

Search NEW JERSEY REGISTER

VOLUME 40, ISSUE 6

**ISSUE DATE: MARCH 17, 2008**

**RULE ADOPTIONS**

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

**STATE BOARD OF MARRIAGE AND FAMILY THERAPY EXAMINERS**

Adopted Amendment: N.J.A.C. 13:34-3.3

Adopted New Rules: N.J.A.C. 13:34-1.2, 4.3 and 5

Adopted Repeals: N.J.A.C. 13:34-3.4, 3.5, 3.6 and 4.2

Adopted Recodifications with Amendments: N.J.A.C. 13:34-5 through 8 as 13:34-6 through 9

**Scope of Practice; Unlicensed Persons-Permissible Activities; Experiential Requirements for Licensure; Temporary Permit Holders and Qualified Supervisors**

Proposed: March 19, 2007 at 39 N.J.R. 840(a).

Adopted: August 9, 2007 by the State Board of Marriage and Family Therapy Examiners, James Verser, Ed.S., President. Filed: February 13, 2008 as R.2008 d.56, without change.

Authority: N.J.S.A. 45:8B-6, 45:8B-7 and 45:8B-13 and 45:8B-18.

Effective Date: March 17, 2008.

Expiration Date: March 22, 2009.

**Federal Standards Statement**

A Federal standards analysis is not required because the adopted amendments, repeals and new rules are consistent with State statutes governing the professional practice of marriage and family therapy and there are no Federal standards or requirements applicable to the amendments, repeals and new rules.

Full text of the adopted new rules and amendments follows:

**SUBCHAPTER 1. GENERAL PROVISIONS**

**13:34-1.2 Scope of practice**

Marriage and family therapy is a specialized field of therapy which includes premarital counseling and therapy, pre- and post-divorce counseling and therapy, and family therapy that may be with couples, families or individuals. The practice of marriage and family therapy consists of the application of principles, methods and techniques of counseling and psychotherapy for the purpose of resolving psychological conflict, modifying perception and behavior, altering old attitudes and establishing new ones in the area of individual, marriage and family life. In its concern with the antecedents of marriage, with the vicissitudes of marriage, and with the consequences of the failure of marriage, marriage and family therapy keeps in sight its objective of enabling clients to achieve the optimal adjustment consistent with their welfare as individuals, as members of a family, and as citizens in society.

**SUBCHAPTER 3. UNLICENSED PERSONS--PERMISSIBLE ACTIVITIES**

**13:34-3.3 Supervision of employees and interns**

(a) For purposes of this section, "intern" means a student of marriage and family therapy or a person preparing for the practice of marriage and family therapy under qualified supervision in a training institution or facility, as specified in N.J.S.A. 45:8B-6.

(b) (No change in text.)

(c) Persons approved by the Board to supervise individuals in employee and intern status are required to exercise

appropriate supervision over those persons in accordance with the requirements for supervised experience of candidates as detailed in N.J.A.C. 13:34-4.3.

(d) (No change in text.)

**13:34-3.4 (No change in text.)**

## **SUBCHAPTER 4. REQUIREMENTS FOR LICENSURE; APPLICATION PROCEDURES**

**13:34-4.2 (No change in text.)**

### **13:34-4.3 Experiential requirements for licensure**

(a) The following words and terms as used in this section and N.J.A.C. 13:34-5, shall have the following meanings, unless the context clearly indicates otherwise.

"Counseling experience" means the application of mental health and human development principles through client contact in order to facilitate human development and adjustment throughout the lifespan.

"Marriage and family therapy experience" means the rendering of professional marriage and family therapy services under supervision to individuals, couples and families, singly or in groups, whether in the general public or in organizations, whether public or private.

"Marriage and family therapy supervision" or "supervised experience" means the ongoing process performed by a qualified marriage and family therapy supervisor who monitors the performance of the intern or permit holder and provides regular, documented, face-to-face consultation, guidance and instruction with the intern or permit holder with respect to the marriage and family therapy with individuals, couples and families and monitors the competencies of the intern or permit holder.

"One calendar year" means 1,500 hours over a 50-week period, which is considered full-time, or no less than 750 hours over two periods of 50 weeks, which is considered part-time, totaling of 1,500 hours for the two periods of 50 weeks.

