

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marriage and Family Therapy Licensure Board

RULE CITATION: 21 NCAC 31 .0201

DEADLINE FOR RECEIPT: Tuesday, April 9, 2019

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In this Rule and every other Rule where you make changes to the text in response to these Requests, please amend the introductory statement to say: 21 NCAC 31 .XXXX is readopted as published in 32:17 NCR 1700-1701 with changes as follows:

Does this Rule apply to only Therapists, or does it also apply to therapy associates? From the citations in the History Note, I am guessing it only applies to therapists. So you could say on line 6, "An applicant for licensure as a therapist shall submit..."

In Item (1), line 7, what are the contents of this form? Are they set forth elsewhere in Rule or law, as required by G.S. 150B-2(8a)(d)?

In Item (2), line 8, do you need "directly" in light of the mandate that the training institution send it to the Board?

On line 9, what do you mean by "evidencing"? Showing?

End (2)(a), line 11, with a semicolon, rather than a comma. To make this change, you will treat the punctuation as part of the word that precedes it, and must delete the entire word and punctuation, then replace it. Thus, it will look like this:

"(a) completion of... ~~institution,~~ institution; or"

In Item (3), what do you mean here? What course are you referring to?

On line 14, I do not think you need "shall be required" given that line 6 requires this submission to the Board.

In Item (4), how is this approval of supervisors done by the AAMFT?

On line 16, what are the contents of these forms?

Amanda J. Reeder
Commission Counsel
Date submitted to agency: March 26, 2019

Also on line 16, should this day “verifying clinical experience and supervision;”?

In the History Note, why are you citing to G.S. 90-270.54(a)(1) and (2)? Since that’s the entirety of G.S. 90-270.54(a), I suggest simply citing to that.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: March 26, 2019

1 **21 NCAC 31 .0201 is readopted as published in 32:17 NCR 1700-1701 as follows:**

2
3 **SECTION .0200 - APPLICATION FOR LICENSING**

4
5 **21 NCAC 31 .0201 CREDENTIALS REQUIRED**

6 An applicant for licensure shall submit the following to the Board:

- 7 (1) Notarized application form and application fee;
- 8 (2) Official graduate college transcripts sent directly to the Board by the training institution(s)
- 9 evidencing:
- 10 (a) completion of a master's or doctoral degree in marriage and family therapy from a
- 11 recognized educational institution, or
- 12 (b) completion of a related degree from a recognized educational institution with course of
- 13 study encompassing an appropriate course of study as defined in 21 NCAC 31 .0501;
- 14 (3) Copies of course catalog and syllabi reflective of the year the course was passed shall be required;
- 15 (4) Reports from American Association of Marriage and Family Therapy (AAMFT) approved
- 16 supervisors using Board forms, verifying clinical experience, supervision;
- 17 (5) Evidence of good moral character, which shall include three endorsements for licensure, using
- 18 Board forms, from persons familiar with the applicant; and
- 19 (6) Evidence of a passing score on the National Marriage and Family Therapy Examination.

20
21 *History Note: Authority G.S. 90-270.51(b); 90-270.52; 90-270.54(a)(1) and (2);*

22 *Eff. August 1, 1984;*

23 *Amended Eff. October 1, 2011; March 1, 1996; April 1, ~~1989~~ 1989;*

24 *Readopted Eff. May 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marital and Family Therapy Licensure Board

RULE CITATION: 21 NCAC 31 .0202

DEADLINE FOR RECEIPT: Tuesday, April 9, 2019

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In (a), line 4, while what you have is technically correct, consider replacing "Chapter" with "Section"

Also on line 4, why is "office" capitalized?

Also, what is the mailing address of the Board? I do not see that you have an address rule, so how does the regulated public know?

And do you not take emailed or online applications?

On line 5, what are the contents of these forms?

And how does the Board provide the forms?

How does the individual know the meeting schedule?

On line 5, replace "which" with "when"

You could consider rewriting the first sentence "The applicants shall submit copies of all materials required by Rule .0201 of this Section to the Board office one month prior to the scheduled meeting date when the application will be reviewed."

Do you need the second sentence in (a), lines 6-7?

In (b) and (c), why do you single out educational requirements? Can't you just state "If the application is approved by the Board, the Board shall..." or "If the application is not approved, the Board shall..."?

On line 9, how is this approval sent? Is this the issuance of the license?

Also, I do not understand why the Board is notifying the applicant about the exam when Rule .0201(6) requires the applicant to have passed the exam and send that as part of the application.

In (c), line 12, replace "which" with "that"

Amanda J. Reeder
Commission Counsel

Date submitted to agency: March 26, 2019

On line 13, insert a “the” before “notification” and delete “of such” afterwards.

On line 14, replace “is” with “shall be”

What is the purpose of Paragraph (d)? G.S. 90-270.51(c) states:

(c) The Board shall examine and pass on the qualifications of all applicants for licensure under this Article, and shall issue a license to each successful applicant.

And G.S. 90-270.52 states:

§ 90-270.52. License application.

(a) Each person desiring to obtain a license under this Article shall apply to the Board upon the form and in the manner prescribed by the Board. Each applicant shall furnish evidence satisfactory to the Board that the applicant:

(1) Is of good moral character;

(2) Has not engaged or is not engaged in any practice or conduct that would be a ground for denial, revocation, or suspension of a license under G.S. 90-270.60;

(3) Is qualified for licensure pursuant to the requirements of this Article.

(b) A license obtained through fraud or by any false representation is void. (1979, c. 697, s. 1; 1985, c. 223, s. 1; 1993 (Reg. Sess., 1994), c. 564, s. 2.)

Do you think your statutes don't make it clear that the Board will investigate the applicants?

Assuming you want to retain the Paragraph:

In (d), line 15, replace “which” with “that”

On line 15, do you need to retain “from any source which may pertain” given the of “questions” earlier? Why not state “If during the review process, questions arise that affect the applicant’s qualifications...”?

On line 16, do you mean “shall” rather than “may”? Because when will there be questions affecting the qualifications where the Board will decide to not seek to resolve the questions?

On line 17, what is your authority to have a member of the Board investigate this, given the prohibition against using licensees as investigators in G.S. 93B-8.2?

In (e), line 18, what is the difference between “denied” and the “disapproval” on line 12?

On line 18, consider stating “If the Board denies an application, it shall send the applicant written notice, stating the grounds for denial.”

Amanda J. Reeder
Commission Counsel
Date submitted to agency: March 26, 2019

What is contemplated on lines 20-21? Is this a waiver of the hearing altogether, or an informal process before a contested case hearing? How does this work with G.S. 90-270.60(e), which requires a hearing and says if the applicant waives it, then the initial decision stands?

In the History Note, I suggest citing to G.S. 90-270.51 and not citing any sections, as I think (c) applies to this Rule as well.

