

NOTICE OF INTENT

Department of Health

Licensed Professional Counselors Board of Examiners

Endorsement (LAC 46:LX.3701)

In accordance with the applicable provisions of the Louisiana Administrative Procedures Act (R.S.49:950 et seq.) and through the authority of the Mental Health Counselor Licensing Act (R.S. 37:1101 et seq.), the Louisiana Licensed Professional Counselors Board of Examiners proposes to amend endorsement requirements, definitions, supervisor requirements and licensee statuses.

The Louisiana Licensed Professional Counselors Board of Examiners hereby gives Notice of Intent to amend Chapter 37 for publication in the August 20, 2020 edition of the Louisiana Register.

**Title 46**

**PROFESSIONAL AND OCCUPATIONAL STANDARDS REVISED**

**Part LX. Licensed Professional Counselors Board of Examiners**

**Subpart 1. Licensed Professional Counselors**

**Subpart 2. Professional Standards for Licensed Marriage and Family Therapists and Provisional Licensed Marriage and Family Therapists**

**§3701. Endorsement**

A. Upon recommendation of the board and Marriage and Family Therapy Advisory Committee, the board shall issue a license to any person who has been licensed as a marriage and family therapist and has actively practiced marriage and family therapy for at least five years in another jurisdiction. The applicant must submit an application on forms prescribed by the board in the prescribed manner and pay the required licensure fee. An applicant must submit documentation of at least 40 CEHs, in accordance with the requirements listed in Chapter 35, within two years of the date of application for licensure endorsement in Louisiana. An applicant must also be in good standing in all jurisdictions in which they are licensed and must not have been disciplined in any jurisdiction for an act that would have constituted grounds for refusal, suspension, or revocation of a license to practice marriage and family therapy in the state of Louisiana at the time the act was committed.

B. Upon recommendation of the board and marriage and family therapy advisory committee, the board shall issue a license to any person licensed as a licensed as a marriage and family therapist for less than five years in another jurisdiction whose requirements for the license are substantially equivalent to or exceed the requirements of the state of Louisiana. The applicant must submit an application on forms prescribed by the board in the prescribed manner and pay the required licensure fee. Applicants must also provide proof of having passed the Association of Marital and Family Therapy Regulatory Board's examination in marital and family therapy or an examination that would be substantially equivalent, as determined by the Marriage and Family Therapy Advisory Committee. An applicant must also be in good standing in all jurisdictions in which they are licensed and must not have been disciplined in any jurisdiction for an act that would have constituted grounds for refusal, suspension, or revocation of a

license to practice marriage and family therapy in the state of Louisiana at the time the act was committed.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:1101-1123.

**HISTORICAL NOTE:** Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:162 (February 2003), amended LR 39:1806 (July 2013), LR 41:752 (April 2015), LR 41:

#### **Family Impact Statement**

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this Rule on family has been considered. This proposal to create licensee statuses has no impact on family functioning, stability, or autonomy as described in R.S. 49:972.

#### **Poverty Impact Statement**

The proposed Rule should not have any known or foreseeable impact on any child, individual, or family as defined by R.S. 49:973.B

#### **Provider Impact Statement**

The proposed change should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session.

#### **Public Comments**

Interested persons may submit written comments by September 10, 2020 at 5 p.m. to Jamie S. Doming, Licensed Professional Counselors Board of Examiners, 11410 Lake Sherwood Avenue North STE A, Baton Rouge, LA 70816.

Jamie S. Doming

Executive Director

#### **Fiscal and Economic Impact Statement**

##### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule changes are not anticipated to result in any additional costs or savings for state or local governmental units.

The proposed rule changes add an alternative path to licensure for Licensed Marriage and Family Therapists (LMFTs) seeking to practice in LA by allowing for licensure tests other than the one conducted by the Association of Marital and Family Therapy Regulatory Board (AMFTRB) to be accepted by the Marriage and Family Advisory Committee of the LA Licensed Professional

Counselors Board of Examiners (LPC Board), provided the committee deems such examinations to be equivalent.

## II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes are not anticipated to result in any additional costs or savings for state or local governmental units.

## III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, NON-GOVERNMENTAL GROUPS, OR SMALL BUSINESSES (Summary)

The proposed rule changes benefit persons seeking to practice in LA by allowing for licensure tests other than the one conducted by the AMFTRB to be accepted by the Marriage and Family Advisory Committee of the LPC Board, provided the committee deems such examinations to be equivalent. As a result, such potential licensees who have taken an equivalent exam may realize an immediate savings of \$365 associated with not having to take the AMFTRB exam. Furthermore, this process may expedite when such licensees may practice, which may advance timelines for when practitioners may receive revenues, as well as potentially increase their revenues over time.

## IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes may affect employment to the extent more persons from other states seek licensure by endorsement in Louisiana pursuant to the new requirement. However, the aggregate effect on competition and employment of the amended timelines cannot be determined because it is unknown if any additional persons will seek licensure as a result of the proposed rule changes.