"Qualified supervisor" means an individual who has no less than five full-time years of professional marriage and family therapy practice experience or the equivalent and has either:

1. A New Jersey license to practice as a marriage and family therapist; or
2. Obtained from an accredited institution a minimum of:
  - i. A master's degree in marriage and family therapy;
  - ii. A master's degree in social work;
  - iii. A graduate degree in a related field and has demonstrated to the Board that he or she has completed course work content and training substantially equivalent to a master's degree in marriage and family therapy; or
  - iv. A graduate degree in a related field which does not provide training and course work substantially equivalent in content to a master's degree in marriage and family therapy, and is either a post graduate degree recognized by the Board, or a program of training and course work at an institute or training program accredited by the Commission on Accreditation for Marriage and Family Therapy Education.

(b) In addition to the requirements listed in N.J.A.C. 13:34-4.2, an applicant for licensure as a marriage and family therapist shall submit to the Board documentation, on a form provided by the Board, that the applicant has completed a minimum of two calendar years of supervised marriage and family therapy experience and one calendar year of counseling experience, which may be in marriage and family therapy, as set forth below:

1. Supervised marriage and family therapy experience for each calendar year shall consist of:

i. A minimum of 20 hours per week of actual marriage and family therapy client contact, with a minimum of one hour of supervision for every five hours of client contact;

ii. A minimum of four hours of supervision per week, at least two hours of which shall be individual face-to-face supervision (the remaining two hours may be individual or group supervision); and

iii. A minimum of six hours per week in other work-related activities such as preparing and maintaining client records as described in N.J.A.C. 13:34-8, report writing, maintaining appointment schedules, communicating with other professionals, preparing for supervision, preparing and maintaining financial records in accordance with N.J.A.C. 13:34-5.4 and 6.1, and any other activities the qualified supervisor deems appropriate; and

2. One calendar year of counseling experience, which may be in marriage and family therapy or in general counseling, shall consist of a minimum of 1,500 hours over a 50-week period, which is considered full-time, or no less than 750 hours over two periods of 50 weeks, which is considered part-time, totaling 1,500 hours for the two periods of 50 weeks.

(c) An applicant for licensure with a master's degree shall complete two of the three required calendar years of marriage and family therapy experience after the applicant has earned the master's degree.

(d) An applicant for licensure with a post-master's or doctoral degree shall complete one calendar year of marriage and family therapy experience after the applicant has earned the post-master's or doctoral degree.

## **SUBCHAPTER 5. TEMPORARY PERMIT HOLDERS AND QUALIFIED SUPERVISORS**

### **13:34-5.1 Definitions**

Definitions of words and terms as used in this subchapter are set forth at N.J.A.C. 13:34-4.3(a).

### **13:34-5.2 Temporary permit application procedure**

(a) Pursuant to N.J.S.A. 45:8B-6(e) and 45:8B-18(a), prior to the Board's approval of a three-year temporary permit, the applicant shall complete and submit the following on forms provided by the Board:

1. An application form; and

2. A plan of supervision form which shall include evidence that the supervisor meets the requirements of a qualified supervisor as defined in N.J.A.C. 13:34-4.3(a).

### **13:34-5.3 Responsibilities of qualified supervisors**

(a) A qualified supervisor shall not supervise more than six permit holders at one time.

(b) A qualified supervisor shall obtain a written disclosure, which shall be signed by the client and retained as part of the client record, acknowledging that the client has been informed that services are to be rendered by a permit holder under the supervision of a qualified supervisor.

(c) A qualified supervisor shall retain full professional responsibility for determining how fees are assessed and collected from clients.

(d) A qualified supervisor shall be ultimately responsible for the welfare of the client with respect to the treatment being rendered by the permit holder.

(e) A qualified supervisor is required to attest to compliance with supervision requirements by using forms provided by

the Board. Documentation of supervision shall be filed with the Board by the qualified supervisor(s) every six months for evaluation of the permit holder's progress.

(f) A qualified supervisor shall not supervise a permit holder with whom the qualified supervisor has a relationship that may compromise the objectivity of or impair the professional judgment of, the qualified supervisor. Examples of inappropriate supervisory relationships include, but are not limited to, current and former clients, relatives, current students, or close friends.

