# TITLE 27 LEGISLATIVE
# RULE
# BOARD OF EXAMINERS IN COUNSELING

## SERIES 10
## MARRIAGE AND FAMILY THERAPIST LICENSE RENEWAL AND CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS

**§27-10-1. General.**

1.1. Scope. -- This rule establishes standards for license renewal requirements, continuing professional education requirements, and the sanctions to be imposed for failure to comply with the requirements.

1.2. Authority. -- W. Va. Code §30-31-5 and §30-31-6.

1.3. Filing Date. -- ~~July 18, 2016~~

1.4. Effective Date. -- ~~August 15, 2016~~

1.5. Sunset Provision Date. -- Ten years from effective date from passage.

**§27-10-2. Definitions.**

2.1. "Ethical Code" means the American Association for Marriage and Family Therapists (AAMFT) code of ethics.

2.2. "Approved program of continuing professional education" means a formally organized educational program sponsored by an approved provider and offered in the form of a class, course, workshop, seminar, staff development or training activity, or formally structured discussion. Programs shall be designed to enhance therapy skills, values, knowledge, and/or ethical considerations in the therapy`practice.

2.3. "Approved provider" means an agency, organization, person, institution, or professional association or its local affiliates which has applied to and received approval by the Board to provide approved programs of continuing professional education under its own auspices, and which remains approved by complying with the provisions of subdivision 6.2.b. of this rule.

2.4. "Biennium" means the two-year reporting period for continuing education beginning July 1, 2016 and ending June 30, 2018 and every two-year period thereafter.

2.5. "Contact hour" means 60 minutes spent in an approved program offered by an approved provider. Contact hours exclude travel time, meeting time devoted to business, refreshment breaks, receptions, award banquets and other social gatherings and meals that do not include an acceptable program.

2.6. "Continuing professional education" means a program to enable the licensee to maintain

and/or expand the quality of professional expertness in marriage and family therapy provided to the public; and keep the licensee knowledgeable of current research, techniques, and practice; and provide other resources which will improve skill and competence in marriage and family therapy. Continuing education hours must be relevant to the practice of marriage and family therapy.

2.7. "Formal program" means a program you attend in person with a presenter.

**§27-10-3. Renewal of license**

3.1. A licensee shall renew his or her license ~~biennially~~ annually on or before June 30 ~~July 1~~, ~~every odd numbered year~~.

3.1.a. A licensee shall file the required licensure renewal application in the manner prescribed by the Board and shall pay the appropriate renewal fee.

~~3.1.a. If the licensee requires their license verified on July 1, every even numbered year, the licensee shall deliver the required licensure renewal forms and the appropriate renewal fee to the Board no later than the May 15th prior to the expiration of a license on July 1, every even numbered year.~~

~~3.2.~~ 3.1.b. ~~A licensee shall file the required licensure renewal application in the manner prescribed by the Board and shall pay the appropriate renewal fee~~. Every odd numbered renewal year, ~~The~~ the licensee shall provide a signed statement certifying that the continuing education requirements have been met, as set forth in section 4 of this rule. The certification statement will be included on the renewal application form on a biennial basis except as noted in section 3.4

~~3.3. The licensee shall demonstrate in the manner prescribed by the Board that the applicant has met the continuing professional education requirements set forth in Section 4 of this rule. The licensee shall have acquired the continuing education required for renewal during the time his or her license was in effect.~~

~~3.4~~ 3.2. ~~During the first two renewal cycles for each licensee, all the information below will be submitted to the board for review~~: Each licensee shall only for their first two biennium periods for reporting continuing education submit the following information to the Board for review:

~~3.4.a~~. 3.2.a. A completed renewal application;

~~3.4.b~~. 3.2.b. A copy of the recording form documenting all the individual continuing education offerings completed by the licensee. Form will be provided by the board; and,

~~3.4.c~~. 3.2.c. Copies of all certificates of completion corresponding with the documentation provided on the recording form.