Also in the History Note, you may wish to cite to G.S. 90-270.52 and 90-270.60.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: March 26, 2019

1 **21 NCAC 31 .0202 is readopted as published in 32:17 NCR 1701 as follows:**

2
3 **21 NCAC 31 .0202 REVIEW PROCEDURE**

4 (a) Copies of all materials required by Rule .0201 of this Chapter shall be mailed by the applicant to the Board Office
5 on Board provided forms for receipt one month prior to the scheduled meeting during which the application will be
6 reviewed. Applications shall be reviewed by the Board at scheduled meetings or special meetings called for such
7 purpose by the Board Chair.

8 (b) If the educational requirements are met, and the application is approved by the Board, the Board shall inform the
9 applicant of the approval, and shall give the applicant information regarding the National Marriage and Family
10 Therapy Examination.

11 (c) If the education requirements are not met, or the application is otherwise not approved by the Board, the Board
12 shall inform the applicant of the disapproval, with an explanation of the areas which are deficient. Applicants may
13 remedy deficiencies within two years from the date of notification of such without having to reapply. After two years
14 of application inactivity, the file shall be closed and a new application and fee is required.

15 (d) If during the review process, questions arise from any source which may pertain to the applicant's qualifications
16 for licensing, the Board may seek to resolve the questions by communication with the person who made the comments
17 or any other person(s), or may refer the matter to counsel or to a member or employee of the Board for investigation.

18 (e) If an application is denied, the grounds for denial shall be given to the applicant in writing. An applicant who has
19 been denied licensure may file a request for hearing pursuant to G.S. 150B-38 within 15 days of notice of the denial.
20 In lieu of a hearing, the applicant may present additional written material in support of the application, which shall be
21 reviewed at the next scheduled Board meeting.

22
23 *History Note: Authority G.S. 90-270.51(b);*
24 *Eff. August 1, 1984;*
25 *Amended Eff. July 1, 2011; March 1, 1996; April 1, ~~1989~~ 1989;*
26 *Readopted Eff. May 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marital and Family Therapy Licensure Board

RULE CITATION: 21 NCAC 31 .0203

DEADLINE FOR RECEIPT: Tuesday, April 9, 2019

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

Just so I understand – what is the purpose of the Rule?

On line 5, do you mean “the licensee’s name” rather than applicant name, as the individual is now licensed?

On line 5, do you need “at least”?

On line 5, should “Chairperson” and “Vice-Chairperson” be capitalized?

In the History Note, since I think G.S. 90-270.51(c) is also applicable, just state “G.S. 90-270.51” rather than citing to specific sections.

And so that I’m clear – this Rule only applies to therapists, not associates? If it applies to everyone, then you should not just cite to G.S. 90-270.54 in the History Note.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: March 26, 2019

1 **21 NCAC 31 .0203 is readopted as published in 32:17 NCR 1701 as follows:**

2

3 **21 NCAC 31 .0203 ISSUANCE OF LICENSE**

4 An applicant shall be granted a license when all requirements for licensing are met. The license shall display the
5 applicant's name, licensing date, license number, the signatures of at least the chairperson and vice-chairperson, and
6 the official seal of the Board.

7

8 *History Note: Authority G.S. 90-270.51(b)(d); 90-270.54;*

9

Eff. August 1, 1984;

10

Amended Eff. March 1, ~~1996~~ 1996;

11

Readopted Eff. May 1, 2019.

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marital and Family Therapy Licensure Board

RULE CITATION: 21 NCAC 31 .0301

DEADLINE FOR RECEIPT: Tuesday, April 9, 2019

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In (a), consider stating "All applicants for licensure as a Marriage and Family Therapist or Marriage and Family Therapy Associate shall be required to pass the National Marriage and Family Therapy Examination."

In (b), who offers this? The Board? And how are the dates communicated?

Also in (b), I am simply asking - do you need "at least"?

What is the purpose of (c), especially in light of G.S. 93B-8(a), which states:

§ 93B-8. Examination procedures.

(a) Each applicant for an examination given by any occupational licensing board shall be informed in writing or print of the required grade for passing the examination prior to the taking of such examination.

I suggest you delete it. If you do so, be sure to renumber the paragraphs following it.

In (d), I do not understand this, as Rule .0201(6) requires passing the exam before applying.

In (e), line 11, replace "which" with "that"

On lines 12-13, what does this sentence mean?

On line 14, what is "sufficient"?

I suggest ending the sentence on line 14 after "testing."

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: March 26, 2019

1 **21 NCAC 31 .0301 is readopted as published in 32:17 NCR 1701 as follows:**

2

3

SECTION .0300 - EXAMINATION

4

5 **21 NCAC 31 .0301 WRITTEN EXAMINATION**

6 (a) Licensure as a North Carolina Marriage and Family Therapist or as a Licensed Marriage and Family Therapy
7 Associate requires passing the National Marriage and Family Therapy Examination.

8 (b) The examination shall be given at least biannually.

9 (c) The passing score on the examination shall be determined by the Board in collaboration with the testing agency.

10 (d) The examination may be taken after the Board approves the application.

11 (e) Special Administrations. Applicants with disabilities which meet compliance requirements of the Americans with
12 Disabilities Act of 1990 (ADA) may request accommodations for testing. Special test administrations shall be as
13 comparable as possible to a standard administration. The applicant shall contact the Board to request any
14 accommodation four weeks in advance of the testing to give sufficient time to process the request.

15

16 *History Note: Authority G.S. 90-270.51(b); 90-270.55;*

17 *Eff. August 1, 1984;*

18 *Amended Eff. July 1, 2011; March 1, ~~1996~~ 1996;*

19 *Readopted Eff. May 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marital and Family Therapy Licensure Board

RULE CITATION: 21 NCAC 31 .0401

DEADLINE FOR RECEIPT: Tuesday, April 9, 2019

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In (a), line 6, what are the contents of these forms?

On line 7, how does the Board provide these forms?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: March 26, 2019

1 **21 NCAC 31 .0401 is readopted as published in 32:17 NCR 1701 as follows:**

2
3 **SECTION .0400 - RENEWAL**

4
5 **21 NCAC 31 .0401 LICENSURE RENEWAL FORM**

6 (a) Licensees shall provide documentation of compliance with Rule .0701 of this Chapter to the Board on the forms
7 provided by the Board.

8 (b) The Board shall waive the license application renewal fee for any individual who is currently licensed by and in
9 good standing with the Board if the individual is serving in the armed forces of the United States and if G.S. 105-
10 249.2 grants the individual an extension of time to file a tax return. The waiver shall be in effect for any period that
11 is disregarded under Section 7508 of the Internal Revenue Code in determining the taxpayer's liability for a federal
12 tax.

