

GENERAL GOVERNMENT CABINET
Kentucky State Board of Licensure for Marriage and
Family Therapists
(New Administrative Regulation)

201 KAR 32:035. Supervision of Marriage and Family Therapist Associates.

RELATES TO: KRS 335.320 (6), 335.332

STATUTORY AUTHORITY: KRS 335.320 (4) and (5)

NECESSITY FUNCTION AND CONFORMITY: KRS 335.320(4) requires the board to license applicants who satisfy the experience and educational requirements and who have paid their fee. KRS 335.320(5) requires the board to review and approve supervision contracts between marriage and family therapy associates and their approved supervisors. This administrative regulation establishes the supervision requirements for marriage and family therapy associates and their board-approved supervisors.

Section 1. Qualifications for Board-Approved Supervisors. (1) Effective January 1, 2010, the following qualifications shall be necessary to become a board-approved supervisor:

- (a) AAMFT approved supervisor in good standing; or
- (b) AAMFT supervisor candidate; or
- (c) A marriage and family therapist licensed in Kentucky and in good standing with a minimum of five (5) years of experience in the practice of marriage and family therapy; or
- (d) A person licensed and in good standing with a minimum of five (5) years of experience as a marriage and family therapist in another state, and who meets the licensure requirements for Kentucky.

(2) In order to obtain initial board-approved supervisor status, all applicants who are not American Association of Marriage and Family Therapists (AAMFT) supervisors in good standing, shall provide proof of completion of six (6) hours of licensure board-approved continuing education courses in supervision. The courses must be taken within the two (2) years preceding the date of application to become a board-approved supervisor.

(a) This requirement shall be in addition to the fifteen (15) hours of continuing education required by 201 KAR 32:060.

(b) Said approved courses shall include, but not be limited to, Kentucky law governing the practice of marriage and family therapy, both administrative regulations and statutes, theories of supervision, ethical issues involved in supervision, supervisor responsibilities such as logs, treatment, planning and recording. Courses may be attended live or online.

(3) Board-approved supervisor annual renewal requirements.

(a) AAMFT approved supervisors shall complete one (1) hour of continuing education every year in Kentucky law governing the practice of marriage and family therapy. Courses may be attended live or online. This requirement shall be included in the fifteen (15) hours of continuing education required by 201 KAR 32:060.

(b) Non-AAMFT approved supervisors shall complete two (2) hours of continuing education in supervision every year, to maintain board-approved supervisor status. This requirement shall be included in the fifteen (15) hours of continuing education required by 201 KAR 32:060. Said approved courses shall include, but not be limited to, Kentucky law governing the practice of marriage and family therapy, both administrative regulations and statutes, theories of supervision, ethical issues involved in supervision, supervisor responsibilities such as logs, treatment, planning and recording. Courses may be attended live or online.

Section 2. Clinical Supervision. (1) Clinical supervision shall:

(a) Be equally distributed throughout the qualifying period. Supervision shall average at least four (4) hours per month as specified in the supervision contract;

(b) Be clearly distinguishable from psychotherapy, didactic enrichment or training activities;

(c) Focus on raw data from the supervisee's current clinical work; and

(d) Be direct, face-to-face contact between the supervisor and supervisee. Any alternative format of direct, face-to-face clinical supervision shall receive prior approval of the board.

(2) The supervision process shall focus on:

(a) Accurate diagnosis of client problems leading to proficiency in applying professionally recognized nomenclature and developing a plan for treatment as set forth in the Diagnostic and Statistical Manual of Mental Disorders;

(b) Development of treatment skills appropriate to the therapeutic process;

(c) Development of sensitivity to context and issues relating specifically to the family or individual being counseled;

(d) Acknowledgment of an awareness of the use of the professional self of the therapist in the process of therapy;

(e) Increased theoretical and applied knowledge for the therapist;

(f) Acquisition of a greater depth of knowledge and range of techniques in the provision of marriage and family therapy; and

(g) Awareness of ethical issues in practice, in order to safeguard and enhance the quality of care available to marriage and family therapy clients.

Section 3. Standards for raw data used for supervision. For purposes of this section raw data shall be defined as the use of video-taped sessions, live observation, or co-therapy with a board-approved supervisor. The use of raw data in a supervision session shall constitute a minimum of fifty (50) hours of the 200 hours of required supervision.

Section 4. In a therapy session involving a board-approved supervisor and supervisee:

(1) The role of the board-approved supervisor as a supervisor or co-therapist shall be clearly defined prior to beginning a therapy session; and

(2) The supervisees may receive credit for client contact hours and supervision hours.

Section 5. Documentation Requirements. (1) The board-approved supervisor and marriage and family therapist associates shall maintain a supervision log which shall document:

- (a) The frequency and type of supervision provided; and
- (b) The method of supervision utilized, such as observation, dialogue and discussion, and instructional techniques employed.

(2) No more than 100 hours of supervision hours may take place in group supervision. For purposes of this administrative regulation, individual supervision consists of one (1) or two (2) supervisees with a supervisor.

