

**Board of Allied Mental Health Practitioners**

**Administrative Rules Relating to  
Clinical Mental Health Counselors, Marriage and Family Therapists,  
and Psychotherapists  
Effective June 1, 2006**

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**Board of Allied Mental Health Practitioners  
Administrative Rules Relating to  
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and Psychotherapists**

Effective: June 1, 2006

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## **Part 1: General Information**

### **1.1 Introduction**

- (a) The Board of Allied Mental Health Practitioners has been created by Vermont law, which gives the Board certain powers and duties. The Board has adopted these rules to aid applicants, licensees, and the general public to understand the requirements for obtaining a license or entry on the roster, and the practice requirements of the professions regulated by this Board.
- (b) The Board is created to protect the public health, safety, and welfare by setting standards for issuing licenses, licensing qualified applicants, and regulating the practice of license holders.
- (c) The rules contain individual sections for Clinical Mental Health Counselors, Marriage and Family Therapists, and Non-licensed and Non-certified Psychotherapists.
- (d) The rules discuss unprofessional conduct complaint and processing procedures. These rules have been approved by the Vermont Legislative Committee on Administrative Rules. They have the force of law.
- (e) Legislative changes from time to time may create inconsistencies between statutes and administrative rules. If a statutory change does produce an inconsistency, the statute governs, not the rule.
- (f) The Board maintains a website at <http://vtprofessionals.org/>. Practitioners should periodically consult the website for updated information and matters of interest to the profession.

### **1.2 Definitions**

- (a) “Office” means the Office of Professional Regulation.
- (b) “Board” means the Board of Allied Mental Health Practitioners.
- (c) “Accredited educational institution” means:
  - (1) A school, college, university or other institution of higher learning in the United States which, at the time the applicant was enrolled and graduated, was accredited or in candidacy toward accreditation by a regional accrediting commission recognized by the United States Department of Education or the Council on Post-secondary Accreditation (COPA); or

- (2) A school, college, university or other institution of higher learning outside the United States which, at the time the applicant was enrolled and graduated, maintained a standard of training substantially equivalent to the standards of training of those institutions accredited by one of the regional accrediting commissions recognized by the United States Department of Education or COPA.
- (d) “Counseling or related degree” as set forth in 26 V.S.A. § 3265(1) is one which meets the requirements of Rules 3.7 through 3.15 herein.
- (e) “Clinical practice” means providing direct and indirect clinical counseling services to clients.
- (f) “Direct service” means time spent with a client directly, or in consulting with another professional about the client, for example, the client's physician or psychiatrist. It may include any phone time or emergency time with the client, but over all it involves being with the client or the client’s other service providers.
- (g) “Indirect services” means creating case notes, staff meetings, supervision, workshops and conferences, general consultation, teaching, case management activities, and any other mental health counselor related work other than direct client contact.

### **1.3 Laws That Govern Regulation**

- (a) The licensure and roster entry statutes are:  
Clinical Mental Health Counselors, 26 V.S.A. §§ 3261-3274;  
Marriage and Family Therapists, 26 V.S.A. §§ 4031-4042;  
Roster of Psychotherapists Who Are Nonlicensed and Noncertified, 26 V.S.A. §§ 4082-4093.
- (b) In addition, the Board is subject to several other state laws. Among them are the Administrative Procedure Act, 3 V.S.A. §§ 801-849, the Open Meeting Law, 1 V.S.A. §§ 310-314, the Law of Professional Regulation, 3 V.S.A. §§ 121-131, and the Access to Public Records Law, 1 V.S.A. §§ 315-320. These laws set forth the rights of an applicant, regulated professional, or member of the public. The complete text of these laws is available at most libraries and town clerks' offices. "Vermont Statutes Online" are also available on the Internet at <http://www.leg.state.vt.us> . The Board's statutes and rules may also be accessed through the Board's Web site at <http://vtprofessionals.org/> .

### **1.4 General Information for Applicants for Initial Licensure, or Entry on the Roster of Psychotherapists Who are Non-Licensed and Non-Certified.**

- (a) Specific requirements for licensure of and practice as Clinical Mental Health Counselors are found in Part 3. Requirements for licensure and practice as Marriage and Family Therapists are found in Part 4. Information about entry onto the roster and

practice as non-licensed and non-certified psychotherapists are contained in Part 5.

(b) Applications and information about licensure or roster entry requirements are available from the Board or online at <http://vtprofessionals.org/>. No decision on an application can be made until an applicant has paid the required fee and submitted all required documentation to the Board, and the Board has received verification of education, passing examination scores, and supervision.

### **1.5 Decisions on Licensure or Renewal: Applicant's Right to a Written Decision**

(a) Once the Board makes a decision on whether an application or renewal application is approved or denied, it will notify the applicant in writing. When the Board determines that the applicant does not meet the requirements for licensure, it issues a “preliminary denial.” The Board sends a letter to the applicant giving specific reasons for the decision. The letter informs the applicant of the right to appeal the Board's denial and request a formal appeal hearing in front of the Board. An appeal must be filed within 30 days of the Board's denial notice. If the applicant does not request a hearing within 30 days, the denial becomes final.

(b) The Board conducts formal appeal hearings for license denials and renewal denials. The applicant bears the burden to show that the preliminary denial was in error.

**1.6 Applicant's Right to Appeal a Final Licensing Decision** After the formal hearing the Board issues a written final decision. If the decision is to deny licensure, the applicant is notified in writing of statutory appeal rights. Appeals must be filed within 30 days of the date of the decision in the manner prescribed in Chapter 5 of title 3 (3 V.S.A. § 129). Further information about the appeal process may be obtained from the Office or online at <http://vtprofessionals.org/>.

### **1.7 Change of Name or Address**

(a) Each licensee or roster entrant shall notify the Office promptly, within 30 days, if he or she changes name, mailing address, or business address.

(b) Acceptable documentation of change of name includes a notarized copy of a marriage certificate, instrument of change of name from a probate court, or other court order. Acceptable documentation of change of name also includes a notarized copy of current identification, such as a driver's license or Social Security card, in both the former and present names. The Board may require additional documentation at its discretion.

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## **Part 2: Disclosure of Information (General)**

**2.1 Disclosure Requirements Apply to All** Each member of every profession governed by these rules has specific substantive disclosure requirements. They are specified in that profession's individual section in these rules.

**2.2 Disclosure Statements, Form and Timing** Each licensed clinical mental health counselor, licensed marriage and family therapist, or rostered psychotherapist must provide a

disclosure statement, printed or typed in easily readable format.

**2.3 Definition of Disclosure** Disclosure means, at a minimum:

- (a) Posting the information and informing the client where the information is posted, or
- (b) Having the information printed, displaying the printed information in an easily accessible location, and informing the client where the information is displayed, or
- (c) Having the information printed and directly handing a copy of the information to the client.

**2.4 Timing of Disclosure** No later than the third office visit, the regulated professional must present to the client for signature a document stating that the information required to be disclosed as described above has been disclosed to the client. Note: rostered psychotherapists have additional requirements in Part 5. The regulated professional must also sign the document and must retain the signed original. If, by the third visit, disclosure cannot be made or the client declines to sign, the regulated professional must prepare and sign a written statement explaining the omission, which must be retained in place of the signed copy.

**2.5 Disclosure to Parent or Guardian** When the client is not able to understand the disclosure, as in the case of an institutionalized person, a minor, or an adult who is under the supervision of a guardian, the disclosure must be made to a suitable parent or guardian.