~~3.5~~ 3.3. Beginning on the ~~third~~ fifth renewal cycle for each licensee, the board will monitor a licensee's compliance with continuing education requirements by the use of random audit. Licensees will be notified in writing, regular mail and/or email, if they have been selected for a continuing education audit. Individual certificate of completions in continuing education activities are not to be submitted to the board unless a written Notice of Audit is received informing the licensee that he or she has been randomly selected for a document audit. Upon receipt of a Notice of Audit the licensee will be required to submit all appropriate documentation to substantiate compliance with

the board's continuing education requirements within 15 working days of receipt of notice.

~~3.5.a~~ 3.3.a. A licensee selected for audit shall provide the following to document the licensee's renewal:

~~3.5.a.1~~. 3.3.a.1. A copy of the completed renewal application;

~~3.5.a.2~~. 3.3.a.2. A copy of the recording form documenting all the individual continuing education offerings completed by the licensee. Form will be provided by the board; and,

~~3.5.a.3~~. 3.3.a.3. Copies of all certificates of completion corresponding with the documentation provided on the recording form.

~~3.6~~. 3.4. The licensee is responsible for maintaining continuing education records for a period of 6 years.

~~3.7~~. 3.5. An audit shall be automatic for a licensee who was determined to be non-compliant during the immediately preceding audit.

~~3.8~~. 3.6. Failure to meet the continuing education requirement, provide documentation as requested by the board, or providing fraudulent documentation is a violation of board rules and may result in disciplinary action.

~~3.9~~. 3.7. All licenses not renewed by the renewal date each renewal cycle shall expire. Any individual who has not renewed his or her license and who continues to practice after his or her license has been expired will be deemed guilty of unlicensed practice.

~~3.10~~. 3.8. All expired licenses, within 60 days after the renewal date, may renew their license upon payment of a renewal fee and a late fee.

~~3.11~~. 3.9. After the 60 days, individuals with expired licenses may reinstate their license upon payment of a renewal fee and a reinstatement fee.

~~3.12~~. 3.10. A licensee who fails to reinstate his or her license within 2 years after its expiration may not have it renewed, restored, reissued, or reinstated. This person may apply for and obtain a new license by meeting the current requirements of Series 8, Marriage and Family Therapist Licensing rule.

~~3.13~~. 3.11. The board may require that a person applying for renewal or reinstatement of his or her credential show proof of having completed continuing education requirements.

~~3.14~~. 3.12. A licensee shall notify the Board, in writing with a form provided by the Board, of a change of home address, work address and email address within 30 days. Failure to receive a renewal notice or audit notice from the Board shall not relieve the licensee from the renewal requirement.

~~3.15. A licensee shall submit the renewal application and documentation of continuing education according to the instructions in the application provided by the Board at the time of renewal. The Board shall return the licensee's renewal application for, but not limited to, improper documentation and/or inappropriate continuing education. An incomplete or incorrect renewal application returned to the licensee by the Board or it's designee for the third time shall be subject to an additional fee equal to the original renewal fee~~.

**§27-10-4. Continuing Professional Education**

4.1. A licensee shall obtain 35 continuing education contact hours of approved continuing professional education ~~within the two-year renewal period~~ every biennium.

4.1.a. At least 3 of the 35 contact hours shall be in marriage and family therapists' related ethics. The program in ethics shall follow the adopted ethical code of this rule. The 3 contact hours in ethics shall be earned in a formal program with an approved presenter on the first renewal cycle of a licensee. The 3 contact hours in ethics in the subsequent renewals can be obtained through American Association for Marriage and Family Therapists (AAMFT) home studies, AAMFT online programs or a formal program.

4.1.b. At least 2 of the 35 contact hours shall be in mental health conditions specific to veterans and family members of veterans. Each licensee shall complete these 2 contacts hours of continuing education ~~on a biennium basis beginning~~ ~~as a prerequisite to license renewal on or after~~ July 1, 2017. Training specific to veterans and family members of veterans may include, but not be limited to, inquiring about whether clients are veterans or family members of veterans; screening for conditions such as post-traumatic stress disorder; readjustment issues; risk of suicide and prevention of suicide; military sexual assault; and depression and grief. The contact hours will be approved by the Board through requirements established in section §27-10-6.2.a of this rule.

4.2. The Board shall grant approval for academic graduate courses offered in accredited educational institutions by marriage and family degree programs. The Board shall grant 15 contact hours for 1 academic graduate semester hour. The Board shall grant 10 contact hours for 1 academic graduate quarter hour.