Section 6. Number of Supervisees. A board-approved supervisor shall not have more than six (6) marriage and family therapist associates under supervision at any one time. Requests to supervise marriage and family therapist associates in excess of six (6) shall be submitted to the board for approval and shall demonstrate in writing the supervisor's plan and ability to add to the current supervisory load.

Section 7. Temporary Supervision. (1) In extenuating circumstances, when a marriage and family therapist associate is without supervision, the associate may continue working up to thirty (30) calendar days under agency supervision while appropriate board-approved supervision is sought and a new supervision contract is submitted to the board. Qualified mental health professional for purposes of this administrative regulation is defined as a licensed marriage and family therapist, licensed psychologist, licensed psychiatrist, licensed professional clinical counselor, or licensed clinical social worker. For purposes of this administrative regulation extenuating circumstances include, but are not limited to, death or serious illness of the board-approved supervisor, a leave of absence by the supervisor or the termination of the supervisor's employment.

(2) It shall be the responsibility of the supervisee to notify the board and supervisor of these circumstances and to submit in writing a plan for resolution of the situation when a supervision contract is terminated. The supervisor shall notify the board and supervisee within thirty (30) days in writing.

Section 8. Board-approved Supervisor's Responsibilities to Clients and Supervisees. (1) A board-approved supervisor shall be responsible for ensuring the proper and appropriate delivery of marriage and family therapy services to clients.

(2) A board-approved supervisor shall be responsible for fostering the professional competence and development of the marriage and family therapist associates under his supervision.

(3) A board-approved supervisor shall be responsible for compliance with the code of ethics set forth in 201 KAR 32:050 and take steps to ensure that his supervisees comply with the code of ethics as well.

This is to certify that the Chair of the Kentucky State Board of Licensure for Marriage and Family Therapists executes this administrative regulation prior to filing, pursuant to the authority granted by statute, and following a vote of approval by the Board as reflected in the Board's minutes. This administrative regulation is filed with the Legislative Research Commission as required by KRS Chapter 13A to carry out and enforce the provisions of KRS Chapter 335.

ANTHONY A. WATKINS, Chair

APPROVED BY AGENCY: November 19, 2008

FILED WITH LRC: November 19, 2008 at 2 p.m.

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on January 22, 2009, at 3 p.m., local time, at the Kentucky State Board of Licensure for Marriage and Family Therapists, 911 Leewood Drive, Frankfort, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until February 2, 2009. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Barbara Rucker, Administrative and Support Services Supervisor, Kentucky State Board of Licensure for Marriage and Family Therapists, 911 Leewood Drive, Frankfort, Kentucky 40601, phone (502) 564-3296 ext. 224, fax (502) 696-1899.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Barbara Rucker

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the supervision requirements for Marriage and Family Therapy Associates and their board approved supervisors.

(b) The necessity of this administrative regulation: The necessity of this regulation is to provide guidance to applicants who wish to request associate status, respective to supervision requirements.

(c) How this administrative regulation conforms to the content of the authorizing statutes: The board is given the authority to promulgate regulations per KRS 13A.100 and 335.320(9).

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation allows the board to grant licensure to associates and to approve supervisors.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: N/A

(b) The necessity of the amendment to this administrative regulation: N/A

(c) How the amendment conforms to the content of the authorizing statutes: N/A

- (d) How the amendment will assist in the effective administration of the statutes: N/A
- (3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Currently there are approximately 38 new associate applications per year, and approximately 150 active associates.
- (4) Provide an analysis of how the entities identified in question (3) will be impacted by either implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:
- (a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Applicants for licensure will have to comply with KRS Chapter 335 and 201 KAR Chapter 32.
- (b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): Each applicant for licensure as an associate shall pay \$50 for initial licensure and \$50 for renewal.
- (c) As a result of compliance, what benefits will accrue to entities identified in question (3): This regulation will allow qualified applicants who meet statutory and regulatory criteria to practice as an associate.
- (5) Provide an estimate of how much it will cost to implement this administrative regulation:
- (a) Initially: No additional cost is foreseen for the implementation of this administrative regulation.
- (b) On a continuing basis: No additional cost is foreseen on a continuing basis for the implementation of this administrative regulation.
- (6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The board's operation is funded by fees paid by license holders and applicants.
- (7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees will be necessary to implement this amended administrative regulation.
- (8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This amended administrative regulation does not increase existing fees, nor does it implement new fees.
- (9) TIERING: Is tiering applied? Tiering was not applied as the criteria apply equally to all applicants and license holders.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

1. Does this administrative regulation relate to any program, service, or requirements of a state or local government (including cities, counties, fire departments, or school districts)? Yes
2. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? This administrative regulation directly impacts applicants for associate status, or associates who renew their licenses.
3. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS Chapter 335 and 201 KAR Chapter 32.
4. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.
 - (a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This regulation will not generate additional revenue.
 - (b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? See answer above.
 - (c) How much will it cost to administer this program for the first year? The board carries out its statutory duties utilizing the fees paid by the certificate holders. No state monies are appropriated.
 - (d) How much will it cost to administer this program for subsequent years? The board carries out its statutory duties utilizing the fees paid by the certificate holders. No state monies are appropriated.