13 (c) The Board shall extend the deadline for filing a license renewal application for any individual who currently holds
14 a license and is in good standing with the Board if the individual is serving in the armed forces of the United States
15 and if G.S. 105-249.2 grants the individual an extension of time to file a tax return. The extension shall be in effect
16 for any period that is disregarded under Section 7508 of the Internal Revenue Code in determining the taxpayer's
17 liability for a federal tax.

18
19 *History Note: Authority G.S. 90-270.51(b); 90-270.58; 93B-15;*
20 *Eff. August 1, 1984;*
21 *Amended Eff. July 1, 2011; March 1, ~~1996~~. 1996;*
22 *Readopted Eff. May 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marital and Family Therapy Licensure Board

RULE CITATION: 21 NCAC 31 .0403

DEADLINE FOR RECEIPT: Tuesday, April 9, 2019

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

Have you considered writing Paragraph (a) in active voice, saying who will act? For example, you could say: "An individual whose license expired may seek reinstatement of the license within two years of expiration. The individual shall send the Board the reinstatement fee and provide evidence of completing the continuing education requirements."

If you don't want to do that:

In (a), lines 4-5, you give the reasons for expiration, but not in (b). Are they the same grounds? Do you need to spell them out at all?

In (a), line 4, replace "which" with "that"

On line 4, I believe "nonpayment" is one word.

On line 5, what is "satisfactory"

What do you mean in the sentences on lines 5-6? That the individual is required to have completed the number of continuing education hours as if the license had remained valid?

In (b), line 8, replace "which" with "that"

Also on line 8, replace "will" with "shall"

On line 9, what are "applicable" fees? Does your regulated public know?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: March 26, 2019

1 **21 NCAC 31 .0403 is readopted as published in 32:17 NCR 1701 as follows:**

2

3 **21 NCAC 31 .0403 REINSTATEMENT AFTER EXPIRATION**

4 (a) A license which expired for non payment of renewal fees or failure to comply with continuing education
5 requirements will be reinstated, if within two years of expiration, the reinstatement fee is paid and satisfactory
6 evidence of completing continuing education requirements is submitted. The continuing education requirements
7 documented at the time of reinstatement must equal the hours required had the license not expired.

8 (b) A license which has expired for a period of more than two years will not be reinstated. A new license may
9 be granted pursuant to paying the applicable fees and meeting the licensing requirements under Sections .0200
10 and .0300 of this Chapter.

11

12 *History Note: Authority G.S. 90-270.51(b); 90-270.58A;*

13 *Eff. March 1, ~~1996~~. 1996;*

14 *Readopted Eff. May 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marital and Family Therapy Licensure Board

RULE CITATION: 21 NCAC 31 .0404

DEADLINE FOR RECEIPT: Tuesday, April 9, 2019

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

What does this Rule do? G.S. 90-270.58B(c) states:

§ 90-270.58B. Inactive status.

(c) A person desiring to return to active status shall submit written application to the Board. The Board shall return the person to active status upon payment of the fee specified in G.S. 90-270.57 and upon such showing of competency to resume practice as the Board may require. (1993 (Reg. Sess., 1994), c. 564, s. 2; 2009-393, s. 13.)

Is this Rule essentially restating the statute, and that the Board will determine what the "showing of competency" will be on an individual basis?

What does this Rule do that the statute does not?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: March 26, 2019

1 **21 NCAC 31 .0404 is readopted as published in 32:17 NCR 1701 as follows:**

2

3 **21 NCAC 31 .0404 RETURN FROM INACTIVE STATUS**

4 The Board shall consider requests for a return to active status on an individual basis.

5

6 *History Note: Authority G.S. 90-270.51(b); 90-270.58B;*

7

Eff. March 1, ~~1996~~. 1996;

8

Readopted Eff. May 1, 2019.

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marital and Family Therapy Licensure Board

RULE CITATION: 21 NCAC 31 .0501

DEADLINE FOR RECEIPT: Tuesday, April 9, 2019

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

So that I'm clear – G.S. 90-270.47(6) defines "related degree" as:

- (6) "Related degree" means:
 - a. Master's or doctoral degree in clinical social work;
 - b. Master's or doctoral degree in psychiatric nursing;
 - c. Master's or doctoral degree in counseling or clinical or counseling psychology;
 - d. Doctor of medicine or doctor of osteopathy degree with an appropriate residency training in psychiatry; or
 - e. Master's or doctoral degree in any mental health field the course of study of which is equivalent to the master's degree in marriage and family therapy.

Is this Rule setting forth the additional training required in G.S. 90-270.54(a)(1)(a):

(a) Each applicant shall be issued a license by the Board to engage in the practice of marriage and family therapy as a licensed marriage and family therapist if the applicant meets the qualifications set forth in G.S. 90-270.52(a) and provides satisfactory evidence to the Board that the applicant:

(1) Meets educational and experience qualifications as follows:

a. Educational requirements: Possesses a minimum of a master's degree from a recognized educational institution in the field of marriage and family therapy, or a related degree, which degree is evidenced by the applicant's official transcripts. An applicant with a related degree may meet the educational requirements if the applicant presents satisfactory evidence of post-master's or post-doctoral training taken in the field of marriage and family therapy from a program recognized by the Board regardless whether the training was taken at a nondegree granting institution or in a nondegree program, as long as the training, by itself or in combination with any other training, is the

Amanda J. Reeder
Commission Counsel

Date submitted to agency: March 26, 2019

equivalent in content and quality, as defined in the rules of the Board, of a master's or doctoral degree in marriage and family therapy;

In (a), line 6, please state "90-270.54(1)(a)"

I do not understand the organization of lines 7 through 9. Is the marriage and family therapy content including coursework I theoretical foundation, and assessment and diagnosis, and practice of therapy? This may read more clearly if it were broken into a list, as you have in Rule .0503(a).

Do you still need Paragraph (b)? This would address applicants who were enrolled in the masters degree program prior to October 2011, which was nearly 8 years ago.

In the History Note, line 15, as the sections were renumbered since this Rule was last amended, I suggest you either cite to just G.S. 90-270.47 or even just delete the citation altogether.

In the History Note, please correct the citation to G.S. 90-270.54(a)(1)(a);

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

1 **21 NCAC 31 .0501 is readopted as published in 32:17 NCR 1701 as follows:**

2
3 **SECTION .0500 - DEFINITIONS**

4
5 **21 NCAC 31 .0501 APPROPRIATE COURSE OF STUDY**

6 (a) Training required for an applicant with a related degree in G.S. 90-270.54(1)a is a graduate degree that includes
7 marriage and family therapy content including coursework in theoretical foundation of marriage and family therapy,
8 assessment and diagnosis, practice of marriage and family therapy; human development and family relations;
9 professional identity and ethics, clinical research, and supervised clinical practicum or internship.