**2.6 Inspection of Disclosure Statements** At its discretion, the Board may inspect and audit a licensee's or roster entrant's records of information disclosure. The Board will inspect only general materials relating to information disclosure, and will not inspect individual client records or notes, unless a complaint has been filed. The Board will select individuals to be audited on a random basis or in response to a complaint.

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## **Part 3: Clinical Mental Health Counselors**

**3.1 Apply Early** Applicants to be Clinical Mental Health Counselors are advised to apply as soon as they have met their graduation requirements so that they may be qualified for the licensing examination at the earliest time. In addition to the application form and other required documents referred to on the application form, applicants should send course descriptions and syllabi to the Board for review.

**3.2 Apply before Supervision** Applicants should not wait to complete supervision requirements before applying for licensure. In fact, early application can help the Board provide applicants a clear understanding of any remaining licensure requirements.

**3.3 Requirements for Licensure as a Clinical Mental Health Counselor** There are two ways to become licensed in Vermont as a Clinical Mental Health Counselor.

(a) **Examination:** An applicant may apply on the basis of education, licensing examination, and supervision, or

(b) **Endorsement:** In certain circumstances an applicant who is licensed or certified in another jurisdiction may seek licensure on the basis of that license or certification. This is called “licensure by endorsement.”

(c) **In addition, in either case: Statutes and Rules Examination:** All applicants must successfully complete the Board’s statutes and rules examination before a license will be issued.

**3.4 Those not Qualified for Endorsement** Applicants who do not qualify for licensure by endorsement must meet the requirements for licensure by examination.

**3.5 Licensure by Examination** To be eligible for licensure as a clinical mental health counselor, an applicant must satisfy (a) educational requirements, (b) the examination requirements, and (c) the supervision requirements.

**3.6 Educational Requirements** Educational prerequisites for licensure as a clinical mental health counselor are set forth in rules 3.6 through 3.16. The applicant must:

(a) successfully complete 60 credits of graduate level course work in mental health counseling or related field;

(b) including all the courses specified in Groups 1, 2, and 3 below;

(c) fulfill specific course work requirements;

(d) be awarded a counseling or related master's degree or higher degree, from an accredited educational institution; and



(e) complete a 1,000 hour supervised internship or field experience, **of which a minimum of 600 hours must be included within the counseling or related degree.** See Rules 3.13 through 3.15 below for details.

### **3.7 Degree and Educational Requirements**

(a) Applicants must possess a counseling or related degree as the degree is defined by these rules. For those who graduate after July 1, 2007, the degree may contain no fewer than 48 graduate credits of course work.

(b) **These rules require that an applicant meet the requirements for the degree, set forth in Rule 3.8, as well as additional course requirements set forth in Rule 3.16.**

(c) The degree must meet the requirements for Group 1 courses and supervised internship requirements as set forth below. Preferably, the degree will also contain the courses in Groups 2 and 3 which are required for licensure.

(d) Group 2 and Group 3 courses, if not taken as part of the graduate degree, may be supplemented by taking them post degree.

### **3.8 Group 1, Degree Core Courses. These courses define “a counseling or related degree.”**

(a) **To qualify as a “counseling or related degree” the degree: must contain no fewer than 3 graduate credits in “Diagnosis, Assessment and Treatment.”**

Diagnosis, Assessment and Treatment means: studies that provide an understanding of psychopathology. Studies in this area would include the Diagnostic and Statistical Manual and its use in counseling, and assessing psychopathology. The course shall also include the development of treatment plans and the use of related services, and the role of assessment, intake interviews, and reports, if that material is not covered in another treatment course.

(b) **If the degree does not contain 3 graduate credits in Diagnosis, Assessment and Treatment, it does not qualify as a “counseling or related degree” and cannot be used as the basis for licensure as a clinical mental health counselor.**

(c) The course of studies leading up to the degree must contain a supervised internship or field experience as set forth below.

(d) **The degree must contain course work in the amount specified from no fewer than five of the seven sections (1) through (7) below:**

**(1) Human Growth and Development:** 3 Graduate credits. Studies that provide an understanding of the nature and needs of individuals at all developmental levels throughout the life span. Studies in this area would include theories of individual and family development and transitions across the life span, and theories of learning and

personality development.

**(2) Theories:** 3 Graduate credits. Studies that survey counseling theories (e.g. Psychodynamic, Humanist, Behavioral, Transpersonal) and their historic and functional relationship to specific counseling approaches (e.g., Cognitive Behavior Therapy, Psychoanalysis, Family Systems, Solution Focused Therapy, Rational Emotive Therapy).

**(3) Counseling Skills:** 3 Graduate credits. Studies that provide an understanding of the counseling and consultation processes, development of student self-awareness, and the skills necessary for developing a positive therapeutic relationship.

**(4) Groups:** 3 Graduate credits. Studies that provide an understanding of group development and group dynamics. Studies in this area would include group counseling theories, group counseling methods and skills, group leadership styles, and other group work approaches.

**(5) Measurement:** 3 Graduate credits. Studies that provide an understanding of group and individual educational and psychometric theories and approaches to measurement. Course work would cover data and information-gathering methods, validity, reliability, psychometric statistics, factors influencing measurements, and use of measurement results in the helping process.

**(6) Professional Orientation and Ethics:** 3 Graduate credits. Studies that provide an understanding of the professional counselor's roles and functions. Course work would cover professional counseling organizations and associations, history and trends within the counseling profession, ethical and legal standards, and counselor preparation standards and credentialing.

**(7) Treatment Modalities:** 3 Graduate credits. Studies that provide an understanding of specific treatment approaches such as Cognitive Behavioral Therapy, Feminist Therapy, Narrative Therapy, and Psychoanalytic Psychotherapy. Studies will focus on one or more modalities. Emphasis will be placed upon the application of theories to practice, including case conceptualization and corresponding therapeutic interventions.

**3.9 Degrees Which Qualify for Licensure** If the degree contains 3 graduate credits in every section (1) through (7) above, it meets both the degree requirement and the Group 1 requirement for licensure. If necessary, up to six graduate credits may be taken post degree to satisfy this section's requirements. If the degree lacks more than 6 credits from sections (1) through (7) (after the post degree supplementation permitted in this rule), it cannot count as a "counseling or related degree" necessary for licensure.

**3.10 Supervised Internship or Field Experience** 1,000 hours of supervised internship, or field experience is required for licensure.

**3.11 Internship Description** A supervised internship, or field experience requires a student

to work in a “clinical mental health counseling” setting as set forth in 26 V.S.A. § 3261(2). The internship provides an opportunity for the student to perform the activities that a regularly employed clinical mental health counselor would be expected to perform.

**3.12 Internship, First 100 Hours** The first 100 hours of the 1,000 clock hours may be completed in a practicum as defined by the student's educational institution, with the remaining 900 hours to be completed as set forth herein.

**3.13 Counseling Degree/Internship Requirements** Ideally, the counseling degree conferred is based on a 1,000 hour supervised internship or field experience. However, a degree based on a program with as few as 600 hours supervised internship or field experience will be accepted. If an applicant has such a degree, the hours of supervised internship or field experience must be supplemented to total 1,000 hours before this licensing requirement is considered satisfied.

**3.14 Supplementing Supervised Internship or Field Experience** If the counseling degree contains between 600 hours and 1,000 hours of supervised internship or field experience, the remaining hours necessary to total 1,000 hours must be acquired in an internship which occurs in conjunction with a formal internship seminar class from an accredited graduate program.

