: The Chairman of each Examining Committee shall be a member of the Board of Professional Counselors.
 4. Meetings: Meetings shall be called by the Chairman of the Examining Committee(s).
 5. Duties: The Committee(s) shall advise the Board of Professional Counselors with regard to the evaluation of certain applicants and shall, as requested, make appropriate recommendations to the Board as to whether the applicant possesses the necessary qualifications for licensure.

6. Report to the Board: The Secretary of the Committee(s) shall take the minutes of each meeting and report these to the Board or Professional Counselors.

Section IV: (Repealed).

Section V: Ethical Standards.

POR 5.1: Code of Ethics.

Preamble

Professional Counselors believe in the dignity and worth of the individual. They are committed to increasing knowledge of human behavior and understanding of themselves and others. While pursuing these endeavors, they make every reasonable effort to protect the welfare of those who seek their services or of any subject that may be the object of study. They use their skills only for purposes consistent with these values and do not knowingly permit their misuse by others. While demanding for themselves freedom of inquiry and communication, professional counselors accept the responsibility this freedom confers: competence, objectivity in the application of skills and concern for the best interests of clients, colleagues, and society in general. In the pursuit of these ideals, professional counselors subscribe to the following principles:

PRINCIPLE I. RESPONSIBILITY

In their commitment to the understanding of human behavior, professional counselors value objectivity and integrity, and in providing services they maintain the highest standards. They accept responsibility for the consequences of their work and make every effort to insure that their services are used appropriately.

- a. Professional counselors accept the ultimate responsibility for selecting appropriate areas for investigation and the methods relevant to minimize the possibility that their finding will be misleading. They provide thorough discussion of the limitations of their data and alternative hypotheses, especially where their work touches on social policy or might be misconstrued to the detriment of specific age, sex, ethnic, socio-economic, or other social categories. In publishing reports of their work, they never discard observations that may modify the interpretation of results. Professional counselors take credit only for the work they have actually done. In pursuing research, professional counselors ascertain that their efforts will not lead to changes in individuals or organizations unless such changes are part of the agreement at the time of obtaining informed consent. Professional counselors clarify in advance the expectations for sharing and utilizing research data. They avoid dual relationships which may limit objectivity, whether theoretical, political, or monetary, so that interference with data, subjects, and milieu is kept to a minimum.
- b. As employees of an institution or agency, professional counselors

- have the responsibility of remaining alert to institutional pressures which may distort reports of counseling findings or use them in ways counter to the promotion of human welfare.
- c. When serving as members of governmental or other organizational bodies, professional counselors remain accountable as individuals to the Code of Ethics of the Virginia Board of Professional Counselors.
 - d. As teachers, professional counselors recognize their primary obligation to help others acquire knowledge and skill. They maintain high standards of scholarship and objectivity by presenting counseling information fully and accurately, and by giving appropriate recognition to alternative viewpoints.
 - e. As practitioners, professional counselors know that they bear a heavy social responsibility because their recommendations and professional actions may alter the lives of others. They, therefore, remain fully cognizant of their impact and alert to personal, social, organizational, financial or political situations or pressures which might lead to misuse of their influence.
 - f. Professional counselors provide reasonable and timely feedback to employees, trainees, supervisees, students and others whose work they may evaluate.

PRINCIPLE 2. COMPETENCE

The maintenance of high standards of professional competence is a responsibility shared by all professional counselors in the interest of the public and the profession as a whole. Professional counselors recognize the boundaries of their competence and the limitations of their techniques and only provide services, use techniques, or offer opinions as professionals that meet recognized standards. Throughout their careers, professional counselors maintain knowledge of professional information related to the services they render.

- a. Professional counselors accurately represent their competence, education, training and experience.
- b. As teachers, professional counselors perform their duties based on careful preparation so that their instruction is accurate, up-to-date, and scholarly.
- c. Professional counselors recognize the need for continuing training to prepare themselves to serve persons of all ages and cultural backgrounds. They are open to new procedures and sensitive to differences between groups of people and changes in expectations and values over time.
- d. Professional counselors with the responsibility for decisions involving individuals or policies based on test results should have an understanding of counseling or educational measurement, validation problems and other test research. Test users should know and understand the literature relevant to the tests used and testing problems with which they deal.
- e. Professional counselors/practitioners recognize that their effectiveness depends in part upon their ability to maintain sound interpersonal relations, that temporary or more enduring aberrations on their part may interfere with their abilities or distort their appraisals or others. Therefore, they refrain from undertaking any activity in which their personal problems are likely to lead to inadequate professional services or harm to a client; or, if they are already engaged in such activity when they become aware of their personal

problems, they would seek competent professional assistance to determine whether they should suspend or terminate services to one or all of their clients.