4.3. The Board shall grant 10 contact hours for a journal article directly related to the marriage and family therapy profession published during the renewal period in a professional journal related to the marriage and family profession. Articles having joint authorship shall be divided equally among the authors.

4.4. The Board shall grant 30 contact hours for a book that is published during the renewal period and is directly related to the marriage and family profession. Books having joint authorship shall be divided equally among the authors. Chapters authored by licensees in books acceptable under this rule shall be treated as journal articles.

4.5. The Board shall grant a maximum of 15 contact hours for continuing education presented by the licensee's employing agency personnel. The agency personnel shall meet the presenter qualifications as cited in paragraph 6.2.a.2.A. of this rule. The continuing education programs shall be directly related to the marriage and family therapy profession. A licensee attending a continuing education program delivered in the licensee's employing agency by an out-of-agency presenter shall not be counted in the 15 contact hours described in subsection 4.5. of this rule.

4.6. The Board shall grant 10 contact hours to a presenter of an approved 3 hour graduate college course related to the marriage and family therapy profession, up to 10 contact hours per renewal period, if such teaching or instruction is outside the licensee's regular employment duties or if the licensee can document such teaching activity or instruction was newly developed and presented for the first time.

4.7. The Board shall grant contact hours to licensees who conduct presentations on subjects related to marriage and family therapy which meets the following requirement:

4.7.a. Credit, up to 10 contact hours, per renewal shall be granted for first time preparation and presentation of an in-service training workshop, a seminar or a conference presentation which is related to the enhancement of marriage and family therapy practices, values, skills or knowledge; and,

4.7.b. A given presentation can be counted once per ~~renewal cycle~~ biennium period.

4.8. A licensee with approved professional marriage and family therapist supervisor status shall complete 3 of the 35 contact hours in marriage and family therapy clinical supervision.

4.9. The Board shall grant a maximum of 20 contact hours within each ~~renewal~~ biennium period for home study programs. Only home study programs pre-approved by the American Association for Marriage and Family Therapist (AAMFT) are granted home study program approval.

4.10. Any out-of-state marriage and family therapist related continuing education programs or conferences pre-approved by the American Association for Marriage and Family Therapist are automatically granted approval by the board.

4.11. At least 20 contact hours shall be obtained from attendance in offerings other than those taught, conducted, produced, or presented by the licensee.

4.12. Excess contact hours may not be carried over to the next biennium period.

**§27-10-5. Documentation of continuing professional education required for renewal of a license.**

5.1. Transcripts shall verify courses taken for credit at accredited educational institutions. Completion of non-credit courses shall be verified by certificates of completion or by signed statements from instructors.

5.2. Presenters of approved graduate college courses shall submit a letter from the institution including: the date the course was taught; the course number; the course description; and the signature of the department chair.

5.3. Copies of publications presented for continuing professional education shall be furnished to the Board. In the case of journal articles, a copy of the journal's page showing the names of its editorial review Board shall be included to document that the journal is referred.

5.4. A copy of the certificate of completion furnished by the provider shall document all other continuing professional education. The certificates shall contain the information cited in paragraph 6.2.a.2.L. of this rule. In addition, the licensee shall record his or her license number in the appropriate place on the certificate of completion.

**§27-10-6. Approved programs of continuing professional education.**

6.1. The goal of the Board's continuing professional education requirements are to: enable licensees to maintain and/or expand professional expertise in marriage and family therapy; become aware of new professional developments; provide responsible and quality service to clients and community; and continue to conduct professional practice in an ethical and appropriate manner. The Board will not grant credit for continuing education to promote personal growth of the licensee.