10 (b) Applicants who were enrolled in a master's degree program on or before October 1, 2011 shall also be considered
11 for licensure with coursework that includes specific marriage and family therapy content including coursework in
12 general family studies, marriage and family therapy theory, psychopathology/abnormal behavior, theories of
13 personality, and supervised clinical practicum or internship.

14
15 *History Note: Authority G.S. 90-270.47(1); 90-270.51(b); 90-270.54(1)a;*
16 *Eff. August 1, 1984;*
17 *Amended Eff. October 1, 2011; March 1, 1996; April 1, ~~1989~~, 1989;*
18 *Readopted Eff. May 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marital and Family Therapy Licensure Board

RULE CITATION: 21 NCAC 31 .0502

DEADLINE FOR RECEIPT: Tuesday, April 9, 2019

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

Since this Rule purports to define a term from statute, I suggest you use the same spelling here as the statute, "ongoing" (one word). This would be changed on lines 4 and 9. (I note you have it spelled correctly on lines 24 and 29)

On lines 4, 25, and 30, please state "G.S. 90-270.54(a)(1)(b)"

On lines 4-5, what is an "AAMFT Approved Supervisor"? And why is the term capitalized here, when it's not in Rule .0201?

On line 5, what standards are you referring to? If it's the Approved Supervision Designation: Standards Handbook, state that. You need to be more specific about what standards you are including here.

In (b), line 9, what do you mean by "raw data"? Are you defining it as "(qualitative information about a client)"? If so, why not just state "shall focus on the qualitative information about the client"? Or does your regulated public know this as "raw data"?

On line 10, what is "direct" observation?

In (c)(1) through (5), I suggest being as consistent with the language and structure as possible. For example, see (c)(3), where you have a dash between the term and the definition. You do not do that anywhere else. You may want to use this elsewhere, such as in (c)(1): "Peer supervision - the supervisor is of equivalent, rather than superior..."

And what is "equivalent" versus "superior"? Does your regulated public know?

On line 14, please insert a comma after "status"

In (c)(2), line 15, replace "your" with "the individual's" or "the applicant's"

Also on line 15, what are "immediate" and "extended family"?

On line 16, who determines if the relationship will "prevent or make difficult"?

Amanda J. Reeder
Commission Counsel
Date submitted to agency: March 26, 2019

In (c)(3), line 18, insert a comma after “administrative” and “clinical”

In (c)(4), line 20, do you mean by “primarily”? Do you even need this term, given the remaining language?

Also on line 20, insert a comma after “workshop”

In (c)(5), line 22, insert a comma after “development”

In (d), what is your authority to require these additional hours?

In (d), line 24, and (e), line 28, what is “approved” ongoing supervision? Approved by whom? Based upon what?

In (e), line 32, what is “direct” in this context of supervision?

On line 33, who is a “AAMFT Supervisor Candidate”?

On lines 34 - 36, since you are defining “Relational hours” I suggest you rewrite the sentence to state: “For the purposes of this Rule, “relational hours” shall mean hours spent providing therapy ...”

On line 36, please hyphenate “face-to-face” to be consistent with line 4.

On line 36, what is a “larger system”? Does your regulated public know?

On line 37, what is “direct” collaboration?

In (f), Page 2, line 3, what are “Supervision Reports”? What are the contents? Why is the term capitalized?

On line 4, replace “which” with “that”

On line 5, delete “their current address of” and just state “by writing the Board at Post Office”

Please be sure to review the address and update if necessary.

In the History Note, please correct the citation to G.S. 90-270.54(a)(1)(b);

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: March 26, 2019

1 **21 NCAC 31 .0502 is readopted as published in 32:17 NCR 1701 as follows:**

2
3 **21 NCAC 31 .0502 ONGOING SUPERVISION**

4 (a) On-going supervision as contained in G.S. 90-270.54(a)(1)b means face-to-face conversation with an AAMFT
5 Approved Supervisor, or a person who otherwise meets the standards set forth by AAMFT which are incorporated by
6 the Board by reference. These incorporated standards include subsequent amendments and additions. A copy of these
7 standards may be obtained at no charge by writing the American Association of Marriage and Family Therapy at 112
8 Alfred Street, Alexandria, Virginia 22314-3061 or at their website, www.aamft.org.

9 (b) On-going supervision shall focus on the raw data (quantitative information about the client) from the supervisee's
10 continuing clinical practice, which shall be available to the supervisor through a combination of direct observation,
11 co-therapy, written clinical notes, and audio and video recordings.

12 (c) None of the following constitutes ongoing supervision:

- 13 (1) Peer supervision, i.e., supervision by a person of equivalent, rather than superior, qualifications,
14 status and experience;
- 15 (2) Supervision by current or former family members of your immediate or extended family, or any
16 other persons where the nature of the personal relationship prevents or makes difficult the
17 establishment of a professional relationship;
- 18 (3) Administrative supervision - clinical practice performed under administrative rather than clinical
19 supervision by an institutional director or executive;
- 20 (4) A primarily didactic process wherein techniques or procedures are taught in a classroom, workshop
21 or seminar; or
- 22 (5) Consultation, staff development or orientation to a field or program or role-playing of family
23 interrelationships as a substitute for clinical practice in a clinical situation.

24 (d) Applicants for licensure must have accumulated a minimum of 200 hours of approved ongoing supervision
25 concurrent with the completion of the 1,500 hours of clinical experience required by G.S. 90-270.54(a)(1)b. Licensed
26 Marriage and Family Therapy Associates must remain under on-going supervision for at least one hour monthly until
27 licensed as a Licensed Marriage and Family Therapist.

28 (e) Graduates of marriage and family therapy programs who have completed 200 hours of approved ongoing
29 supervision within their degree shall complete a minimum of 25 hours of approved ongoing supervision concurrently
30 with the completion of the remaining hours of post-degree clinical experience required by G.S. 90-270.54(a)(1)b.
31 Graduates of marriage and family therapy programs may apply up to 500 hours of direct client contact obtained during
32 their program toward the 1,500 required as long as those hours were obtained under the direct supervision of an
33 AAMFT Approved Supervisor or AAMFT Supervisor Candidate. Applicants for the Marriage and Family Therapy
34 license must have documented a minimum of 500 relational hours toward their required 1,500 hours. Relational hours
35 are defined as hours spent providing therapy with more than one client in the room who are all part of the same
36 treatment plan. Relational hours may also include face to face communication with members of the larger system
37 who are also working in direct collaboration with the same client(s). This contact may only be counted if it is

1 authorized via written release by the client(s) or required by law for the purpose of developing and carrying out a
2 treatment plan.