PRINCIPLE 3. MORAL AND LEGAL STANDARDS

Professional counselors' moral, ethical and legal standards of behavior are a personal matter to the same degree as they are for any other citizen, except as these may compromise the fulfillment of their professional responsibilities, or reduce the trust in counseling or counselors held by the general public. Regarding their own behavior, professional counselors should be aware of the prevailing community standards and of the possible impact upon the quality of professional services provided by their conformance to or deviation from these standards. Professional counselors should also be aware of the possible impact of their public behavior upon the ability of colleagues to perform their professional duties.

- a. To protect public confidence in the profession of counseling, professional counselors will avoid public behavior that is clearly in violation of accepted moral and legal standards.
- b. To protect students, counselors/teachers will be aware of the diverse backgrounds of students and, when dealing with topics that may give offense, will see that the material is treated objectively, that it is clearly relevant to the course, and that it is treated in a manner for which the student is prepared.
- c. Providers of counseling services conform to the statutes relating to such services as established by the Commonwealth of Virginia and the Virginia Board of Professional Counselors.
- d. As employees, professional counselors refuse to participate in employer's practices which are inconsistent with the moral and legal standards established by federal or state legislation regarding the treatment of employees or of the public. In particular and for example, professional counselors will not condone practices which result in illegal or otherwise unjustifiable discrimination on the basis of race, sex, religion or national origin in hiring, promotion or training.
- e. In providing counseling services to clients, professional counselors avoid any action that will violate or diminish the legal and civil rights of clients or of others who may be affected by the action.

PRINCIPLE 4. PUBLIC STATEMENTS

Professional counselors in their professional roles may be expected or required to make public statements providing counseling information, professional opinions, or supply information about the availability of counseling products and services. In making such statements, professional counselors take full account of the limits and uncertainties of present counseling knowledge and techniques. They represent, as objectively as possible, their professional qualifications, affiliations, and functions, as well as those of the institutions or organizations with which the statements may be associated. All public statements, announcements of services, and promotional activities should serve the purpose of providing sufficient information to aid the consumer public in making informed judgments and choices on matters that concern it.

- a. When announcing professional services, professional counselors

limit the information to: name, highest relevant degree conferred, certification or licensure, address, telephone number, office hours, cost of services, and a brief explanation of the types of services rendered. Such statements will be descriptive of services offered but not evaluative as to their quality or uniqueness. They will not contain testimonials by quotation or by implication. They will not claim uniqueness of skills or methods beyond those available to others in the profession unless determined by acceptable and public scientific evidence.

- b. In announcing the availability of counseling services or products professional counselors will not display their affiliations with organizations or agencies in a manner that implies the sponsorship or certification of the organization or agency. They will not name their employer or professional associations unless the services are in fact to be provided by or under the responsible, direct supervision and continuing control of such organizations or agencies.
- c. Professional counselors associated with the development or promotion of counseling devices, books, or other products offered for commercial sale will make every effort to insure that announcements and advertisement are presented in a professional and factually informative manner without unsupported claims of superiority over devices, books and products of similar purpose. Claims of superiority must be supported by scientifically acceptable evidence or by willingness to aid and encourage independent professional scrutiny or scientific test.
- d. Professional counselors engaged in radio, television or other public media activities will not participate in commercial announcements recommending to the general public the purchase or use of any proprietary or single-source product or service.
- e. Professional counselors who describe counseling or the services of professional counselors to the general public accept the obligation to present the material fairly and accurately, avoiding misrepresentation through sensationalism, exaggeration or superficiality. Professional counselors will be guided by the primary obligation to aid the public in forming their own informed judgments, opinions and choices.
- f. As teachers, professional counselors ensure that statements in catalogs and course outlines are accurate, particularly in terms of subject matter to be covered, bases for grading, and nature of classroom experiences. As practitioners providing private services, professional counselors avoid improper, direct solicitation of clients and the conflict of interest inherent therein.
- g. Professional counselors accept the obligation to correct others who may represent their professional qualifications or associations with products or services in a manner incompatible with these guidelines.

PRINCIPLE 5. CONFIDENTIALITY

Professional counselors have a primary obligation to safeguard information about individuals obtained in the course of teaching, practice, or research. Personal information is communicated to others only with the person's written consent or in those circumstances where there is clear and imminent danger to the client, to others or to society. Disclosures of counseling information are restricted to what is necessary, relevant, and verifiable.