**3.15 Notice: Insufficient Internship** A degree based on a program of fewer than 600 hours of supervised internship or field experience is not an acceptable degree for licensure. Such a degree does not constitute a “counseling or related degree” as defined by these rules.

**3.16 Courses Required for Licensure, but Not Required to Be Taken as Part of the Degree, Group 2 Courses and Group 3 Courses**

**Additional Educational Requirements Groups 2 and 3. If not within the counseling degree, these courses may be supplemented post degree.**

- (a) **Group 2.** At least three graduate credits in at least two of the five following areas of study (for a minimum of six graduate credits) are necessary for licensure.
- (1) **Marriage, Couples, and Family Counseling:** Studies that provide an understanding of the structure and dynamics of the family, and methods of marital and family intervention and counseling.
  - (2) **Human Sexuality for Counselors:** Studies that provide an understanding of human sexual function and dysfunction, the relationship between sexuality, self-esteem, sex and gender roles and life styles over the life cycle, and counseling treatment approaches and techniques.
  - (3) **Crisis Intervention:** Studies that provide an understanding of the theory and practice of crisis intervention, short-term crisis counseling strategies, and the responsibilities of all those involved in the intervention.

(4) **Addictive Disorders:** Studies that provide an understanding of the stages, processes, and effects of addiction, social and psychological dynamics of chemical dependency, and the professional's role in prevention, intervention, and aftercare.

(5) **Psychopharmacology:** Studies that provide an understanding of the basic classifications, indications, and contraindications of commonly prescribed psychopharmacological medications for the purpose of identifying effective dosages and side effects of such medications.

(b) **Group 3.** At least three graduate credits in each of the following areas of study are required for licensure:

(1) **Multi-cultural Studies:** Studies that provide an understanding of issues and trends in a multi-cultural and diverse society. Course work would cover attitudes and behaviors based on such factors as age, role, religion, physical disability, sexual orientation, ethnicity and culture, family patterns, gender, socioeconomic status, and intellectual ability.

(2) **Research and Evaluation:** Studies that provide an understanding of research in the field of clinical mental health counseling. Course work would cover the types of research, basic statistics, research report development, research implementation, program evaluation, needs assessment, and ethical and legal considerations associated with research and evaluation.

(3) **Career Development and Lifestyle Appraisal:** Studies that provide an understanding of career development theories, occupational and educational information services, career counseling, and career decision making.

### 3.17 Examination Requirement

(a) Applicants must successfully complete both the National Clinical Mental Health Counseling Examination (NCMHCE) and the National Counselor Examination (NCE) or their Board approved successor examination or examinations on clinical mental health counseling theory and practice. Each examination will be given at least twice a year at a time and place set well in advance. Examination results are generally available within 60 days.

(b) **More information:** Applicants may obtain more information about the examinations by contacting the examination providers directly. Contact information is available on the Board's web site.

(c) An applicant will not be permitted to sit for the examinations until the Board has received and approved:

(1) Official transcripts sent directly to the Board of Allied Mental Health

Practitioners by the educational institution;

- (2) Course descriptions and syllabi for all course work appearing on the transcript(s); and
- (3) Any other documentation specifically requested by the Board of Allied Mental Health Practitioners.

(d) An applicant may sit for the examinations at any time following the approval of his or her education credentials, provided the applicant has registered for the examinations and paid the examination fee to the examination provider by the deadline date.

### **3.18 Post Degree Supervised Practice: Entry on Roster of Non-Licensed and Non-Certified Psychotherapists is Required.**

(a) After receiving the “counseling or related” degree as defined herein, the applicant must complete 3,000 hours of supervised practice over a period of no less than 2 years. The supervised practice can begin only after the graduate program is completed.

**(b) No supervised practice may occur within the State of Vermont until the prospective licensee has been entered on the roster of non-licensed and non-certified psychotherapists.**

**3.19 Distribution of Practice Hours** Of the 3,000 practice hours, 2,000 hours must be direct service, with the remaining 1,000 hours in either continued clinical practice or related services. The supervised practice must take place in a setting or settings that meet the definition of a "clinical mental health counseling" setting in 26 V.S.A. § 3261(2).

### **3.20 Supervised Practice, Face-to-Face Supervision**

(a) **Frequency:** Supervised practice must be accompanied by no fewer than 100 hours of face-to-face supervision. Under no circumstances may any person in supervised practice accumulate more than thirty hours practice without a minimum of one hour face-to-face supervision. The supervisor and the supervised person are both responsible for ensuring that face-to-face supervision complies with this rule’s frequency requirement.

(b) **Nature and Location** Face- to-face supervision is conducted in the formal setting of an office, clinic, or institution, and may be either in an individual setting, between the supervisor and the applicant, or in a group setting, including the supervisor and up to six trainees. Of the 100 hours, at least 50 must be in an individual setting. The applicant must submit satisfactory supervision reports on forms provided by the Office.

**3.21 Supervisor Qualifications** Supervision shall be by a licensed physician or a licensed osteopathic physician who has been certified in psychiatry by the American Board of Medical Specialties, a licensed psychiatric nurse practitioner, a licensed psychologist, a licensed clinical mental health counselor, a licensed clinical social worker, a licensed marriage and family

therapist, or a person licensed or certified in another jurisdiction in one of these professions, or in a licensed profession which is in the opinion of the Board their substantial equivalent. The Board may, if permitted by statute, permit supervision by a supervisor trained by a regional or national organization which has been approved by the Board.

**3.22 Supervisor Experience** Beginning with the effective date of these rules, a person who commences supervision must have been licensed and in good standing for no fewer than three years in a permitted supervisory profession listed above.

**3.23 Excluded from Supervising**

(a) Preface: Successful supervision requires that the future licensee and supervisor have a full and candid exchange regarding all aspects of the supervised practice. Treatment issues, including issues of sexual attraction and other matters between practitioner and client, and work conditions affecting practice should be fully explored. Because full candor is needed, conflicts of interest between supervisor and future licensee must be avoided.

(b) Certain persons are excluded from being supervisors. A “clinical supervisor” does not include a spouse, life partner, former spouse, or family member. A clinical supervisor does not include an employer, financial partner, or shareholder in the same counseling enterprise, or other person who gains financially from the practice of the applicant.

(c) A supervisor who: (1) meets the requirements to be a supervisor; and (2) is an employee of the same employer as the applicant, and (3) does not personally financially gain from the practice of the applicant, is not disqualified from providing clinical supervision.

(d) The following arrangements do not constitute clinical supervision:

- (1) Supervision by current or former family members or any other person where the nature of the personal relationship prevents or makes difficult the establishment of a professional relationship;
- (2) Administrative supervision (for example, clinical practice performed under administrative rather than clinical supervision of an institutional director or executive);
- (3) Classes, workshops, or seminars;
- (4) Consultation, staff development, or orientation to a field or program, or role-playing of family interrelationships as a substitute for current clinical practice.

**3.24 Supervision Requirements**

(a) “Supervised work” by an applicant, means post-master's clinical mental health counseling that is supervised by a clinical supervisor.

(b) A clinical supervisor must be familiar with the nature of the applicant's clinical

activities, monitor the quality of the counseling and contribute to the enhancement of self-knowledge and clinical mental health counseling skills. The supervisor is responsible for monitoring and assessing the applicant's work.