3 (f) Supervision Reports shall be submitted on supervision report forms provided by the Board. Supervision report
4 forms are contained within the licensure application packet which may be obtained at no charge by writing the Board
5 at their current address of Post Office Box 37669, Raleigh, North Carolina 27627 or downloaded from
6 www.ncimft.org.

7

8 *History Note: Authority G.S. 90-270.51(b); 90-270.54(1)b;*

9 *Eff. August 1, 1984;*

10 *Amended Eff. July 1, 2011; May 1, 1996; April 1, ~~1989~~. 1989;*

11 *Readopted Eff. May 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marital and Family Therapy Licensure Board

RULE CITATION: 21 NCAC 31 .0503

DEADLINE FOR RECEIPT: Tuesday, April 9, 2019

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In (a), lines 4 and 18, please say "G.S. 90-270.47(6)(e)"

On line 6, please delete the comma after "equivalent" It will look like this: ~~equivalent,~~ equivalent

On lines 14 and 31, who decides what is "appropriate"? The degree granting institution?

Do you still need Paragraph (b)? This would address applicants who were enrolled in the degree program prior to July 2011, which was nearly 8 years ago.

Assuming you still need it:

In (b)(1), line 20, why do you have "broad and inclusive" here? Why not state "This category may include..."

On line 21, delete "such"

In (b)(2), line 23, define "specific"

On line 24, define "extensive content"

On line 25, replace "which" with "that"

In (b)(3), what are these? Is this "theory of psychopathology" or just "psychopathology"?

In (b)(4), remove the parenthesis and state "Clinical Practicum in Marriage and Family Therapy, nine semester hours or 20 hours per week for 12 months.

Also, this is the only place in your Chapter that you do not refer to "Supervised clinical practicum" Is this difference intentional, or should the term be added here?

In the History Note, please correct the citation to G.S. 90-270.54(a)(1)(a);

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel

Date submitted to agency: March 26, 2019

1 **21 NCAC 31 .0503 is readopted as published in 32:17 NCR 1701 as follows:**

2
3 **21 NCAC 31 .0503 EQUIVALENCY**

4 (a) An appropriate course of study for an "equivalent" degree under G.S. 90-270.47(6)e is defined as a minimum of
5 or quarter hour equivalent to a 45-semester hour graduate program. Thirty-three semester hours or their quarter hour
6 equivalent, shall consist of the following content and clinical training:

- 7 (1) Theoretical Foundation of Marriage and Family Therapy (six semester hours);
- 8 (2) Assessment and Diagnosis (three semester hours);
- 9 (3) Practice of Marriage and Family Therapy (six semester hours);
- 10 (4) Human Development and Family Relations (three semester hours);
- 11 (5) Professional Identity and Ethics (three semester hours);
- 12 (6) Research in Marriage and Family Therapy (three semester hours); and
- 13 (7) Supervised Clinical Practicum or Internship (nine semester hours).

14 The remaining 18 semester hours shall consist of course work appropriate to the disciplinary specialty in which the
15 degree is granted.

16 (b) Applicants who were enrolled in a related degree program on or before July 1, 2011 shall be considered for
17 licensure in accordance with this Paragraph. An appropriate course of study for an "equivalent" degree under G.S.
18 90-270.47(1)e is defined by the Board to consist of a 45 semester hour graduate program. Twenty-seven semester
19 hours consist of the following content and clinical training:

- 20 (1) General Family Studies (six semester hours). This category is a broad and inclusive one which may
21 include courses in marriage, family relations, child development, family sociology, or other such
22 related topics in which the marriage and family content is evident.
- 23 (2) Marriage and Family Therapy Theory (six semester hours). This category includes specific and
24 extensive content in systems theory as well as other theoretical approaches to marriage and family
25 therapy. In addition, the Board shall consider course work in this category which exceeds six
26 semester hours to be applicable toward meeting the requirements for General Family Studies.
- 27 (3) Individual Studies. Theories of Personality (three semester hours), and psychopathology or
28 abnormal behavior (three semester hours).
- 29 (4) Clinical Practicum in Marriage and Family Therapy (nine semester hours or 20 hours per week for
30 12 months).

31 The remaining 18 semester hours shall consist of course work appropriate to the disciplinary specialty in which the
32 degree is granted.

33
34 *History Note: Authority G.S. 90-270.47(1)e; 90-270.51(b); 90-270.54(1)a;*
35 *Eff. August 1, 1984;*
36 *Amended Eff. July 1, 2011; March 1, 1996; April 1, ~~1989~~ 1989;*
37 *Readopted Eff. May 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marital and Family Therapy Licensure Board

RULE CITATION: 21 NCAC 31 .0504

DEADLINE FOR RECEIPT: Tuesday, April 9, 2019

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

On line 5, you speak of accepting "supervised clinical practicums" in lieu of the clinical practicum requirements of Rules .0501 and .0503. However, those two rules require supervised clinical practicums. What do you mean to say here? Are you defining supervised clinical practicum, as the term is used in Rules .0501 and .0503?

On line 5, what is "evidence"?

On line 5, insert a comma after "practicum" and state "which is" so it is "clinical practicum, which is defined as..."

On line 5, I take it you need to retain "at least" in the Rule both places?

On line 6, I suggest replacing "subsequent" with "after"

On line 6, end the sentence after "study." Then start a new sentence, "The supervision must meet the requirements of..."

On line 8, reported by whom?

Line 8, what are the contents of these forms and where are they found?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: March 26, 2019

1 **21 NCAC 31 .0504 is readopted as published in 32:17 NCR 1701 as follows:**

2

3 **21 NCAC 31 .0504 ALTERNATIVE TO CLINICAL PRACTICUM**

4 In lieu of the clinical practicum requirements under Rule .0501 or Rule .0503 of this Section, the Board shall accept
5 evidence of a supervised clinical practicum defined as at least 120 clinical contact hours with at least 24 hours of
6 supervision obtained subsequent to the granting of a related degree in an equivalent course of study provided the
7 supervision meets the requirements of "approved supervision" under Rule .0502 of this Section. The hours of
8 supervision must be reported to the Board on the Board forms.

9

10 *History Note: Authority G.S. 90-270.51(b);*
11 *Eff. August 1, 1984;*
12 *Amended Eff. July 1, 2011; March 1, ~~1996~~ 1996;*
13 *Readopted Eff. May 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marital and Family Therapy Licensure Board

RULE CITATION: 21 NCAC 31 .0505

DEADLINE FOR RECEIPT: Tuesday, April 9, 2019

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In the name of the Rule, consider making "Postgraduate" one word, as it is in the Rule.

In (a), line 4, consider stating "In assessing the applicant's fulfillment of the educational requirements for licensure pursuant to G.S. 90-270.54(a)(1)(a), the Board shall..."

On line 5, what is "evidence"?