6.2. A licensee may obtain continuing education credits in 5 ways: Programs offered by approved providers; approved programs of continuing professional education; post-approved programs; home

study programs and publications and presentations as cited in subsections 4.3. and 4.4. of this rule. The Board or its designee shall approve providers, programs, and home study programs and offer post-program approval according to the following guidelines:

6.2.a. Guidelines for program approval:

6.2.a.1. Academic course offered in accredited education institutions by marriage and family therapy degree programs are automatically granted program approval; and,

6.2.a.2. Approved programs may be sponsored by departments of accredited educational institutions; national, regional, state, or local professional organizations or associations; public or private human service agencies or organization; private consultants; or individuals. The organization or individual shall make application for approval on a form designated by the Board and pay the appropriate fee. In order to obtain approved status from the Board, a program shall meet the following requirements:

6.2.a.2.A. Competent individuals as documented by appropriate academic training, master's level or above and professionally recognized experience shall present the program. Presenters should have an identifiable involvement with human services. In approving a particular presenter, the Board shall be guided by the following range of presenter qualifications:

6.2.a.2.A.1. Therapists/counselors with appropriate credentials and appropriate expertise in the content area shall clearly be accepted;

6.2.a.2.A.2. A related presenter with the ability to connect content to therapy/counseling practice shall usually be accepted;

6.2.a.2.A.3. Expert presenters with no apparent link to therapy/counseling may or may not be acceptable based upon the content to be presented and intended audience;

6.2.a.2.A.4. A presenter with no apparent professional qualifications nor link to therapy/counseling or human services shall not be accepted; and,

6.2.a.2.A.5. A presenter providing training in a practice area that would require licensure shall show evidence of current licensure in West Virginia or another state.

6.2.a.2.B. The program shall meet the professional needs of the intended clientele, which shall include marriage and family therapists;

6.2.a.2.C. The program shall have a minimum duration of 1 contact hour;

6.2.a.2.D. The program shall have written goals and objectives that are responsive to the needs of prospective marriage and family therapist attendees;

6.2.a.2.E. The program shall have an agenda, clearly listing the time and date of the program, including starting and ending times and refreshment and meal breaks;

6.2.a.2.F. The program shall be related to marriage and family therapist profession as cited in subsection 2.6. in this rule;

6.2.a.2.G. The program shall be disseminated via appropriate instructional

methods, such as lecture, group discussion, video, film, interactive webinar or interactive teleconferencing;

6.2.a.2.H. The program shall include an evaluation component directly related to its stated goals and objectives;

6.2.a.2.I. The program shall be offered in a site that shall be accessible under the provisions of the American's With Disabilities Act;

6.2.a.2.J. The organization or individual shall submit their program approval request for review, on a form designated by the Board, at least 60 days prior to the scheduled program date;

6.2.a.2.K. The program's promotional information shall state that program approval has either been applied for or has been granted; and,

6.2.a.2.L. The provider of the program shall provide program participants certificates of completion, which contain the following information:

6.2.a.2.L.1. The title and dates of the program and the Board's program approval number;

6.2.a.2.L.2. The name of the sponsoring agency or organization;

6.2.a.2.L.3. The name of the participant and the number of contact hours of continuing professional education earned by the participant;

6.2.a.2.L.4. The presenters name and his or her credentials; and,

6.2.a.2.L.5. The signature of the presenter and/or the official representative of the sponsoring organization.

6.2.b. Guidelines for provider approval:

6.2.b.1. The Board shall grant approved provider status for newly approved providers for a ~~two~~ <u>one</u> - year period and is subject to renewal if the provider meets the requirements of this rule;

<u>6.2.b.1.A. An approved provider who does not pay a fee to re-certify within 30 days of notice forfeits all rights and privileges of an approved provider</u>

6.2.b.2. The Board shall refuse to renew the approved status of any provider who fails to comply with the requirements of this rule. The Board shall withdraw approved provider status for cause.

6.2.b.3. Programs offered by a provider while that provider does not have approved status shall not be accepted by the Board toward fulfillment of license renewal requirements unless program approvals for the programs were obtained as set forth in this rule;

6.2.b.4. Provider status is automatically accorded to marriage and family therapy master degree programs, as cited in subsection 2.6. of this rule, in accredited educational institutions. Transcripts or grade cards shall serve as evidence of completed coursework;

6.2.b.5. The Board may grant approved status to providers not automatically approved in paragraph 6.2.b.4. of this rule. The providers shall include but are not limited to: National, regional, state, or local professional organizations, public or private human service agencies, private consultants or individuals. The applicant for approved provider status shall:

6.2.b.5.A. Make application for approval status on a form provided by the Board and pay the appropriate fee, at least 2 months prior to the date of the first scheduled program offering. A list of proposed programs and program goals shall be included with the application;

