

R156. Commerce, Occupational and Professional Licensing.

R156-60b. Marriage and Family Therapist Licensing Act Rule.

R156-60b-101. Title.

This rule is known as the "Marriage and Family Therapist Licensing Act Rule".

R156-60b-102. Definitions.

In addition to the definitions regarding marriage and family therapy in Title 58, Chapters 1 and 60, as used in Title 58, Chapters 1 and 60, the following rule definitions supplement the statutory definitions:

- (1) "AAMFT" means the American Association for Marriage and Family Therapy.
- (2) "Deficiency," as used in Subsection 58-60-117(1)(d), means no more than a combined total of six semester or eight quarter hours in:
 - (a) theoretical foundations of marital and family therapy;
 - (b) assessment and treatment in marriage and family therapy, including Diagnostic Statistical Manual (DSM);
 - (c) human development and family studies that include ethnic minority issues, and gender issues including sexuality, sexual functioning, and sexual identity;
 - (d) research methodology and data analysis; and
 - (e) electives in marriage and family therapy.
- (3) "Directly related to marriage and family therapy", as used in R156-60b-304 and R156-60-105(1)(c), means that the continuing education course meets at least one of the following criteria:
 - (a) approved by an international, national, or state marriage and family therapy association, national or state marriage and family therapy regulatory board, or a COAMFTE accredited program; or
 - (b) title, objective, or official description of the course indicates instruction on relationships, couples, or families.
 - (4) "Face to face supervision" as used in this rule includes both individual and group supervision.
 - (5) "Group supervision" means, in accordance with Section 58-60-307, supervision between the supervisor and no more than six individuals who are lawfully engaged in training for the practice of mental health therapy, unless the supervisor is granted an exception in writing from the Division in collaboration with the Board.
 - (6) "Individual supervision" means supervision between the supervisor and one or two supervisees.
 - (7) "Practicum," as used in R156-60b-302a(2)(g) means a clinical program of training at an accredited school under general supervision in a setting other than a student's private practice.
 - (8) "Unprofessional conduct" as defined in Title 58, Chapters 1 and 60, is further defined, in accordance with Subsection 58-1-203(1)(e), in Section R156-60b-502.

R156-60b-103. Authority - Purpose.

This rule is adopted by the Division under the authority of Subsection 58-1-106(1)(a) to enable the Division to administer Title 58, Chapter 60, Part 3.

R156-60b-104. Organization - Relationship to R156-1.

The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-107.

R156-60b-302a. Qualifications for Licensure - Education Requirements.

- (1) Pursuant to Subsection 58-60-305(1)(d), an applicant applying for licensure as a marriage and family therapist shall produce certified transcripts evidencing completion of:
 - (a) a clinical master's or doctorate degree in marriage and family therapy, from a program accredited by the Commission on Accreditation for Marriage and Family Therapy Education at the time the applicant obtained the education; or
 - (b) a clinical master's degree in marriage and family therapy or equivalent, from a program accredited by a professional accrediting body approved by the Council for Higher Education Accreditation of the American Council on Education at the time the applicant obtained the education.
- (2) A program under Subsection (1)(b) shall include the following:
 - (a) six semester hours or nine quarter hours of course work in theoretical foundations of marital and family therapy;
 - (b) nine semester hours or 12 quarter hours of course work in assessment and treatment in marriage and family therapy, including Diagnostic Statistical Manual (DSM);
 - (c) six semester hours or nine quarter hours of course work in human development and family studies that include ethnic minority issues, and gender issues including sexuality, sexual functioning, and sexual identity;
 - (d) three semester hours or four quarter hours in professional ethics;
 - (e) three semester hours or four quarter hours in research methodology and data analysis;
 - (f) three semester hours or four quarter hours in electives in marriage and family therapy; and
 - (g) a clinical practicum under supervision meeting the criteria of Sections R156-60b-302d and R156-60-302, which includes at least 600 hours as follows:
 - (i) at least 100 hours of face to face supervision; and
 - (ii) at least 500 direct contact hours of face to face supervised clinical practice, that at least 250 hours shall be with couples or families who are physically present in the therapy room.

R156-60b-302b. Qualifications for Licensure - Supervised Training Requirements.

(1) Pursuant to Subsections 58-60-305(1)(e) and 58-60-305(1)(f) and Section R156-60-302, an applicant shall have completed a minimum of 4,000 hours of supervised marriage and family therapy training as follows:

- (a) in not less than two years;
- (b) while the applicant is a W-2 employee of a public or private agency engaged in mental health therapy;
- (c) under the supervision of a supervisor meeting the requirements of Section 58-60-307 and Section R156-60-302 and R156-60b-302d;
- (d) in accordance with Subsections 58-60-305(1)(e) and 58-60-305(1)(f), include a minimum of 1,000 hours of supervised training in mental health therapy, with:

- (i) at least 100 hours under direct supervision spread uniformly throughout the training period; and
- (ii) at least 500 hours in couple or family therapy with two or more clients participating and at least one physically present; and

(e) count training hours completed in a group therapy session only if the supervisee functions as the primary therapist.

(2) An applicant for licensure as a marriage and family therapist, who is not seeking licensure by endorsement based upon licensure in another jurisdiction, and who has completed all or part of the marriage and family therapy training requirements outside the state, may receive credit for that training completed outside of the state if the applicant demonstrates, by evidence satisfactory to the Division and Board, that the training is equivalent to and meets the requirements for training under this Section and Subsections 58-60-305(1)(e) and 58-60-305(1)(f).

R156-60b-302c. Qualifications for Licensure - Examination Requirements.

Pursuant to Subsection 58-60-305(1)(f), an applicant for licensure as a marriage and family therapist shall pass the Examination of Marital and Family Therapy written for the Association of Marital and Family Therapy Regulatory Boards.