**3.25 Verification of Supervisor Licensure** If the supervisor is certified or licensed in another jurisdiction, verification of his or her licensure must be provided directly to the Board from the licensing or certifying authority of the other jurisdiction before the Board will review the supervision reports.

**3.26 Supervision Reports** A supervision report must be submitted by a clinical supervisor. The supervision report shall contain sufficient detail to permit the Board to evaluate an applicant's supervised practice. The supervision report must contain, at a minimum:

- (a) Applicant's name;
- (b) Supervisor's name, signature, address, certification or licensure number, state where granted, date granted, and area of specialization;
- (c) Name and nature of the practice setting, and a description of the client population served;
- (d) Specific beginning and ending dates of practice covered;
- (e) Number of practice hours during this period listing separately direct service hours and indirect service hours (to include all duties);
- (f) Applicant's specific duties;
- (g) Number of one-to-one supervisory hours;
- (h) Number of group supervision hours with a maximum of six counselors in a group supervised by at least one clinical supervisor;
- (I) Detailed assessment of the applicant's performance;
- (j) Clinical skills supervised;
- (k) Ethical practices reviewed; and
- (l) A statement of the supervisor's belief that the applicant is competent and qualified to practice independently.

Supervision Forms are available from the Office or online at <http://vtprofessionals.org/>.

### **3.27 Licensure by Endorsement**

The Board may license without requiring the applicant to take both the NCMHCE and NCE.

(a) **Applicants from a jurisdiction with substantially equivalent standards (see Rules 3.5 through 3.26):** If the applicant is licensed or certified in good standing as a clinical mental health counselor in another jurisdiction which currently has, in the opinion of the Board, regulatory standards and qualifications for licensure or certification as a clinical mental health counselor substantially equivalent to those in Vermont, the Board may issue a license. The Board, in this case, reviews only the current licensure statutes and rules of the jurisdiction in which the applicant is licensed or certified, or

(b) **Applicants from a jurisdiction with substantially equivalent standards except for national competency examinations:** If the applicant is licensed or certified as a clinical mental health counselor in good standing in an American or Canadian jurisdiction whose regulatory standards are, in the opinion of the Board, substantially equivalent except for requiring only one exam, the NCMHCE or NCE, the applicant may be licensed upon successful completion of the examination the applicant was not required to take for licensing in the other jurisdiction, or

**Subject to legislative approval:**

(c) **Applicants in active practice in a United States or Canadian jurisdiction regardless of licensing standards:** If the applicant has been licensed or certified as a clinical mental health counselor and is in good standing in another United States or Canadian jurisdiction, notwithstanding the jurisdiction's current licensing requirements, and has been in "active practice" no fewer than five years, the Board may issue a license. "Active practice" as used in this section means practicing clinical mental health counseling more than an average of 20 hours per week for 48 weeks per year over the five years before application for licensure in Vermont, or

**Subject to legislative approval:**

(d) **National Registry:** If the applicant is registered in a national registry of clinical mental health counselors approved by the Board under the auspices of the American Association of State Counseling Boards or similar organization approved by the Board, the Board may issue a license.

**3.28 Final Review of Applications** Final review of the application will not occur until all requested documents have been received.

**3.29 Mandatory Disclosure Statements for Licensed Clinical Mental Health Counselors** Disclosure statements for licensed clinical mental health counselors must include the mental health counselor's professional qualifications and experience, including:

- (a) all relevant graduate programs attended and all graduate degrees and certificates earned, including the full legal name of the granting institution;
- (b) a brief description of any special qualifications and areas of practice;



- (c) a copy of the statutory definition of unprofessional conduct (3 V.S.A. § 129a and 26 V.S.A. § 3271 for licensed clinical mental health counselors);
- (d) information on the process for filing a complaint with, or making a consumer inquiry to, the Board; and
- (e) a reference stating: “My practice is also governed by the Rules of the Board of Allied Mental Health Practitioners. It is unprofessional conduct to violate those rules. A copy of the rules may be obtained from the Board or online at <http://vtprofessionals.org/>.”
- (f) Sample information letters are available from the Office of Professional Regulation.
- (g) **The form and timing of disclosure is contained in Rules 2.2 through 2.4.**

### **3.30 Maintaining a Clinical Mental Health Counselor License, Continuing Education**

Every licensed clinical mental health counselor must complete 40 continuing education credits in a 24-month renewal period in order to renew the license. Continuing education credits are calculated in the following manner:

- (a) One hour equals one continuing education credit.
- (b) One academic semester credit equals 15 continuing education credits.
- (c) One quarter academic year credit equals 10 continuing education credits.
- (d) One workshop hour equals one continuing education credit.

### **3.31 Continuing Education, Ethics Requirement, Supervision**

- (a) A minimum of four of the 40 hours must be specifically designated as continuing education in professional ethics in the clinical fields of marriage and family therapy, clinical mental health counseling, psychiatry, psychology, or social work. The remaining 36 hours must be in the theory and practice of clinical mental health counseling.
- (b) Those who serve as supervisors are encouraged to take some continuing education training related to supervision.

### **3.32 Maintaining Continuing Education Records**

Each licensee must maintain records showing attendance and participation in the continuing education activities claimed. Examples of acceptable records include pamphlets, certificates of attendance received during the instruction, receipt of registration, program announcement, signature of facilitator, or brief summary of the work content. These records are subject to inspection and verification by the Board upon request. Licensees must retain records of all continuing education courses and activities for a period of seven years. Retained records should include the name and date of the continuing education activity, the activity’s published brochure or hand out showing the

schedule of the hours spent in instruction, the time schedule, and the number of credits requested, and the names of the instructor(s) and sponsor. The Board does conduct audits to ensure compliance with continuing education requirements. Submitting documentation of the content of the activities is required only upon specific request of the Board.

**3.33 Continuing Education Reports for the Board** All continuing education must be reported on a form provided by the Office or available online at <http://vtprofessionals.org/>. The form must be submitted with the biennial licensure renewal forms.

**3.34 Limitations on Credit** Credit for formal activities will be granted only for actual time spent as a learner. Breaks, business meetings and lunches are not to be counted toward continuing education credits.

**3.35 Non-Compliance** The Board may require licensees whose submissions do not satisfy the continuing education requirement to develop and complete a specific corrective action within 90 days.

**3.36 Hardship Extension** A licensee who has been unable to complete the required continuing education by the renewal deadline may apply for an extension which the Board may grant only in cases of extreme hardship. The Board may grant an extension to complete the remainder of the required credits. See, 3 V.S.A. § 129(k).

**3.37 Continuing Education, Acceptable Types**

**(a) Formal Activities:**

(1) Graduate academic courses in areas supporting development of skill and competence in counseling at an institution which meets accreditation standards will be acceptable to the Board.

(2) Institutes, workshops, seminars and conferences approved by the Board must clearly relate to maintaining skills necessary for the safe and competent clinical practice of counseling and be conducted by persons qualified within their respective professions.

**(b) Individualized Learning Activities:** (No more than 20 of the 40 hours may be accrued in this category.) Home study programs including online or interactive training approved by the National Board of Certified Counselors (NBCC), the American Counseling Association, or the American Mental Health Counselors Association. Completion of home study programs must be documented by a certificate of completion or other appropriate documentation.

**(c) Teaching or Consultation:** In programs such as institutes, workshops, seminars, and conferences. Documentation is required as to process and product, including relevant readings, activities, research procedures, products, and a brief critique of the material.

**(d) Supervision:** received by the licensee and provided by a licensed mental health professional in an individual or group setting. Documentation is required from both the

supervisee and the supervisor or colleagues as to general topic and approach as well as assessed professional development of the supervisee.