- a. All materials in the official record shall be shared with the client who shall have the right to decide what information may be shared with anyone beyond the immediate provider of service and to be informed of the implications of the materials to be shared.
- b. The anonymity of clients served in public and other agencies is preserved, if at all possible, by withholding names and personal identifying data. If external conditions require reporting such information, the client shall be so informed.
- c. Information received in confidence by one agency or person shall not be forwarded to another person or agency without the client's written permission.
- d. Service providers have a responsibility to insure the accuracy and to indicate the validity of data shared with their parties.
- e. Case reports presented in classes, professional meetings, or in publications shall be so disguised that no information is possible unless the client or responsible authority has read the report and agreed in writing to its presentation or publication.
- f. Counseling reports and records are maintained under conditions of security and provisions are made for their destruction when they have outlived their usefulness. Professional counselors insure that privacy and confidentiality are maintained by all persons in the employ or volunteer services of the agency or office, including clerical staff, students, volunteers, and community aides.
- g. Professional Counselors who ask that an individual reveal personal information in the course of interviewing, testing, or evaluation, or who allow such information to be divulged, do so only after making certain that the person or authorized representative is fully aware of the purposes of the interview, testing or evaluation and of the ways in which the information will be used.
- h. Sessions with clients are taped or otherwise recorded only with their written permission or the written permission of a responsible guardian. Even with guardian written consent one should not record a session against the expressed wishes of a client.
- i. Where a child or adolescent is the primary client, the interests of the minor shall be paramount.
- j. In work with families, the rights of each family member should be safeguarded. The provider of service also has the responsibility to discuss the contents of the record with the parent and/or child, as appropriate, and to keep separate those parts which should remain the property of each family member.

PRINCIPLE 6. WELFARE OF THE CONSUMER

Professional counselors respect the integrity and protect the welfare of the people and groups with whom they work. When there is a conflict of interest between the client and the professional counselors employing institution the professional counselors clarify the nature and direction of their loyalties and responsibilities and keep all parties informed of their commitments. Professional counselors fully inform consumers as to the purpose and nature of any evaluative, treatment, educational or training procedure, and they freely acknowledge that clients, students, or subjects have freedom of choice with regard to participation.

- a. Professional counselors are continually cognizant both of their own needs and of their inherently powerful position "vis-a-vis"

clients, in order to avoid exploiting the client's trust and dependency. Professional counselors make every effort to avoid dual relationships with clients and/or relationships which might impair their professional judgment or increase the risk of client exploitation. Examples of such dual relationships include treating an employee or supervisee, treating a close friend or family relative, and sexual relationships with clients.

- b. Where professional counselors work with members of an organization goes beyond reasonable conditions of employment, professional counselors recognize possible conflicts of interests that may arise. When such conflicts occur, professional counselors clarify the nature of the conflict and inform all parties of the nature and directions of the loyalties and responsibilities involved.
- c. When acting as supervisors, trainers, or employers, professional counselors accord recipients informed choice, confidentiality, and protection from physical and mental harm.
- d. Financial arrangements in professional practice are in accord with professional standards that safeguard the best interests of the client and that are clearly understood by the client in advance of billing. This may best be done by the use of a contract. Professional counselors are responsible for assisting clients in finding needed services in those instances where payment of the usual fee would be a hardship. No commission or rebate or other form of remuneration may be given or received for referral of clients for professional services, whether by an individual or by an agency.
- e. Professional counselors are responsible for making their services readily accessible to clients in a manner that facilitates the client's ability to make an informed choice when selecting a service provider. This responsibility includes a clear written description of what the client may expect in the way of tests, reports, billing, therapeutic regime and schedules.
- f. Professional counselors who find that their services are not beneficial to the client have the responsibility to make this known to the responsible persons.
- g. Professional counselors are accountable to the parties who refer and support counseling services and to the general public and are cognizant of the indirect or long-range effects of their intervention.
- h. The professional counselor attempts to terminate a private service or consulting relationship when it is reasonably clear to the professional counselor that the consumer is not benefitting from it. If a consumer is receiving services from another mental health professional, professional counselors do not offer their services directly to the consumer without informing the professional persons already involved in order to avoid confusion and conflict for the consumer.

PRINCIPLE 7. PROFESSIONAL RELATIONSHIPS

Professional counselors act with due regard to the needs and feelings of their colleagues in counseling and other professions. Professional counselors respect the prerogatives and obligations of the institutions or organizations with which they are associated.