On line 5, consider making "nondegree" one word, as it is in the statute.

On line 6, you refer to institutions or programs, but then in (a)(1) through (4), you focus on programs. Is this intentional?

In (a)(1), line 7, define "specified"

In (a)(2), line 8, what is "ongoing" and "additive"? If you are trying to define it with the language on lines 8-9, then use that language.

On line 8, what is "specific"?

If you are not trying to define it, insert a closing parenthesis after "basis" on line 9.

In (a)(3), line 10, define "identifiable"

On line 10, insert a comma after "facility"

In (a)(4), what is required for this documentation?

On line 12, define "satisfactory"

On line 13, what is "approved" clinical supervision and who approves it?

And how long must this documentation be maintained?

In (b), line 15, why do you need "and shall not be considered"? I don't think you do, given the language that comes before it.

Amanda J. Reeder
Commission Counsel

Date submitted to agency: March 26, 2019

If you want to retain this, considered by whom? The Board?

In the History Note, please correct the citation to G.S. 90-270.54(a)(1)(a);

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: March 26, 2019

1 **21 NCAC 31 .0505 is readopted as published in 32:17 NCR 1701 as follows:**

2

3 **21 NCAC 31 .0505 NON-DEGREE GRANTING POST GRADUATE TRAINING PROGRAMS**

4 (a) In assessing the applicant's fulfillment of the educational requirements for licensure, the Board shall accept
5 evidence of the applicant's completion of postgraduate training in marriage and family therapy from non-degree
6 granting institutions or programs providing that:

7 (1) The program has a specified curriculum in marriage and family therapy;

8 (2) The program is ongoing and additive, i.e., offered at the same place over a specific period of time
9 and is available on an ongoing basis;

10 (3) The program is attached to an identifiable institution, training facility or agency; and

11 (4) Documentation is maintained by the institution, training facility, or agency regarding a person's
12 satisfactory involvement in and completion of the program. Such documentation must include
13 approved clinical supervision and performance evaluation.

14 (b) Workshops, seminars and general continuing education events do not qualify as postgraduate training under this
15 Rule and shall not be considered.

16

17 *History Note: Authority G.S. 90-270.51(b); 90-270.54(1)a;*

18 *Eff. August 1, 1984;*

19 *Amended Eff. March 1, 1996; April 1, ~~1989~~ 1989;*

20 *Readopted Eff. May 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marital and Family Therapy Licensure Board

RULE CITATION: 21 NCAC 31 .0506

DEADLINE FOR RECEIPT: Tuesday, April 9, 2019

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In (a), line 4, consider putting "direct client contact" in quotes and then saying "means" rather than "is defined as"

I also note that the term "direct client contact" is used in only one other Rule – Rule .0502. Have you considered either moving this language to that Rule or inserting a cross-reference into that Rule?

On line 4, state "face-to-face therapy between the therapist and client"

And so that I'm clear – will this include electronic communication, such as Skype?

On line 4, I believe "within" should be one word, or perhaps it should read only "with"

On line 5, what is "systemic perspective"? Does your regulated public know?

On lines 5-6, I do not understand the cross-reference, as Paragraph (d) does not use the term "relational hours" What do you intend to refer to here?

In (a)(2), line 8, what is "goal directed"? Does your regulated public know? Also, I think the term should be hyphenated.

In (a)(3), line 9, I suggest inserting an article like "a" or "the" before "client"

Also on line 9, I believe the first "affect" should be "effect"

On line 9, insert a comma after "affect" before "and behavior"

In (b), line 10, what is "otherwise"?

On line 10, counted by whom?

On line 10, are you defining "assessment" here? If so, consider stating "For the purposes of this Rule, "assessment" shall mean a clinical encounter..."

Amanda J. Reeder
Commission Counsel

Date submitted to agency: March 26, 2019

On line 11, who uses this to determine the service? A clinician? Will he or she also decide what is "appropriate" as used on line 12?

On line 13, considered by whom?

In (c), line 14, if you are defining "Psycho-education" then I suggest you use the language suggested for other definitions.

On line 15, insert a comma after "social"

In (d)(1), lines 18-19, are you missing language in "at some point during immediately"? Should it be "during or immediately..."

And please define "immediately"

What is the difference between (d)(2) and (3)?

In the History Note, please correct the citation to G.S. 90-270.54(a)(1)(b);

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

1 **21 NCAC 31 .0506 is readopted as published in 32:17 NCR 1701 as follows:**

2

3 **21 NCAC 31 .0506 DIRECT CLIENT CONTACT**

4 (a) As used in this Chapter, direct client contact is defined as face-to-face (therapist and client) therapy with in
5 individuals, couples, families, or groups from a systemic perspective and includes relational hours as defined in 21
6 NCAC 31 .0506(d). Direct client contact must:

- 7 (1) Relate to client treatment plans;
- 8 (2) Be goal directed; and
- 9 (3) Assist client to affect change in cognition, affect and behavior.

10 (b) Assessments (intake and otherwise) may be counted up to 250 hours of direct client contact. Assessment is a
11 clinical encounter that involves gathering of current and historical data from a client that is then used to determine
12 what type of therapeutic service is most appropriate. If the individual who conducted the assessment does not provide
13 the therapeutic service, it is considered an assessment hour only.

14 (c) Client psycho-education may be counted up to 250 hours direct client contact. Psycho-education refers to a
15 treatment approach that provides education for individuals and families in assistance with emotional, mental, social
16 and relational disturbances.

17 (d) The following are not direct client contact and may not be counted:

- 18 (1) Observing therapy without actively participating in follow-up therapy at some point during
19 immediately following the session;
- 20 (2) Record keeping;
- 21 (3) Administrative activities;
- 22 (4) Supervision; and
- 23 (5) Client contact while not receiving supervision.

24

25 *History Note: Authority G.S. 90-270.51(b); 90-270.54(1)b;*
26 *Eff. March 1, 1996;*
27 *Amended Eff. July 1, 2011. ~~2011~~. 2011;*
28 *Readopted Eff. May 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marital and Family Therapy Licensure Board

RULE CITATION: 21 NCAC 31 .0609

DEADLINE FOR RECEIPT: Tuesday, April 9, 2019

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In (a), line 7, it appears this is no longer the name of the ethical code. Here is the link I found: https://www.aamft.org/Legal_Ethics/Code_of_Ethics.aspx?WebsiteKey=8e8c9bd6-0b71-4cd1-a5ab-013b5f855b01 and it appears the name is now "Code of Ethics"

So, why not rewrite (a) to state "The Board adopts the AAFMT Code of Ethics by reference, including subsequent amendments and editions. Copies of the Code may be viewed for free at www.aamft.org."

Then you can delete Paragraph (c), as well.

In the History Note, I think you mean to cite to G.S. 90-270.60(9).