(e) **List of pre-approved providers:** The Board will maintain and periodically update a list of pre-approved continuing education providers. The list will be available from the Office and the Board's web site, <http://vtprofessionals.org/>.

### **3.38 Continuing Education Program Approval for Licensed Clinical Mental Health Counselors**

(a) The Board may approve programs sponsored by departments of accredited institutions, by national, regional, state or local professional organizations or associations, by public or private human service organizations, or by private consultants or individuals. To be approved, a continuing education program's objectives must relate directly to counseling theory or the application of counseling theory or practice.

(b) Sponsoring organizations may apply to the Board for program approval by submitting an application form. The name of the program, a description of the program content, the number of credits requested, and the names and qualifications of the instructor(s) and sponsors must be clearly indicated on the application form. Application for advance approval should be filed at least 60 days before the education program is scheduled to commence.

(c) The Board will assign a maximum number of credit hours to each approved activity.

(d) When the Board has approved a program, the sponsor may so state in its publicity and may state the number of credits for which the program has been approved.

(e) The Board will deny approval of a continuing education program, home study program, or publication, or will suspend or revoke approval on any of the following grounds:

(1) Fraud or misrepresentation on the part of the sponsoring organization or licensee regarding continuing education information submitted for approval to the Board;

(2) Program objectives which do not relate to the theory or clinical application of theory pertaining to the practice of counseling;

(3) Program content which fails to meet the requirements specified in these rules.

(f) **Limitation:** Not more than five continuing education credits may be granted during any two-year license renewal period for time spent in activities as an instructor or presenter in the field of clinical mental health counseling. Continuing education credit will be allowed only one time per subject taught, and will not be granted for teaching a program which is within the licensee's regular employment.

**3.39 Continuing Education, Exemption** For applicants granted an initial license to practice by the Board, the mandatory continuing education requirement begins with the first day of the first biennial renewal period following the issuance of initial license. The Board recommends, but does not require continuing education for initial licensees during their first licensing period.

**3.40 License Renewal Process** Licenses for clinical mental health counselors expire January 31 of the odd-numbered years.

(a) Before the expiration date, the Office will mail a renewal application and notice of the renewal fee. A license expires automatically if the renewal application and fee are not received by the Office by the expiration date.

(b) The Board may renew licenses upon receipt of the licensee's verification of compliance with continuing education requirements as specified above.

(c) Initial licenses issued within 90 days of the renewal date will not be required to renew and pay the renewal fee. Applicants issued an initial license more than 90 days prior to the renewal expiration date will be required to renew and pay the renewal fee.

**3.41 Reinstatement of a Lapsed License** An applicant for reinstatement of a license which has lapsed may be eligible for reinstatement upon:

(a) submission of the renewal application form;

(b) payment of the renewal fee;

(c) payment of the late renewal penalty;

(d) completion of all continuing education requirements for the last full licensing period preceding reinstatement; and

(e) if the licensed has lapsed more than five years, reinstatement may not occur before successful completion of the Vermont statutes and rules examination.

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## **Part 4: Marriage and Family Therapists**

**4.1 Apply Early** Applicants for licensure as marriage and family therapists are advised to apply as soon as they have met their graduation requirements so that they may be qualified for the licensing examination at the earliest time.

**4.2 Apply before Supervision** Applicants should not wait to complete supervision requirements before applying for licensure. In fact, early application can help the Board provide applicants a clear understanding of any remaining licensure requirements.

### **4.3 Explanation of Licensing Requirements for Marriage and Family Therapists**

(a) As of the adoption of these rules, there is not a universally accepted national educational standard for the training of marriage and family therapists. Some programs, like those accredited by COAMFTE, are viewed by The Board as providing an appropriate educational background. However, not all programs which confer degrees in marriage and family therapy are equal.

(b) To ensure that all who are licensed as marriage and family therapists have a sufficiently broad and thorough background, these rules require not only a degree focusing on marriage and family therapy, but for those who have not completed COAMFTE programs, successful completion of a specific list of courses. Most, if not all, of the subject matter contained in the courses listed below is contained within COAMFTE approved curricula. Therefore, graduates from COAMFTE programs are deemed to have satisfied the educational requirements for licensure.

(c) The aim of these revised rules is to retain the provision which permits licensure of COAMFTE graduates but to also permit graduates from other programs to become licensed by showing completion of specific course requirements, thus ensuring that all who seek licensure in this profession have substantially equivalent educations.

**4.4 Requirements for Licensure as a Marriage and Family Therapist** There are two ways to become licensed in Vermont as a marriage and family therapist.

(a) **Examination:** An applicant may apply on the basis of education, successful completion of supervision, and passage of licensing examination.

(b) **Endorsement:** In certain circumstances an applicant may seek licensure on the basis of a current valid license issued by another jurisdiction. See Rules 4.23 and 4.24.

(c) **In addition, in either case: Statutes and Rules Examination:** All applicants must successfully complete the Board's statutes and rules examination before a license will be issued.

**4.5 Those not Qualified for Endorsement** Applicants who do not qualify for licensure by endorsement must meet the requirements for licensure by examination.

**4.6 Licensure by Examination** To be eligible for licensure by examination as a marriage and family therapist, an applicant must satisfy the (a) educational requirement, (b) the examination requirement, and (c) the supervised work experience requirement set forth in Rules 4.6 through 4.22 herein.

**Non-COAMFTE degrees must contain 18 of their 36 graduate credits in marriage and family therapy as specified in Rule 4.11. Other courses required for licensure, (See Rule 4.12) may be supplemented at any time.**

**4.7 Credit Hours Required**

(a) Applicants must complete a minimum of 48 credits of graduate level courses in marriage and family therapy and related areas of study as set forth in these rules.

(b) **Diagnosis and Treatment, Specific Requirement:** Each applicant for licensure, whether from a COAMFTE or other program, must have completed 3 credit hours of course work in diagnosis and treatment (DSM).

(c) Some applicants may find they have to take more than 48 graduate credits to satisfy the specific course requirements. Successful completion of all courses or study area requirements listed below is required for licensure. Degrees must contain a minimum of 36 graduate credits.

**4.8 Education Requirement, Degree Required**

(a) All applicants, unless applying on the basis of a post-graduate COAMFTE accredited institute, must have a masters or doctoral degree meeting the course requirements set forth below in Rules 4.10 through 4.13.

(b) The degree must be based on not fewer than 36 graduate credits.

**4.9 Accreditation Requirement** COAMFTE approved programs or institutions meet Board requirements for accreditation. Programs or institutions which are not COAMFTE approved, must be accredited by a national or regional accreditation body and approved by the Board. For purposes of this rule, “accredited” includes candidacy toward accreditation.

**4.10 Specific Degree Requirements** Degrees from COAMFTE approved programs meet degree requirements for licensure.

**4.11 Non-COAMFTE Programs** Degrees from programs and institutions which do not have COAMFTE approval must contain within the required 36 graduate credits a minimum of 18 graduate credits of course work clearly identified as being from a marriage, couple, or family therapy/systems/relational perspective.