- a. Professional counselors understand the areas of competence of related professions and make full use of other professional, technical, and administrative resources which best serve the interests of con-

sumers. The absence of formal relationship with other professional workers does not relieve professional counselors from the responsibility of securing for their clients the best possible professional service; indeed, this circumstance presents a challenge to the professional competence of professional counselors, requiring special sensitivity to problems outside their areas of training, and foresight, diligence, and tact in obtaining the professional assistance needed by clients.

- b. Professional counselors know and take into account the traditions and practices of other professional groups with which they work and cooperate fully with members of such groups when research, services, and other functions are shared or in working for the benefit of public welfare.
- c. Professional counselors strive to provide positive conditions for those they employ and that they spell out clearly the conditions of such employment. They encourage their employees to engage in activities that facilitate their further professional development.
- d. Professional counselors respect the viability, reputation, and the proprietary right of organizations which they serve. Professional counselors show due regard for the interests of their present or prospective employers. In those instances where they are critical of programs or policies, they attempt to effect change by constructive action within the organization.
- e. In the pursuit of research, professional counselors give sponsoring agencies, host institutions, and publication channels the same respect and opportunity for giving informed consent that they accord individual research participants. They are aware of their obligation to future research workers and insure that host institutions are given feedback information and proper acknowledgment.
- f. Credit is assigned to those who have contributed to a publication, in proportion to their contribution.
- g. When a professional counselor violates ethical standards, professional counselors who know first-hand of such activities should, if possible, attempt to rectify the situation. Failing an informal solution, professional counselors should bring such unethical activities to the attention of the Virginia Board of Professional Counselors.

PRINCIPLE 8. UTILIZATION OF ASSESSMENT TECHNIQUES

In the development, publication, and utilization of counseling assessment techniques, professional counselors follow relevant standards. Individuals examined, or their legal guardians, have the right to know the results, the interpretations made, and where appropriate, the particulars on which final judgment was based. Test users should take precautions to protect test security but not at the expense of an individual's right to understand the basis for decisions that adversely affect that individual or that individual's dependents.

- a. The client has the right to have and the provider has the responsibility to give explanations of test results in language the client can understand.
- b. When a test is published or otherwise made available for operational use, it should be accompanied by a manual (or other published or readily available information) that makes every reasonable effort to describe fully the development of the test, the rationale, specifications followed in writing items or selecting observa-

- tions, and procedures and results of item analysis or other research. The test, the manual, the record forms and other accompanying material should help users make correct interpretations of the test results and should warn against common misuses. The test manual should state explicitly the purposes and applications for which the test is recommended and identify any special qualifications required to administer the test and to interpret it properly. Evidence of validity and reliability, along with other relevant research data, should be presented in support of any claims made.
- c. Norms presented in test manuals should refer to defined and clearly described populations. These populations should be the groups with whom users of the test will ordinarily wish to compare the persons tested. Test users should consider the possibility of bias in tests or in test items. When indicated, there should be an investigation of possible differences in validity for ethnic, sex, or other subsamples that can be identified when the test is given.
 - d. Professional counselors who have the responsibility for decisions about individuals or policies that are based on test results should have a thorough understanding of counseling or educational measurement and of validation and other test research.
 - e. Professional counselors should develop procedures for systematically eliminating from data files test score information that has, because of the lapse of time, become obsolete.
 - f. Any individual or organization offering test scoring and interpretation services must be able to demonstrate that their programs are based on appropriate research to establish the validity of the programs and procedures used in arriving at interpretations. The public offering of an automated test interpretation service will be considered as a professional-to-professional consultation. In this the formal responsibility of the consultant is to the consultee but his/her ultimate and overriding responsibility is to the client.
 - g. Counseling services for the purpose of diagnosis, treatment, or personalized advice are provided only in the context of a professional relationship, and are not given by means of public lectures or demonstrations, newspaper or magazine articles, radio or television programs, mail, or similar media. The preparation of personnel reports and recommendations based on test data secured solely by mail is unethical unless such appraisals are an integral part of a continuing client relationship with a company, as a result of which the consulting professional counselor has intimate knowledge of the client's personal situation and can be assured thereby that his written appraisals will be adequate to the purpose and will be properly interpreted by the client. These reports must not be embellished with such detailed analyses of the subject's personality traits as would be appropriate only after intensive interviews with the subject.

PRINCIPLE 9. PURSUIT OF RESEARCH ACTIVITIES

The decision to undertake research should rest upon a considered judgment by the individual professional counselor about how best to contribute to counseling and to human welfare. Professional counselors carry out their investigations with respect for the people who participate and with concern for their dignity and welfare.