6.2.b.5.B. Submit to the Board, no later than 2 months before the end of the probationary period, a synopsis of all programs during the previous 10 months;

6.2.b.5.C. Apply for renewal of approved provider status 2 months prior to the desired two- year period and pay the appropriate fee;

6.2.b.5.D. Provide or arrange for appropriate educational facilities, instructional aids, and offer programs and facilities that are accessible under the provisions of the American's With Disabilities Act;

6.2.b.5.E. Have program presenters who have professionally recognized skills to conduct the programs being offered in accordance with subdivision 6.2.a. of this rule;

6.2.b.5.F. Conduct programs that satisfy one or more of the program areas in marriage and family therapy as cited in subsection 2.6. of this rule;

6.2.b.5.G. Include an evaluation component in all programs offered;

6.2.b.5.H. Maintains records of program content, presenter qualifications and individual participation, and a summary of evaluations forms for five years and make the records available if requested by the Board; and,

6.2.b.5.I. Furnish to each participant a certificate of completion that includes the following information:

6.2.b.5.I.1. The title and date of the program and the Board's program approval number;

6.2.b.5.I.2. The name of the sponsoring agency or organization;

6.2.b.5.I.3. The name of the participant and the number of contact hours earned by the participant;

6.2.b.5.I.4. The presenters names and their credentials; and,

6.2.b.5.I.5. The signature of the presenter and/or the official representative of the sponsoring organization.

6.2.b.6. An approved provider that offers a program on marriage and family therapy ethics shall incorporate the Code of Ethics of the American Association for Marriage and Family Therapist as a substantial part of the program.

6.2.c. Post program approval:

6.2.c.1. A licensee shall apply on a form prescribed by the Board for post-approval of marriage and family programs which they attended, for relevant out of state continuing professional education programs and for relevant graduate coursework in related disciplines.

6.2.c.1.A. A licensee shall apply for post-program approval, on a form designated by the Board, within ninety (90) days of completing program; and,

6.2.c.1.B. To obtain a post-program approval, the licensee shall provide the following:

6.2.c.1.B.1. Documentation that the program presenters met the requirements in paragraph 6.2.a.2.A. of this rule;

6.2.c.1.B.2. A copy of the program brochure and other documentation, if necessary, demonstrating that the program met the requirements of paragraph 6.2.a.2.B through paragraph 6.2.a.2.I. of this rule; and,

6.2.c.1.B.3. A certificate of completion, transcript, grade card, or signed statement from the presenter to demonstrate the licensee's attendance at the program or course.

6.2.d. Home study approval:

6.2.d.1. Home study programs may be sponsored by departments of accredited educational institutions; national, regional, state, or local professional organizations or associations; public or private human service agencies or organizations; private consultants; or individuals. In order to obtain approval from the Board, the sponsoring organizations of a home study program shall meet the following requirements:

6.2.d.1.A. Home study program content shall satisfy 1 or more of the program areas in subsection 2.6. of this rule;

6.2.d.1.B. A home study program shall contribute to the current knowledge of master's level marriage and family therapists. Program materials should not be more than 6 years old. Materials that are more than 6 years old shall include a statement for review regarding the reason that the material is still relevant and valuable to the marriage and family therapist;

6.2.d.1.C. Home study programs focusing on ethics in marriage and family therapy practice shall include information on the ethical codes of the American Association for Marriage and Family Therapists;

6.2.d.1.D. Information on how the home study material may be used by the marriage and family therapist with their clients shall be included either in the learning instrument or as an addendum;

6.2.d.1.E. The home study program shall have the following components:

6.2.d.1.E.1. Appropriate learning instruments such as, but not limited to, a book, tape, internet-based text, video, subscription to a professional periodical or volumes of past periodicals;

6.2.d.1.E.2. An assessment component, such as, but not limited to, a quiz, test or essay;

6.2.d.1.E.3. An evaluation component; and,

6.2.d.1.E.4. An instruction sheet with clear information regarding how to obtain continuing education credit;

6.2.d.1.F. A home study provider shall file with the Board the required application forms in a manner prescribed by the Board and pay the appropriate fee. A sample of the entire home study program including a sample of the certificate of completion shall be included with this application. The certificate of completion shall contain all information cited in paragraph 6.2.a.2.L. of this rule.