**4.12 Curriculum Required for Licensure**

All applicants from non-COAMFTE programs must, in addition to one 3 credit course in diagnosis and treatment, successfully complete the following courses and areas of study before

the Board will issue a license:

- (a) six graduate credits in course work from a marriage and family therapy/systems perspective;
- (b) 3 graduate credits in marriage and family therapy skills;
- (c) 3 graduate credits in a marriage and family therapy treatment modality;
- (d) 3 graduate credits in human growth and development;
- (e) 3 graduate credits in diversity/social and cultural foundations;
- (f) 3 graduate credits in research;
- (g) 3 graduate credits in professional ethics;
- (h) a total of 6 credits in any of the following:
  - (1) Human sexuality;
  - (2) Psychopharmacology;
  - (3) Domestic violence;
  - (4) Sexual abuse;
  - (5) Gender and sexuality;
  - (6) Groups;
  - (7) Crisis intervention;
  - (8) Addictions/chemical dependency;
  - (9) Appraisal and assessment.
- (j) Supervised internship: A 500 hour supervised internship or field experience is required for licensure.

**4.13 Supervised Internship or Field Experience** A supervised internship or field experience requires a student to work in a marriage and family therapy focused setting. The internship provides an opportunity for the student to perform the activities that a regularly employed marriage and family therapist would be expected to perform.

**4.14 Notice: Insufficient Internship** A degree based on a program of fewer than 500 hours of supervised internship or field experience is not an acceptable degree for licensure.

**4.15 Examination Requirement** The Board or its designee administers a written examination approved by the Board on marriage and family therapy. The applicant must pass this examination as provided in 26 V.S.A. §§ 4037-4038. The written examination is offered at least twice a year at a time and place set well in advance. Applicants may obtain more information about the examination from the Office or online at <http://vtprofessionals.org/>. Examination results are usually available within 60 days.

**4.16 Post Degree Supervised Work Experience Requirement: Entry on Roster of Non-Licensed and Non-Certified Psychotherapists Required**

- (a) Before a license may be issued, the applicant must complete 3,000 hours of supervised individual, couple, family or group therapy from a systems perspective over a minimum two year period.
- (b) **No supervised practice may occur within the State of Vermont until the prospective licensee has been entered on the roster of non-licensed and non-certified psychotherapists.**

**4.17 Distribution of Practice Hours** 2,000 hours must be direct service, 50 per cent of which must be with couples and/or families. The remaining 1,000 hours must be continued clinical practice or indirect services related to or supporting clinical services.

**4.18 Face-to-Face Supervision**

- (a) **Frequency:** Supervised practice must be accompanied by no fewer than 100 hours of face-to-face supervision. Under no circumstances may any person in supervised practice accumulate more than thirty hours practice without a minimum of one hour face-to-face supervision. The supervisor and the supervised person are both responsible for ensuring that face-to-face supervision complies with this rule's frequency requirement.
- (b) **Nature and Location:** Face-to-face supervision is conducted in the formal setting of an office, clinic, or institution, and may be either in an individual setting, between the supervisor and the applicant, or in a group setting, including the supervisor and up to six trainees.

Of the 100 hours, at least 50 must be in an individual setting. The applicant must submit satisfactory supervision reports on forms provided by the Office.

**4.19 Supervisor Qualifications** Beginning with the effective date of these rules, a person who commences supervision must have no fewer than three years in good standing, licensed practice in the following professions:

- (a) a licensed marriage and family therapist in this state; or
- (b) a marriage and family therapist in another state who would meet the Vermont licensure requirements; or
- (c) a licensed clinical social worker in this state, or in another state who would meet the Vermont licensure requirements; or
- (d) future provision: If permitted by statute, the Board may, where a qualified marriage and family therapist is not reasonably available, permit a person licensed as a clinical mental health counselor, clinical social worker, psychologist, or psychiatrist to serve as the supervisor.



#### **4.20 Supervision Requirements**

(a) A supervisor is familiar with the nature of the applicant's therapy activities, monitors the quality of the therapy, and contributes to the enhancement of self-knowledge and practice of therapy.

(b) The Board recommends that the supervision experience include at least two supervisors with diverse family therapy theoretical orientations. Supervision focuses on the raw data from the supervisee's continuing clinical practice, which is available to the supervisor through a combination of direct observation, co-therapy, written clinical notes, and audio and video recordings. Supervision is a process clearly distinguishable from personal psychotherapy, and is conducted to serve professional or vocational goals.

#### **4.21 Excluded from Supervising**

(a) Preface: Successful supervision requires that the future licensee and supervisor have a full and candid exchange regarding all aspects of the supervised practice. Treatment issues, issues of sexual attraction, and other matters between practitioner and client, and work conditions affecting practice should be fully explored. Because full candor is needed, conflicts of interest between supervisor and future licensee must be avoided.

(b) Certain persons are excluded from being supervisors. A clinical supervisor does not include a spouse, life partner, former spouse, or family member. A clinical supervisor does not include or any employer, financial partner, or shareholder in the same counseling enterprise, or other person who gains financially from the practice of the applicant.

(c) A supervisor who: (1) meets the requirements to be a supervisor; and (2) is an employee of the same employer as the applicant, and (3) does not personally financially gain from the practice of the applicant, is not disqualified from providing clinical supervision.

(d) The following arrangements do not constitute clinical supervision:

- (1) Supervision by current or former family members or any other person where the nature of the personal relationship prevents or makes difficult the establishment of a professional relationship;
- (2) Administrative supervision (for example, clinical practice performed under administrative rather than clinical supervision of an institutional director or executive);
- (3) Classes, workshops, or seminars;
- (4) Consultation, staff development, or orientation to a field or program, or role-playing of family interrelationships as a substitute for current clinical practice.

#### **4.22 Supervision Reports**

(a) Verification of Supervisor: If the supervisor is certified or licensed in another jurisdiction, verification of his or her licensure or certification must be provided directly to the Board by the licensing or certifying authority of the other jurisdiction before the Board will review the supervision reports.

(b) A supervision report submitted by a supervisor shall contain sufficient detail to

evaluate an applicant's supervised practice. The report shall include, at a minimum:

- (1) Applicant's name;
- (2) Supervisor's name, signature, address, certification or license number, state where granted, date granted, and area of specialization;
- (3) Name and nature of the practice setting and a description of the client population served;
- (4) Specific beginning and ending dates of practice covered in the report;
- (5) The specific number of hours the applicant spent in direct and indirect services,
- (6) Number of one-to-one supervisory hours;
- (7) Number of group supervision hours, with a maximum of six therapists in a group supervised by at least one supervisor;
- (8) Detailed assessment of the applicant's performance;
- (9) Clinical skills supervised;
- (10) Ethical practices reviewed; and
- (11) A statement of the supervisor's belief that the applicant is competent and qualified to practice independently.

**4.23 Licensure by Endorsement** (without examination) The Board may license without requiring the professional competency examination(s) when the applicant:

**(a) Applicants from a jurisdiction with substantially equivalent standards:** If the applicant is licensed or certified and in good standing as a marriage and family therapist in another jurisdiction which currently has, in the opinion of the Board, regulatory standards and qualifications substantially equivalent to those in Vermont, the Board may issue a license.

**Subject to legislative approval:**

**(b) Applicants in active practice in another U.S. or Canadian jurisdiction, regardless of licensing standards:** If the applicant has been licensed or certified and is in good standing in another U.S. or Canadian jurisdiction, notwithstanding the jurisdiction's current licensing requirements, and has been in "active practice" in good standing no fewer than five years, the Board may issue a license. "Active practice" as used in this section means practicing marriage and family therapy more than an average of 20 hours per week for 48 weeks per year over the five years before application for licensure in Vermont.