- a. In planning a study the investigator has the personal responsibility to make a careful evaluation of its ethical acceptability, taking

- into account the following principles for research with human beings. To the extent that this appraisal, weighing scientific and humane values, suggests a deviation from any principle, the investigator incurs an increasingly serious obligation to seek ethical advice and to observe more stringent safeguards to protect the rights of the human research participants.
- b. Professional counselors know and take into account the traditions and practices of other professional groups with which they work and cooperate fully with members of such groups when research, services, and other functions are shared or in working for the benefit of public welfare.
 - c. Ethical practice requires the investigator to inform the participant of all features of the research that reasonably might be expected to influence willingness to participate, and to explain all other aspects of the research about which the participant inquires. Failure to make full disclosure gives added emphasis to the investigators abiding responsibility to protect the welfare and dignity of the research participant.
 - d. Openness and honesty are essential characteristics of the relationship between investigator and research participant. When the methodological requirements of a study necessitate concealment or deception, the investigator is required to insure as soon as possible the participant's understanding of the reasons for this action and to restore the quality of the relationship with the investigator.
 - e. In the pursuit of research, professional counselors give sponsoring agencies, host institutions, and publication channels the same respect and opportunity for giving informed consent that they accord to individual research participants. They are aware of their obligation to future research workers and insure that host institutions are given feedback information and proper acknowledgment.
 - f. Credit is assigned to those who have contributed to a publication, in proportion to their contribution.
 - g. The ethical investigator protects participants from physical and mental discomfort, harm and danger. If the risk of such consequences exists, the investigator is required to inform the participant of that fact, secure consent before proceeding, and take all possible measures to minimize distress. A research procedure may not be used if it is likely to cause serious and lasting harm to participants.
 - h. After the data are collected, ethical practice requires the investigator to provide the participant with a full clarification of the nature of the study and to remove any misconceptions that may have arisen. Where scientific or humane values justify delaying or withholding information, the investigator acquires a special responsibility to assure that there are no damaging consequences for the participants.
 - i. Where research procedures may result in undesirable consequences for the participant, the investigator has the responsibility to detect and remove or correct these consequences, including, where relevant, long-term aftereffects.
 - j. Information obtained about the research participants during the course of an investigation is confidential. When the possibility exists that others may obtain access to such information, ethical research practice requires that the possibility, together with the plans for protecting confidentiality, be explained to the participants as a part of the procedure for obtaining informed consent.

POR 5.2: Continuing Responsibility.

The issuance of the license permits the professional counselor to function only within those areas of specialty as designated to the Board of Professional Counselors at the time of examination. This does not relieve the licensee of his/her continuing ethical responsibility to limit his/her practice of counseling to his/her range of competence, and continually up date his/her skills.

Section VI: Powers and Duties of the Board of Professional Counselors.

POR 6.1: Evaluations of Mental and/or Emotional Competence.

The Virginia Board of Professional Counselors may, at its discretion, establish an advisory committee to evaluate the mental and/or emotional competence of any licensee or applicant for licensure when such competence is in issue before the Board. Nothing herein is to be construed to make any recommendations of the examining committee binding upon the Board.

POR 6.2: Suspension or Revocation of License; Application for Reinstatement.

The Virginia Board of Professional Counselors, after procedure in accordance with Chapter 28 (§ 54-927 (g) of Title 54, and Chapter 1.1:1 (§ 9-6.14:1 et seq) of Title 9 may recommend suspension to the Board of Behavioral Science of any license issued by it or may recommend revocation or denial of renewal of any such license, if the holder:

1. Has been convicted of a felony since issuance of such license, or
2. Has been found by the Board of Professional Counselors to have employed fraud or deceit in obtaining the license, or
3. Is, through the use or misuse of drugs and/or alcohol, a danger to himself/herself or the public, or
4. Has acted negligently or wrongfully in the conduct of his/her profession or not in conformance with the code of ethics adopted by the Board of Professional Counselors, or
5. Has been found performing functions outside the Board certified area of his/her competency. or
6. Is mentally, emotionally, or physically incompetent to practice his/her profession with safety to his/her clients or the public.

Application for reinstatement may be made to the Board of Behavioral Science.

POR 6.3: Practice of Counseling by Unlicensed Persons Prohibited.

It shall be unlawful for any person to practice or to offer to practice the profession of counseling unless such person has been duly licensed or is exempt from licensure under the provision of § 54-944 of the Code of Virginia (1950), as amended.