

COMMONWEALTH OF VIRGINIA

DEPARTMENT OF HEALTH PROFESSIONS

**BOARD OF LICENSED PROFESSIONAL COUNSELORS,
MARRIAGE AND FAMILY THERAPISTS AND SUBSTANCE ABUSE
PROFESSIONALS**

TITLE OF REGULATIONS: 18 VAC 115-50-10 et seq.

**REGULATIONS GOVERNING THE PRACTICE OF MARRIAGE
AND FAMILY THERAPY**

**STATUTORY AUTHORITY: §§ 54.1-2400 and 54.1-3500 et seq. of the
Code of Virginia**

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TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
18 VAC 115-50-10. DEFINITIONS.....	1
18 VAC 115-50-20. FEES.....	1
18 VAC 115-20-25. SEX OFFENDER TREATMENT PROVIDER CERTIFICATION.....	2
18 VAC 115-50-30. APPLICATION FOR LICENSURE BY EXAMINATION.....	2
18 VAC 115-50-40. APPLICATION FOR LICENSURE BY ENDORSEMENT.....	3
18 VAC 115-50-50. EDUCATION REQUIREMENTS FOR LICENSURE EXAMINATION.....	3
18 VAC 115-50-60. SUPERVISED CLINICAL EXPERIENCE.....	4
18 VAC 115-50-70. GENERAL EXAMINATION REQUIREMENTS.....	6
18 VAC 115-50-80. WAIVER OF EXAMINATION REQUIREMENT.....	7
18 VAC 115-50-90. BIENNIAL RENEWAL OF LICENSE.....	7
18 VAC 115-50-100. LATE RENEWAL, REINSTATEMENT.....	8
18 VAC 115-50-110. STANDARDS OF PRACTICE.....	8
18 VAC 115-50-110. DISCIPLINARY ACTION.....	10

**PART I
GENERAL PROVISIONS**

18 VAC 115-50-10. Definitions.

A. The following words and terms, when used in this chapter, shall have the meaning ascribed to them in § 54.1-3500 of the *Code of Virginia*: (i) “board,” (ii) “marriage and family therapy,” (iii) “marriage and family therapist,” and (iv) “practice of marriage and family therapy.”

B. The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

“AAMFT” means the American Association for Marriage and Family Therapy, or an organization deemed substantially equivalent by the Board.

“Internship” means a supervised, planned experience of at least one year, involving direct client contact with individuals, couples and families in a clinical setting in which the advanced student will observe, diagnose and treat, through the application of the principles, methods and techniques learned in training or educational settings.

“Regional accrediting agency” means one of the regional accreditation agencies recognized by the United States Secretary of Education as responsible for accrediting senior post-secondary institutions and training programs.

“Resident” means an individual who has submitted a supervisory contract to the board and has received board approval to provide clinical services in marriage and family therapy under supervision.

“Supervision” means an ongoing process in which a practitioner qualified to supervise in the discipline of marriage and family therapy provides regular, documented, face-to-face guidance, instruction and evaluation of the clinical skills and competencies of the person or persons being supervised.

18 VAC 115-50-20. Fees.

A. The board has established fees for the following:

1. Registration of supervision \$ 20
2. Application processing \$ 50

3. Biennial License Renewal\$ 75
4. Penalty for late renewal\$ 10
5. Verification of license to another jurisdiction\$ 10
6. Additional or replacement licenses.....\$ 15
7. Additional or replacement wall certificates\$ 15
8. Returned check\$ 15

B. Fees shall be paid by check or money order made payable to the Treasurer of Virginia and forwarded to the board. All fees are non-refundable.

C. Examination fees shall be paid directly to the examination service according to its requirements.

18 VAC 115-20-25. Sex Offender Treatment Provider Certification. Anyone licensed by the board as a marriage and family therapist who is seeking certification as a sex offender treatment provider shall obtain certification from the Virginia Board of Psychology and adhere to the Regulations Governing the Certification of Sex Offender Treatment Providers, 18 VAC 125-30-10, et seq.