#### **4.24 Application Process for Licensure of Marriage and Family Therapists**

An applicant for licensure as a marriage and family therapist must submit a completed application form with all required documentation including evidence of any required education, passing examination scores, and at the appropriate time, supervision, signed by the applicant and with the application fee.

**(a) Application by Examination:** In order for the Board of Allied Mental Health Practitioners to determine the applicant's eligibility to sit for the examination, the applicant must submit the following for Board review:

- (1) Official transcripts sent directly to the Board of Allied Mental Health Practitioners by the educational institution;
- (2) Other documentation specifically requested by the Board to determine the applicant's eligibility. For applicants from non-COAMFTE programs, this shall include course descriptions and syllabi.

(b) An applicant may sit for the examination at any time following the approval of his or her education credentials provided the applicant has registered for the examination and paid the fee by the deadline dates.

(c) Final review of an application will not occur until the Board has received all supervision reports and any other requested documents.

#### **4.25 Mandatory Disclosure Statements for Licensed Marriage and Family Therapists**

(a) Each marriage and family therapist is required to make a disclosure as provided in Rules 2.2 through 2.6.

(b) **Substance:** Disclosure statements for licensed marriage and family therapists must include the following information:

- (1) The regulated professional's qualifications and experience, including:
  - (A) all relevant graduate programs attended and all graduate degrees and certificates earned, including the full legal name of the granting institution, and
  - (B) a brief description of any special qualifications and areas of practice;
- (2) A copy of the statutory definition of unprofessional conduct (3 V.S.A. § 129a and 26 V.S.A. § 4042 for licensed marriage and family therapists);
- (3) A reference stating: “My practice is also governed by the Rules of the Board of Allied Mental Health Practitioners. It is unprofessional conduct to violate those rules. A copy of the rules may be obtained from the Board or online at <http://vtprofessionals.org/>”;
- (4) Information on the process for filing a complaint with, or making a consumer inquiry to, the Board.

(c) Sample disclosure letters are available from the Office of Professional Regulation.

#### **4.26 Continuing Education for Licensed Marriage and Family Therapists**

(a) Continuing educational requirements are designed to assure that marriage and family therapists maintain and improve the quality of professional services provided to the public, and to keep the marriage and family therapists knowledgeable about current research, techniques, and practice, and to provide other resources which will improve skill and competence in counseling.

(b) Every licensed marriage and family therapist must complete 20 continuing education credits during the preceding two-year license renewal period.

(c) **Continuing Education, Ethics Requirement** A minimum of four of the 20 hours must be specifically designated as continuing education in professional ethics in the clinical fields of marriage and family therapy, clinical mental health counseling, psychiatry, psychology, or social work.

(d) Those who serve as supervisors are encouraged to take some continuing education training related to supervision.

(e) "Continuing education" means the direct participation of a marriage and family therapist as a learner in a structured educational format. Continuing education credits are calculated as set forth below:

- (1) One hour equals one continuing education credit.
- (2) One semester credit equals 15 continuing education credits.
- (3) One quarter credit equals 10 continuing education credits.
- (4) One workshop hour equals one continuing education credit.

#### **4.27 Maintaining Continuing Education Records**

(a) Each licensee must maintain records showing attendance and participation in the continuing education activities claimed. Examples of acceptable records include pamphlets, certificates of attendance received during the instruction, receipt of registration, program announcement, signature of facilitator, or brief summary of the work content. These records are subject to inspection and verification by the Board upon request.

(b) Licensees must retain records of all continuing education courses and activities for a period of seven years. Retained records should include the name and date of the continuing education activity, the activity's time schedule, and the number of credits requested, and the names of the instructor(s) and sponsor. The Board does conduct audits to ensure compliance with continuing education requirements. Submitting documentation of the content of the activities is required only upon specific request of the Board.

#### **4.28 Continuing Education Reports to the Board**

(a) All continuing education must be reported on a form provided by the Office or available online at <http://vtprofessionals.org/>. The form must be submitted with the biennial licensure renewal forms.

(b) For a participant, continuing education credits will be granted only for actual time spent as a learner. Breaks and lunches cannot be included.

**4.29 Non-Compliance** The Board may require licensees whose submissions do not satisfy the continuing education requirement to develop and complete a specific corrective action within 90 days of notice from the Board.

**4.30 Continuing Education Exemption** For applicants granted an initial license to practice by the Board, the mandatory continuing education requirement begins with the first day of the

first biennial renewal period following the issuance of initial license. The Board recommends, but does not require continuing education for initial licensees during their first licensing period.

**4.31 Hardship Extension** A licensee who has been unable to complete the required continuing education by the renewal deadline may apply for an extension which the Board may grant only in cases of extreme hardship. The Board may grant an extension to complete the remainder of the required credits. See, 3 V.S.A. § 129(k).

#### **4.32 Credit for Continuing Education, Acceptable Types**

**(a) Formal Activities:**

- (1) Graduate academic courses in areas supporting development of skill and competence in marriage and family therapy at an institution which meets accreditation standards acceptable to the Board;
- (2) Institutes, workshops, seminars and conferences approved by the Board that clearly relate to maintaining skills necessary for the safe and competent clinical practice of marriage and family therapy and are conducted by persons qualified within their respective professions;

**(b) Individualized Learning Activities:** No more than 10 of the 20 hours may be accrued in this category. Home study programs including online or interactive training approved by board which may include programs sponsored by the American Association of Marriage and Family Therapists, the National Board of Certified Counselors (NBCC), the American Counseling Association, or the American Mental Health Counselors Association. Completion of home study programs must be documented by a certificate of completion or other appropriate documentation.

**(c) Instructing:** Not more than five continuing education credits may be granted during any two-year license renewal period for time spent in activities as an instructor or presenter in the field of marriage and family therapy. Continuing education credit will be allowed only one time per subject taught, and will not be granted for teaching a program which is within the licensee's regular employment.

#### **4.33 Board Approval**

(a) Approval of the activity may be obtained from the Board by submitting an application form. The name of the activity, a description of the program content including a published brochure or handout showing the schedule of the hours spent in instruction, the number of credits requested, and the names and qualifications of the instructors and sponsors must be clearly indicated on the application form. An application may be filed by the sponsoring agency or group, or by any participant. Application for advance approval should be filed 60 days before the educational activity is scheduled to commence.

(b) The Board will assign a maximum number of credit hours to each approved activity.

#### **4.34 Denial of Continuing Education Approval**

- (a) The Board may refuse to approve any activity which it finds is not eligible for accreditation according to these rules, or on the following grounds:
- (1) Fraud or misrepresentation on the part of the sponsoring organization or licensee regarding continuing education information submitted for approval to the Board;
  - (2) Program objectives which do not relate to the theory or clinical application of theory pertaining to the practice of marriage and family therapy;
  - (3) Program content which fails to meet the requirements specified in these rules.
- (b) Only after the Board has approved an activity and its number of continuing education credits, may the sponsor claim Board approval.

**4.35 Continuing Education, List of Pre-Approved Providers** The Board will maintain and periodically update a list of pre-approved continuing education providers. The list will be available from the Board's web site, <http://vtprofessionals.org/>.

**4.36 License Renewal Process**

- (a) Licenses for marriage and family therapists expire November 30 of the even-numbered years.
- (b) Initial licenses issued within 90 days of the renewal date will not be required to renew and pay the renewal fee. The license will be issued through the next full license period. Applicants issued an initial license more than 90 days prior to the renewal expiration date will be required to renew and pay the renewal fee.
- (c) Before the expiration date, the Office will mail a renewal application and notice of the renewal fee. A license will expire automatically if the renewal application and fee are not returned to the Office by the expiration date.
- (d) The Board will renew licenses upon receipt of the licensee's statement showing compliance with continuing education requirements as specified above.