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: March 26, 2019

1 **21 NCAC 31 .0609 is readopted as published in 32:17 NCR 1701 as follows:**

2

3

SECTION .0600 - CODE OF ETHICAL PRINCIPLES

4

5 **21 NCAC 31 .0609 ETHICAL PRINCIPLES**

6 (a) The Board adopts the code of ethical principles of the American Association for Marriage and Family Therapy
7 (AAMFT) published as the AAMFT CODE OF ETHICAL PRINCIPLES FOR MARRIAGE AND FAMILY
8 THERAPISTS by reference including subsequent amendments and editions. The current code is published on the
9 AAMFT's website (www.aamft.org).

10 (b) Each applicant or licensee shall follow this code of ethics.

11 (c) A copy of this code of ethics may be obtained at no charge by writing the American Association for Marriage and
12 Family Therapy, 112 Alfred Street, Alexandria, VA 22314-3061 or from www.aamft.org.

13

14 *History Note: Authority G.S. 90-270.51(b); 90-270.60(5);*

15 *Eff. March 1, 1996;*

16 *Amended Eff. July 1, ~~2011~~, 2011;*

17 *Readopted Eff. May 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marital and Family Therapy Licensure Board

RULE CITATION: 21 NCAC 31 .0701

DEADLINE FOR RECEIPT: Tuesday, April 9, 2019

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In (a), line 7, what do you mean by "evidence"? Is it "evidence of completion" like the term used on line 8? Why not use "proof" instead in both places?

In (b), line 11, what do you mean by "title" and "content"? Are you looking at the course handout?

On line 12, how is this approval done? And is it only given afterwards, or can the courses be pre-approved?

In (c), who gets this credit – the supervisor or the supervisee? And how is the amount calculated – is it 1 hour continuing education for 1 hour of supervision? How is this calculated?

Also, on lines 13 and 14, what is a "supervisor candidate"?

On line 14, what is "written documentation" and "the supervisor's status"?

On line 15, what are the contents of this form? And where can it be found?

In (d), consider rewriting this to state, "Three hours of the required 20 hours of continuing education shall consist of ethics training in the provision of professional mental health services." Or just state "A licensee shall complete three hours of ethics training in the provision of professional mental health services."

In (e), line 18, you state the maximum number of hours, but how is this calculated?

In (f), line 21, why is "Education" capitalized? The term is not capitalized elsewhere in the Rule.

In (f)(1), line 22, what is "regular"?

On line 22, insert a comma after "staffing"

In (f)(3), I suggest stating "Independent learning undertaken by the licensee without peer or other guidance, review, input, supervision, or monitoring;"

In (f)(5), insert a comma after "programs"

Amanda J. Reeder
Commission Counsel

Date submitted to agency: March 26, 2019

In (f), line 29, what do you mean by “identifiable”? To whom? Based upon what?

On line 30, insert a comma after “ethics”

On line 32, what do you mean by “considered”? Do you mean if the Board determines the training will not count as part of the required 20 hours? Or disapproved?

I am simply asking – do you need the sentence on lines 33-34?

In (h), I think this should be combined with (g). Or perhaps you could pull the language from lines 32-34 and insert them into (h)

On line 36, consider stating “the license shall expire.”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: March 26, 2019

1 **21 NCAC 31 .0701 is readopted as published in 32:17 NCR 1701 as follows:**

2
3 **SECTION .0700 - CONTINUING EDUCATION**

4
5 **21 NCAC 31 .0701 REQUIREMENTS FOR CONTINUING EDUCATION**

6 (a) Licensed Marriage and Family Therapists and Licensed Marriage and Family Therapy Associates shall submit
7 each year with the license renewal forms evidence of 20 hours of continuing education credits in marriage and family
8 therapy continuing education obtained subsequent to the prior license renewal. Evidence of completion shall consist
9 of a certificate of attendance and completion signed by the continuing education provider and shall include date(s) of
10 attendance, number of hours, name of attendee, and name of course.

11 (b) Continuing education units that by title and content deal with marriage and family therapy practice and therapeutic
12 issues, ethics and supervision of marriage and family therapy shall be approved by the Board.

13 (c) Ongoing supervision by an AAMFT approved supervisor or AAMFT supervisor candidate may be utilized for up
14 to 12 hours of continuing education. Written documentation of the supervisor's status shall be provided to the Board
15 via a copy of the AAMFT supervisor or supervisor candidate verification form.

16 (d) Three hours of ethics training in the provision of professional mental health services is required (as part of the
17 required 20 hours of continuing education) for each renewal period.

18 (e) The maximum number of hours of continuing education credits for presenting a continuing education course in
19 marriage and family therapy or teaching a course in marriage and family therapy at a recognized educational institution
20 is five.

21 (f) Continuing Education credit shall not be accepted for the following:

- 22 (1) Regular work activities, administrative staff meetings, case staffing or reporting;
- 23 (2) Membership in, holding office in, or participation on boards or committees, business meetings of
24 professional organizations, or banquet speeches;
- 25 (3) Independent unstructured or self-structured learning, defined as learning which is undertaken by the
26 licensee without peer or other guidance, review, input, supervision or monitoring;
- 27 (4) Training related to policies and procedures of an agency; or
- 28 (5) Non-therapy content programs such as finance or business management.

29 (g) If a person submits documentation for continuing education that is not identifiable as dealing with marriage and
30 family therapy practice and therapeutic issues, ethics or the supervision of marriage and family therapy, the Board
31 shall request a written description of the continuing education and how it applies to professional practice in marriage
32 and family therapy. If the Board determines that the training cannot be considered, the individual shall be given 90
33 days from the date of notification to replace the hours not allowed. Those hours shall be considered replacement hours
34 and shall not be counted during the next renewal period.

35 (h) If evidence of completion of marriage and family continuing education is not presented to the Board within 90
36 days from the date of notification, the license expires automatically.

1 (i) The Board shall waive the continuing education requirements in this Rule for any individual who is currently
2 licensed by and in good standing with the Board if the individual is serving in the armed forces of the United States
3 and if G.S. 105-249.2 grants the individual an extension of time to file a tax return. The waiver shall be in effect for
4 any period that is disregarded under Section 7508 of the Internal Revenue Code in determining the taxpayer's liability
5 for a federal tax.

6 (j) If the evidence of completion is not postmarked by July 1, the evidence of completion shall not be accepted by the
7 Board, and the license will expire effective July 1.

8

9 *History Note: Authority G.S. 90-270.51(b); 90-270-58C; 93B-15;*

10 *Eff. March 1, 1996;*

11 *Amended Eff. July 1, ~~2011~~, 2011;*

12 *Readopted Eff. May 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marital and Family Therapy Licensure Board

RULE CITATION: 21 NCAC 31 .0801

DEADLINE FOR RECEIPT: Tuesday, April 9, 2019

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In (a), line 7, I note that you capitalize the term "Marriage and Family Therapy Associate" in Rule .0701. Should it be capitalized here?