PART II APPLICATION FOR LICENSURE

18 VAC 115-50-30. Application for licensure by examination.

Every applicant for examination for licensure by the board shall:

1. Meet the education and experience requirements prescribed in 18 VAC 115-50-50 and 18 VAC 115-50-60.
2. Submit to the board office in one package, the following items, not less than 90 days prior to the date of the examination:
 - a. A completed application;
 - b. The application fee prescribed in 18 VAC 115-50-20;
 - c. Documentation, on the appropriate forms, of the successful completion of the supervised experience requirements of 18 VAC 115-50-60 along with documentation of the supervisor's out-of-state license where applicable;

- d. Official transcript or transcripts in the original sealed envelope with the Registrar's signature across the sealed envelope flap submitted from the appropriate institutions of higher education directly to the applicant, verifying satisfactory completion of the education requirements set forth in 18 VAC 115-50-50. Previously submitted transcripts for registration of supervision do not have to be resubmitted; and
- e. Verification, on a board-approved form that any out-of-state license, certification or registration is in good standing.

18 VAC 115-50-40. Application for licensure by endorsement.

Every applicant for licensure by endorsement shall submit in one package:

1. A completed application;
2. The application fee prescribed in 18 VAC 115-50-20; and
3. Documentation of licensure as follows:
 4. Documentation of a current marriage and family therapy license in good standing obtained by standards substantially equivalent to those outlined in 18 VAC 115-50-50, 18 VAC 115-50-60 and 18 VAC 115-50-70 as verified by the out-of-state licensing agency on a board-approved form; or
 - ✓ a. If currently holding an unrestricted license as a professional counselor in Virginia, documentation of successful completion of the requirements set forth in 18 VAC 115-50-50 and 18 VAC 115-50-60; or
 - b. Prior to July 9, 1998, documentation of having met the requirements set forth in 18 VAC 115-50-80.

18 VAC 115-50-50. Education requirements for licensure examination.

The applicant shall have completed 60 semester hours or 90 quarter hours of graduate study in marriage and family therapy from a regionally accredited college or university, or a post-degree training institute accredited by the Commission on Accreditation for Marriage and Family Therapy Education, to include a graduate degree in marriage and family therapy or a related discipline which:

1. Was accredited by the Commission on Accreditation for Marriage and Family Therapy Education prior to the applicant's graduation from the program; or
2. Consisted of a sequential integrated program in the following core areas with a minimum of nine semester hours or twelve quarter hours completed in each of core areas identified in subdivisions 2a and 2b of this section (suggested courses are listed in parenthesis after each core area):
 - a. Marriage and family studies (marital and family development; family systems theory);
 - b. Marriage and family therapy (systemic therapeutic interventions and application of major theoretical approaches);
 - c. Human development (theories of counseling; psychotherapy techniques with individuals; human growth and lifespan development; personality theory; psychopathology; human sexuality; multicultural issues);
 - d. Professional studies (professional identity and function; ethical and legal issues);
 - e. Research (research methods; quantitative methods; statistics);
 - f. Assessment and treatment (appraisal, assessment and diagnostic procedures); and
 - g. Internship (minimum of one year, to include 300 hours of supervised direct client contact with individuals, couples and families).

18 VAC 115-50-60. Supervised Clinical Experience.

A. Residency Requirements

1. The applicant shall have completed at least two years of supervised post-graduate degree experience, representing no fewer than 4000 hours of supervised work experience, to include 200 hours of face-to-face supervision with the supervisor in the practice of marriage and family therapy. Residents shall receive a minimum of one hour of face-to-face supervision for every 20 hours of supervised work experience. No more than 100 hours of the supervision may be acquired through group supervision, with the group consisting of no more than six residents. Two hours of group supervision shall

be equivalent to one hour of individual supervision.