**4.37 Reinstatement of Lapsed License** An applicant for reinstatement of a license which has lapsed may be eligible for reinstatement upon:

- a) Submission of the renewal application form;
- b) Payment of the renewal fee;
- c) Payment of the late renewal penalty; and
- d) Completion all continuing education requirements for the last full licensing period preceding reinstatement.
- e) If the license has lapsed more than five years, reinstatement may not occur before successful completion of the Vermont statutes and rules examination.

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## Part 5: Non-Licensed and Non-Certified Psychotherapists

**5.1 Introduction** Vermont law requires that unlicensed persons who practice psychotherapy disclose their training and qualifications. Psychotherapists who are not licensed or certified are held to established standards of professional conduct contained within statutes and these rules. They are subject to discipline by the Board if they fail to adhere to those standards.

**5.2 Application for Entry on the Roster of Non-Licensed and Non-Certified Psychotherapists** All non-licensed and non-certified psychotherapists who practice in Vermont must apply for entry on the roster. A psychologist, clinical social worker, clinical mental health counselor, marriage and family therapist, psychoanalyst, or any other allied mental health practitioner whose license is suspended or revoked in Vermont or any other jurisdiction is not eligible for entry on the roster. See, 3 V.S.A. § 4086.

**5.3 Application Information** Applications and information about licensure or roster entry requirements are available from the Board or online at <http://vtprofessionals.org/>. An applicant must submit a fully completed application form with all supporting documentation and the fee to the Board.

### 5.4 Mandatory Disclosure Statements for Rostered Psychotherapists

- (a) **Substance:** Disclosure statements for rostered psychotherapists must include the following information, submitted in the format outlined below:
- (1) Statement of formal education:
    - (A) Name of institution;
    - (B) Dates attended;
    - (C) Degree(s) awarded (if any);
  - (2) Training (must include the following information for each area of training):
    - (A) Title of training program;
    - (B) Name and address of trainer and or training institute;
    - (C) Dates - beginning and ending;
    - (D) Content of program;
    - (E) Credentials awarded (if any);
  - (3) Experience in the practice of psychotherapy (must include the following information for each practice setting):
    - (A) Description of practice;
    - (B) Location;
    - (C) Duration - beginning and ending dates;
    - (D) Part-time or full-time practice;
    - (E) Whether supervision or peer consultation occurs and, if so, how often;
  - (4) Scope of practice, including:
    - (A) Therapeutic orientation;
    - (B) Area of specialization;
    - (C) Treatment methods;
  - (5) A copy of the statutory definitions of unprofessional conduct (3 V.S.A. §

129a and 26 V.S.A. § 4093);

(6) A reference stating: “My practice is also governed by the Rules of the Board of Allied Mental Health Practitioners. It is unprofessional conduct to violate those rules. A copy of the rules may be obtained from the Board or online at <http://vtprofessionals.org/>.”; and

(7) Information on the process for filing a complaint with, or making a consumer inquiry to, the Board.

(b) **Filing:** A dated copy of the disclosure statement used must be sent to the Office of Professional Regulation when it is first printed and when revised. Rostered psychotherapists must retain printed and dated copies of all their disclosure forms should any revisions occur.

(c) Sample disclosure letters are available from the Office of Professional Regulation.

## **5.5 Roster Renewal**

\_\_\_\_\_ (a) Entries onto the roster of rostered psychotherapists expire on November 30 of the even-numbered years.

(b) Roster entries issued within 90 days of the renewal date will not be required to renew and pay the renewal fee. The roster entry will be issued through the next full registration period. Applicants issued an initial license or roster entry more than 90 days prior to the renewal expiration date will be required to renew and pay the renewal fee.

(c) Before the expiration date, the Office will mail a renewal application and notice of the renewal fee. A roster entry expires automatically if the renewal application and fee are not returned to the Office by the expiration date.

**5.6 Reinstating a Roster Entry** If a roster entry has expired because it was not renewed on time, the roster entrant may apply for reinstatement and pay the late renewal penalty and the renewal fee for the current renewal period.

**5.7 Continuing Education for Rostered Psychotherapists** Vermont law does not mandate continuing education for psychotherapists. Psychotherapists are encouraged to expand their professional education and skills by participating in continuing education, both formal and informal. Practitioners are reminded that providing services which one is not qualified to provide, or which are beyond the scope of his or her education, training, capabilities, experience, or scope of practice can be a failure to practice competently and unprofessional conduct.

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## **Part 6: Complaint Procedure**

**6.1 Complaint Procedure** The Office of Professional Regulation (Office) has a procedure for receiving, investigating, and acting on complaints of unprofessional conduct. Copies of the procedure are available from the Office and on line. Grounds of unprofessional conduct are set forth in 3 V.S.A. § 129a, 26 V.S.A. § 3271 (licensed clinical mental health counselors), 26



V.S.A. § 4042 (licensed marriage and family therapists), and 26 V.S.A. § 4093 (rostered psychotherapists). Unprofessional conduct also includes violations of these rules. 3 V.S.A. § 129a(a)(3).

**6.2 Unprofessional Conduct, Clinical Mental Health Counselors** Unprofessional conduct includes acts or omissions which violate section 129a of Title 3, violations of these rules, and violations of 26 V.S.A. § 3271.

**6.3 Unprofessional Conduct, Marriage and Family Therapists** Unprofessional conduct includes acts or omissions which violate section 129a of Title 3, violations of these rules, and violations of 26 V.S.A. § 4042.

**6.4 Unprofessional Conduct, Rostered Psychotherapists** Unprofessional conduct includes acts or omissions which violate section 129a of Title 3, violations of these rules, and violations of 26 V.S.A. § 4093.

**6.5 Range of Disciplinary Sanctions** Possible disciplinary sanctions the Board may impose for violation of the statutes or rules of the various professions include:

- (a) denial of licensure or roster entry;
- (b) warnings or reprimands;
- (c) suspension for a period of time to be determined by the Board;
- (d) revocation;
- (e) limitations on practice;
- (f) setting conditions for practice or resumption of practice;
- (g) denial of reinstatement or renewal;
- (h) imposition of a civil penalty of up to \$1,000 for each instance of unauthorized practice or unprofessional conduct.

**6.6 Codes of Ethics (General)** The Board may refer to the National Board for Certified Counselors (NBCC) "Code of Ethics" as amended, the American Counseling Association (ACA) "Code of Ethics and Standards of Practice," and the American Association for Marriage and Family Therapy (AAMFT) "Code of Ethics," as guides to the standards of practice for the professions subject to these rules. Although not in themselves additional grounds of unprofessional conduct, these ethical codes establish the standard of practice and fitness within the profession and are incorporated by reference into these rules. Copies of the NBCC "Code of Ethics" may be obtained from the NBCC's web site at <http://www.nbcc.org> . Copies of the ACA "Code of Ethics and Standards of Practice" may be obtained from the ACA's Web site at <http://www.counseling.org> . Copies of the AAMFT "Code of Ethics" may be obtained from the

AAMFT's Web site at <http://www.aamft.org> . Copies of these codes may also be obtained from the Office upon written request.

**6.7 Disciplinary Actions, Public Records** All Board disciplinary actions are public records available online or from the Office.