R156-60b-302d. Qualifications to be a Marriage and Family Therapist Training Supervisor.

Pursuant to Subsection 58-60-307(1), to be qualified as a marriage and family therapist training supervisor under Subsections 58-60-305(1)(e) and (f) and Section R156-60-302, an individual shall:

- (1) have been licensed in good standing as a marriage and family therapist, clinical mental health counselor, psychiatrist, psychologist, registered psychiatric mental health nurse practitioner, or clinical social worker for at least two consecutive years prior to beginning supervised training;
- (2) be currently licensed in good standing in the state that the training is being performed;
- (3)(a) be currently approved by AAMFT as a marriage and family therapist supervisor;
- (b) have successfully completed a supervision course in a Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE) accredited marriage and family therapy (MFT) program at an accredited university; or
- (c) have successfully completed 20 clock hours of instruction sponsored by AAMFT or the Utah Association for Marriage and Family Therapy (UAMFT) as follows:
 - (i) four hours of review of models of MFT and supervision;
 - (ii) eight hours of MFT supervision processes and practice;
 - (iii) four hours of research on effective outcomes and processes of supervision; and
 - (iv) four hours of AAMFT Code of Ethics, state rules, and case studies related to MFT supervision;
- (4)(a) enter into a written supervision contract with the supervisee in accordance with Subsection R156-60-302;
- (b) provide at least one hour of face to face supervision for each ten hours of client contact by the supervisee;
- (c) comply with each of the duties and responsibilities uniformly established in Section R156-60-302; and
- (5) in each two-year renewal cycle, complete four hours of the required 40 hours of continuing professional education in topics directly related to marriage and family therapy supervisor training.

R156-60b-303. Renewal Cycle - Procedures.

(1) In accordance with Subsection 58-1-308(1), the renewal date for the two-year renewal cycle applicable to licenses under Title 58, Chapter 60, is established by rule in Section R156-1-308a(1).

- (2) Renewal procedures shall be in accordance with Section R156-1-308c.

R156-60b-304. Continuing Education.

In accordance with Section 58-60-105, the continuing professional education requirements for a marriage and family therapist licensed under Title 58, Chapter 60, Part 3 are established in Section R156-60-105.

R156-60b-306. License Reinstatement Requirements.

In accordance with Subsection 58-1-308(5) and subject to Section R156-1-308g(4), an applicant for reinstatement of a license more than two years after the date the license expired shall:

- (1) upon request, meet with the Board to evaluate the applicant's ability to safely and competently practice as a marriage and family therapist, and determine any additional education, experience, or examination requirements before reinstatement;
- (2) upon the recommendation of the Board, establish a plan of supervision training under an approved supervisor that may include up to 4,000 hours of marriage and family therapy and mental health therapy training as a marriage and family therapist-temporary;

(3) pass the Examination of Marital and Family Therapy of the American Association for Marriage and Family Therapists if the Board determines it necessary to demonstrate the applicant's ability to safely and competently practice as a marriage and family therapist; and

(4) complete a minimum of 40 hours of professional education in subjects determined by the Board as necessary to ensure the applicant's ability to safely and competently practice as a marriage and family therapist.

R156-60b-502. Unprofessional Conduct.

"Unprofessional conduct" includes:

(1) acting as a supervisor or accepting supervision duties of a supervisor without complying with or ensuring compliance with the requirements of Sections R156-60-302 and R156-60b-302d;

(2) engaging in the supervised practice of mental health therapy if not in compliance with Sections R156-60-302 or R156-60b-302b;

(3) engaging in or aiding or abetting conduct or practices that are dishonest, deceptive or fraudulent;

(4) engaging in or aiding or abetting deceptive or fraudulent billing practices;

(5) failing to maintain professional boundaries with a client within two years after the formal termination of therapy or last professional contact, with or without client consent, including engaging in any of the following:

(a) dual or multiple relationships; or

(b) romantic, intimate or sexual relationship;

(6) if engaging in any activity or relationship referenced in Subsection (5) with a client after two years following the formal termination of therapy or last professional contact, failing to demonstrate that there has been no exploitation or injury to the client or to the client's immediate family;

(7) engaging in sexual activities or sexual contact with a client's relative or other individual with whom the client maintains a relationship, if that individual is especially vulnerable or susceptible to being disadvantaged because of the personal history, current mental status, or any condition that could reasonably be expected to place that individual at a disadvantage recognizing the power imbalance that exists or may exist between the marriage and family therapist and that individual;

(8) physical contact with a client when there is a risk of exploitation or potential harm to the client resulting from the contact;

(9) engaging in or aiding or abetting sexual harassment or any conduct that is exploitive or abusive with respect to a student, trainee, employee, or colleague with whom the licensee has supervisory or management responsibility;

(10) failing to render impartial, objective, and informed services, recommendations or opinions with respect to custodial or parental rights, divorce, domestic relationships, adoptions, sanity, competency, mental health or any other determination concerning an individual's civil or legal rights;

(11) exploiting a client for personal gain;

(12) use of a professional client relationship to exploit a person that is known to have a personal relationship with a client for personal gain;

(13) failing to maintain appropriate client records for a period of not less than ten years from the documented termination of services to the client;

(14) failing to obtain informed consent from the client or legal guardian before taping, recording or permitting third party observations of client care or records;

(15) failure to cooperate with the Division during an investigation; and

(16) violating a provision of the Revised AAMFT Code of Ethics effective January 1, 2015, which is adopted and incorporated by reference.

KEY: licensing, therapists, marriage and family therapist

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Authorizing, and Implemented or Interpreted Law: 58-1-106(1)(a); 58-1-202(1)(a); 58-60-301