2. Of the 4000 hours stipulated, at least 1000 hours must be acquired in direct client contact of which 500 hours shall be with couples or families or both.
3. The supervised experience shall consist of practice in the core areas set forth in 18 VAC 115-50-50.
4. Supervised experience shall begin after the completion of a master's degree in marriage and family therapy or a related discipline as set forth in 18 VAC 115-50-50. However, internship hours completed by a graduate of a Commission on Accreditation for Marriage and Family Therapy Education -accredited program as part of the graduate degree may count toward the 4000 hours of supervised experience.
5. A post-master's degree internship that meets the requirements of this subsection may count toward the required 4000 hours of experience. However, all 4000 hours shall be continuous and integrated and shall, without exception, be conducted under qualified registered supervision.
6. Residents shall not call themselves marriage and family therapists, solicit clients, bill for services rendered or in any way represent themselves as marriage and family therapists. During the residency, they may use their names, the initials of their degree and the title "Resident in Marriage and Family Therapy". Clients shall be informed in writing of the resident's status, along with the name, address and telephone number of the resident's supervisor.
7. Residents shall not engage in practice under supervision in any areas for which they do not have appropriate education.
8. Residents who do not become candidates for licensure after five years of supervised training shall submit an explanation to the board stating reasons the residency should be allowed to continue.

B. Supervisory Requirements

1. Prior to July 9, 2,000, any person who provides supervision for a resident in marriage and family therapy shall be licensed as a marriage and family therapist, professional counselor, clinical psychologist, clinical social worker or psychiatrist and shall be able to document on a board-approved form specific training in the

supervision of marriage and family therapy.

2. After July 9, 2,000, all supervision shall be provided by a licensed marriage and family therapist or a licensed professional counselor, clinical psychologist, clinical social worker or psychiatrist who meets the requirements of 18 VAC 115-50-50 and 18 VAC 115-50-60, and who is able to document on a board-approved form specific training in the supervision of marriage and family therapy.
3. Supervision by an individual whose relationship to the resident is deemed by the board to compromise the objectivity of the supervisor is prohibited.
4. The supervisor shall assume full responsibility for the clinical activities of residents as specified within the supervisory contract, for the duration of the supervised experience.

C. Registration of Supervision.

Individuals registering supervision with the board shall submit in one package:

1. A completed Registration of Supervision form;
2. The registration fee set forth in 18 VAC 115-50-20; and
3. Official graduate transcript or transcripts in the original sealed envelope with the Registrar's signature across the sealed envelope flap submitted from the appropriate institution of higher education directly to the applicant, verifying satisfactory completion of the education requirements set forth in 18 VAC 115-50-50.

PART III EXAMINATION FOR LICENSURE

18 VAC 115-50-70. General examination requirements.

- A. All applicants for initial licensure shall pass an examination, with a passing score as determined by the board.
- B. The examination shall concentrate on the core areas of marriage and family therapy set forth in subdivision A 2 of 18 VAC 115-50-50.

- C. Approved applicants shall sit for the examination within 2 years from the initial notification date of approval. Failure to do so will result in the revocation of approval and obligate the applicant to file a new application for examination.
- D. Applicants who fail the examination twice in succession shall document completion of 45 clock hours of additional education or training for each area of deficiency as reported in the examination results prior to obtaining board approval for reexamination.

18 VAC 115-50-80. Waiver of examination requirement.

Prior to July 9, 1998, individuals who can document meeting the criteria in one of the following categories shall be licensed without examination:

- 1. Current and unrestricted professional counselor license in Virginia along with completion of four of the seven core course work requirements outlined in 18 VAC 115-50-50; or
- 2. Clinical membership in the AAMFT and:
 - a. A passing grade on the AAMFT examination as determined by the board; or
 - b. Ten years continuous practice in marriage and family therapy along with three letters attesting to competency to practice from professionals who are either licensed mental health professionals or AAMFT supervisors.

**PART IV
RENEWAL AND REINSTATEMENT OF LICENSE**

18 VAC 115-50-90. Biennial renewal of license.

- A. All licensees who intend to continue to practice shall on or before the expiration date of the license submit to the board:
 - 1. A license renewal application supplied by the board; and
 - 2. The renewal fee prescribed in 18 VAC 115-50-20.
- B. Failure to receive a renewal notice from the board shall not relieve the license holder from the renewal requirement.