(g) A qualified supervisor who wishes to terminate or is unable to provide supervision during the training period shall give the permit holder and the Board two weeks written notice to enable the permit holder to obtain another qualified supervisor. A qualified supervisor may not terminate supervision when termination would result in abandonment of the permit holder or permit holder's clients.

(h) A qualified supervisor whose license has been actively suspended or revoked by any licensing board shall immediately notify this Board.

(i) If, during the period of supervision, the qualified supervisor's license is suspended or revoked, the qualified supervisor shall immediately notify the permit holder and immediately cease supervision. The applicant may be granted credit for hours completed prior to the disciplinary action.

#### **13:34-5.4 Responsibilities of permit holders**

(a) Documentation of supervision shall be filed with the Board by the permit holder every six months for evaluation of the permit holder's progress.

(b) A permit holder shall not engage in unsupervised or independent practice. A permit holder's clients shall include only those who have been approved, in advance, by the qualified supervisor(s).

(c) A permit holder may be compensated only through the qualified supervisor or the employing entity.

(d) A permit holder shall ensure that his or her qualified supervisor files the evaluations required by the Board every six months.

### **SUBCHAPTER 6. GENERAL OBLIGATIONS OF A LICENSEE**

#### **13:34-6.1 Financial arrangements with clients**

(a) Fees for marriage and family therapy services shall be reasonable and commensurate with the status and experience of a licensee consistent with the provisions of N.J.A.C. 13:34-6.7 prohibiting excessive fees.

(b)-(d) (No change.)

Recodify existing N.J.A.C. 13:34-5.2 through 5.7 as 6.2 through 6.7 (No change in text.)

### **SUBCHAPTER 7. ADVERTISING**

Recodify existing N.J.A.C. 13:34-6.1 through 6.3 as 7.1 through 7.3 (No change in text.)

#### **13:34-7.4 Use of professional credentials and certifications**

(a)-(c) (No change.)

(d) In addition to the information required to appear pursuant to N.J.A.C. 13:34-7.3, letters or abbreviations that may appear immediately following the licensee's name shall be limited to the following:

1.-3. (No change.)

(e)-(f) (No change.)

Recodify existing N.J.A.C. 13:34-6.5 through 6.7 as 7.5 through 7.7 (No change in text.)

### **13:34-7.8 Retention of advertisements**

(a) (No change.)

(b) Documentation related to the use of testimonials shall be retained for a period of three years from the date of the last use of the testimonial. Documentation shall include:

1.-2. (No change.)

3. The notarized statement and release required pursuant to N.J.A.C. 13:34-7.7(b).

## **SUBCHAPTER 8. CLIENT RECORDS; CONFIDENTIALITY**

Recodify existing N.J.A.C. 13:34-7.1 through 7.3 as 8.1 through 8.3 (No change in text.)

## **SUBCHAPTER 9. CONTINUING EDUCATION**

**13:34-9.1 (No change in text.)**

**13:34-9.2 Contact hour requirement for licensed marriage and family therapists**

(a) (No change.)

(b) A licensee shall complete at least five of the 40 contact hours of continuing education as required by N.J.A.C. 13:34-9.1 in ethical and legal standards related to marriage and family therapy, regardless of the number of hours accrued during the biennial period.

(c) (No change.)

**13:34-9.3 (No change in text.)**

**13:34-9.4 Contact hour calculations**

(a) (No change.)

(b) A licensee shall complete and be able to verify completion of a continuing education course, program or article as set forth in N.J.A.C. 13:34-9.3 in order to receive continuing education credit. The Board shall grant continuing education credit to a licensee in each biennial renewal period as follows:

1. Completing graduate or post-graduate coursework at a regionally accredited institution of higher education: 15 contact hours of continuing education for each semester course credit awarded beyond the required educational standards which an applicant must complete for licensure as set forth in N.J.S.A. 45:8B-18 and N.J.A.C. 13:34-4.2;

2.-7. (No change.)

**13:34-9.5 Documentation of continuing education credit**

(a)-(b) (No change.)

(c) A licensee shall verify continuing education activities by retaining the following:

1.-2. (No change.)

3. For teaching, copies of the syllabus, bibliography, course outline and verification from the academic institution that the course was "new" as defined by N.J.A.C. 13:34-9.4(b)2;

4.-5. (No change.)

(d)-(e) (No change.)

**13:34-9.6 (No change in text.)**