In (a)(1), line 9, what are the contents of this form and where can it be found?

In (a)(2), line 10, do you need "directly" when you have "by the training institution" beside it?

On line 11, please replace "evidencing;" with "showing"

On lines 13-14, what you have is correct. However, consider stating "in Rule .0501 of this Chapter" instead.

On line 14, consider removing the language from the parenthesis and stating "Additional documentation, such as copies of the course catalog and syllabi of qualifying coursework..."

In (a)(3), I take it you mean "good moral character" as used in G.S. 90-270.52?

On line 16, is the evidence of good moral character going to be anything other than the endorsements? If not, then why not state "Evidence of good moral character, as shown by three endorsements..."

If you don't want to state that, insert a comma after "character" and change "include" to "includes"

On line 17, what are the contents of this form and how are they found?

And what are "persons familiar with the applicant"? Is this determined entirely by the applicant?

In (a)(4), what do you mean by "evidence"? What are you actually requiring here?

In (a)(5), what is "evidence"? Do you not want the agreement?

In (b), line 22, why do you need "complete"? Wouldn't "All application materials" sufficient?

And what happens after the file is closed?

Amanda J. Reeder
Commission Counsel

Date submitted to agency: March 26, 2019

In the History Note, there is no G.S. 90-270.48(b). Did you mean instead to cite to G.S. 90-270.54A?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: March 26, 2019

1 **21 NCAC 31 .0801 is readopted as published in 32:17 NCR 1701 as follows:**

2
3 **SECTION .0800 - ASSOCIATE STATUS**

4
5 **21 NCAC 31 .0801 LICENSED MARRIAGE AND FAMILY THERAPY ASSOCIATE**
6 **CREDENTIALS REQUIRED**

7 (a) An applicant for licensure as a marriage and family therapy associate shall ensure the submission of the following
8 to the Board:

- 9 (1) Notarized application form and application fee;
- 10 (2) Official graduate college transcripts sent directly to the Board by the training institution(s)
11 evidencing; completion of a master's or doctoral degree in marriage and family therapy from a
12 recognized educational institution, or completion of a related degree from a recognized educational
13 institution with course of study encompassing coursework as defined by the Board in 21 NCAC 31
14 .0501. Additional documentation (copies of course catalog and syllabi) of qualifying coursework
15 shall be required if the Board has questions about course content;
- 16 (3) Evidence of good moral character which include three endorsements for licensure, using Board
17 forms, from persons familiar with the applicant;
- 18 (4) Evidence of a passing score on the examination required by the Board pursuant to G.S. 90-
19 270.54(a)(2); and
- 20 (5) Evidence of an agreement with a supervisor who meets the requirements of Rule .0502 for ongoing
21 supervision.

22 (b) All complete application materials shall be received within two years from the date of the application or the file
23 shall be closed.

24
25 *History Note: Authority G.S. 90-270.48(b)(1); 90-270.51(b);*
26 *Eff. March 1, 1996;*
27 *Amended Eff. October 1, 2011. ~~2011~~;*
28 *Readopted Eff. May 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marital and Family Therapy Licensure Board

RULE CITATION: 21 NCAC 31 .0802

DEADLINE FOR RECEIPT: Tuesday, April 9, 2019

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

Consider making this a two paragraph rule, with (a) being the language on lines 4-6, and (b) being lines 6-7.

On line 4, please insert a comma after "90-270.54A(c)" and put "special circumstances" in quotation marks, as you are defining the term.

I also suggest replacing "are defined as" with "shall mean"

If you make all of these changes, it will look like this:

(a) For the purposes of G.S. 90-270.5A(c) ~~special circumstances are defined as~~ G.S. 90-270.52A(c), "special circumstances" shall mean events

On lines 5 and 6, please insert a comma after "spouse"

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: March 26, 2019

1 **21 NCAC 31 .0802 is readopted as published in 32:17 NCR 1701 as follows:**

2

3 **21 NCAC 31 .0802 LICENSED MARRIAGE AND FAMILY THERAPY ASSOCIATE**

4 For purposes of G.S. 90-270.54A(c) special circumstances are defined as events beyond the control or fault of the
5 Licensed Marriage and Family Therapy Associate, including illness of self, partner, spouse or child, or death of life
6 partner, spouse or child. Persons who are licensed as Licensed Marriage and Family Therapy Associates must disclose
7 to their clients that they are required to practice under on-going supervision, and the name of their supervisor.

8

9 *History Note: Authority G.S. 90-270.54A;*

10 *Eff. July 1, ~~2011~~ 2011;*

11 *Readopted Eff. May 1, 2019.*

1 **21 NCAC 31 .1001 is readopted as published in 32:17 NCR 1701 as follows:**

2

3

SECTION .1000 - FEES

4

5 **21 NCAC 31 .1001 FEES**

6 The Board sets the following fees:

7	(1)	Each license examination	\$ 50.00
8	(2)	Each license application as a marriage and family therapist	\$200.00
9	(3)	Each license application as a marriage and family therapist associate	\$200.00
10	(4)	Each reciprocal license application	\$200.00
11	(5)	Each renewal of license	\$100.00
12	(6)	Each reinstatement of an expired license	\$200.00
13	(7)	Each application to return to active status	\$200.00
14	(8)	Each duplicate license	\$ 25.00
15	(9)	Each annual maintenance of inactive status	\$ 50.00
16	(10)	Each application to extend associate license	\$ 50.00

17

18 *History Note: Authority G.S. 90-270.57;*

19 *Eff. July 1, ~~2011~~, 2011;*

20 *Readopted Eff. May 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marital and Family Therapy Licensure Board

RULE CITATION: 21 NCAC 31 .1002

DEADLINE FOR RECEIPT: Tuesday, April 9, 2019

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

On line 5, please make "re-new" one word.

Do you need to retain the language on lines 6-7?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: March 26, 2019

1 **21 NCAC 31 .1002 is readopted as published in 32:17 NCR 1701 as follows:**

2

3 **21 NCAC 31 .1002 FUND SUSPENSION**

4 In the event the Board's authority to expend funds is suspended pursuant to G.S. 93B-2, the Board shall continue to
5 issue and re-new licenses and all fees tendered shall be placed in an escrow account maintained by the Board for this
6 purpose. Once the Board's authority is restored, the funds shall be moved from the escrow account into the general
7 operating account.

8

9 *History Note: Authority G.S. 93B-2(d);*

10 *Eff. July 1, ~~2011~~ 2011;*

11 *Readopted Eff. May 1, 2019.*