- C. Licensees shall provide the board with official documentation of a legal name change and written notification of address changes within 90 days of such change.

18 VAC 115-50-100. Late renewal, reinstatement.

- A. An individual whose license has expired may renew it within five years after its expiration date by paying the penalty fee prescribed in 18 VAC 115-50-20 as well as the license fee prescribed for each renewal period the license was not renewed.
- B. An individual seeking reinstatement of a license five years or more after its expiration date must reapply according to the requirements of the regulations in effect at that time.

**PART V
STANDARDS OF PRACTICE**

18 VAC 115-50-110. Standards of Practice.

- A. The protection of the public's health, safety and welfare and the best interest of the public shall be the primary guide in determining the appropriate professional conduct of all marriage and family therapists licensed by the board.
- B. Persons licensed as marriage and family therapists shall:
1. Represent accurately their competence, education, training, experience and credentials, and practice only within the competency areas for which they are qualified by training or experience;
 2. Be able to justify all services rendered to clients as necessary for diagnostic or therapeutic purposes and make appropriate referrals when it becomes clear that the client is not benefiting from the relationship;
 3. Not abandon or neglect clients in treatment without making reasonable arrangements for the continuation of such treatment;
 4. When aware that the client is in a professional relationship with another mental health professional, in order to avoid confusion and conflict for the client, request a written release from the client to inform the other professional of the coexistent clinical relationship;

5. Disclose to clients all experimental methods of treatment, inform client of the risks and benefits of any such treatment, and ensure that the welfare of the client is not compromised in any experiment or research;
6. Neither accept nor give commissions, rebates or other forms of remuneration for referral of clients for professional services;
7. Inform clients of the fees and billing arrangements, goals, techniques, procedures, limitations, potential risks and benefits of services to be performed;
8. Inform clients of the limits of confidentiality at the onset of the therapeutic relationship;
9. Not solicit clients, advertise or represent services to the public in a manner that is false, misleading, deceptive or fraudulent;
10. (i) Maintain client records securely, and inform all employees of the confidentiality requirements; (ii) disclose client records to others only with expressed written consent or as mandated by law; and (iii) Ensure client confidentiality in the usage of client records and clinical materials by obtaining informed consent from clients before (a) videotaping, (b) audiorecording, (c) permitting third party observation, or (d) using client records and clinical materials in teaching, writing, or public presentations. Client records shall be kept for a minimum of five years from the date of termination of the clinical relationship;
11. Avoid dual relationships with clients, former clients, residents, and supervisors and supervisees that could compromise the well being or increase the risk of exploitation of clients or residents, or impair the resident's or supervisor's objectivity and professional judgment. This includes, but is not limited to, such activities as providing therapy to close friends, former sexual partners, employees or relatives, and engaging in business relationships with clients. Engaging in sexual intimacies with clients, former clients or current residents is strictly prohibited; and
12. Report to the board known or suspected violations of the laws and regulations governing the practices of mental health professionals.

**PART VI
DISCIPLINARY ACTION**

18 VAC 115-50-120. Disciplinary Action.

- A. In accordance with §54.1-2400-of the *Code of Virginia*, the board may, after a hearing, revoke, suspend or decline to issue or renew a license or impose a fine in accordance with the following:
1. Conviction of a felony or of a misdemeanor involving moral turpitude;
 2. Procurement of a license, certificate or registration by fraud or misrepresentation;
 3. Conducting one's practice in such a manner as to make it a danger to the health and welfare of one's clients or the general public;
 4. Practicing marriage and family therapy without reasonable skill and safety to clients by virtue of physical or emotional illness, abusive use of alcohol, drugs, narcotics, chemicals or any other hazardous substance or material;
 5. Providing or offering services outside the demonstrable areas of competency; or
 6. Violating or abetting another person in the violation of any provision of any statute applicable to the practice of marriage and family therapy, or any part or portion of this chapter.