

NOTICE OF INTENT

Department of Health

Licensed Professional Counselors Board of Examiners

Continuing Education for PLMFTs and LMFTs

(LAC 46: LX. 3315, 3501, and 3503)

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 Licensed Professional Counselors Board of Examiners proposes to clarify and amend the continuing education requirements for PLMFT and LMFT renewal applicants.

The Licensed Professional Counselors Board of Examiners hereby gives Notice of Intent to propose changes to Chapter 33 Section 3315, Chapter 35 Section 3501 and Section 3503 for publication in the September 20, 2024, edition of the Louisiana Register.

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

Chapter 33. Requirements for Licensure and Provisional Licensure

§3315. Application Practice, and Renewal Requirements for Provisional Licensed Marriage and Family Therapists

A.-E. ...

1. A provisional licensee must accrue 20 clock hours of continuing education by every renewal period every two years. Of the 20 clock hours of continuing education, one and a half clock hours must be accrued in ethics specific to marriage and family therapy and one and a half clock hours must be accrued in diagnosis (assessment, diagnosis, and treatment under the most recent *Diagnostic and Statistical Manual of Mental Disorders*, as published by the American Psychiatric Association. The required training in diagnosis, assessment, and treatment under the most recent *Diagnostic and Statistical Manual of Mental Disorders* may be specific to a particular condition and/or may be general training in diagnosis, assessment, and treatment. A generic ethics course is not acceptable.

E.1.a.-E.1.a. ...

b. Accrual of continuing education begins after the date the license was issued for initial licensure and only during the renewal period for renewal applicants. The renewal period is November 1 to October 31.

c. CEHs accrued beyond the required 20 hours may not be applied toward the next renewal period.

E.1.d. ...

e. At the time of renewal, 10 percent of the licensees will be audited to ensure that the continuing education requirement is being met.

E.1.f. -E.2. ...

a. A licensee may obtain the 20 CEHs through one or more of the options listed below. A maximum of 10 CEHs may be obtained through an online format, with the exception of coursework obtained through a regionally accredited institution of higher education.

i. The advisory committee will accept workshops and presentations approved by the Louisiana Counseling Association (LCA), the American Association for Marriage and Family Therapy (AAMFT) and its regional or state divisions including the Louisiana Association for Marriage and Family Therapy (LAMFT). Contact them directly to find out which organizations, groups, or individuals are approved providers. Graduate coursework either taken for credit or audit must be from a regionally accredited college or university and in the areas of marriage and family therapy described in §3315.E.4.

E.2.b.ii.-E.2.c.i.(b). ...

ii. Original presentations at workshops, seminars, symposia, and meetings in an area of marriage and family therapy as described in §3315.E.4 may count for up to 10 hours maximum at a rate of three clock hours per one-hour presentation. Presenters must meet the qualifications stated in §3315.E.2.b.iii.(c). The presentation must be to the professional community, not to the lay public or a classroom presentation.

iii. Peer Consultation (10 hours maximum per renewal period). One may receive one clock hour of continuing education per hour of participation in peer consultation activities. Per consultation content must meet the guidelines indicated in 3503.C.3. All peer consultation sessions must include at least one LMFT.

E.3. ...F.3.

4. Completed peer supervision form

5. For authoring, editing, or reviewing professional manuscripts or presentations in the area of marriage and family therapy:

i. copy of article plus the table of contents of the journal it appears in

ii. copy of chapter plus table of contents for chapter authored for books

iii. title page and table of contents for authoring or editing books

iv. letter from conference coordinator or journal editor for reviewing refereed workshop presentations or journal articles.

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 29:158 (February 2003), amended LR 29:2787 (December 2003), LR 35:1114 (June 2009), LR 38:1966 (August 2012), LR 39:1806 (July 2013), LR 41:742 (April 2015), amended by the Department of Health, Licensed Professional Counselors Board of Examiners, LR 43:1983 (October 2017), LR 45:1204 (September 2019), LR 47:1529 (October 2021), LR 50: ____

Chapter 35. Renewal of License for Licensed Marriage and Family Therapists

§3501. General Provisions

A. Licenses shall be renewed every two years. The licensee shall submit an application form and payment of the renewal fee. Upon approval by the advisory committee, the board shall issue a document renewing the license for two years.

B....

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1122.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:160 (February 2003), amended LR 29:2789 (December 2003). LR 50:

§3503. Continuing Education Requirements

A.1.-A.2. ...

3. Accrual of continuing education begins after the date the license was issued for initial licensure and only during the renewal period for renewal applicants. The renewal period is January 1 to December 31.

4. Continuing education hours accrued beyond the required 40 clock hours may not be applied toward the next renewal period.

A.5. ...

6. At the time of renewal 10 percent of the licensees will be audited to ensure that the continuing education requirement is being met. Licensees audited will be notified as specified in §3503.B of their continuing education hours.

A.7-A.8. ...

9. A licensee must accrue six clock hours of training in diagnosis every renewal period that specifically addresses the assessment, diagnosis, and treatment of clinical conditions under the most recent *Diagnostic and Statistical Manual of Mental Disorders*, as published by the American Psychiatric Association. This required training may be specific to the diagnosis, assessment, and treatment of a particular condition and/or may be general training in diagnosis, assessment, and treatment under the most recent *Diagnostic and Statistical Manual of Mental Disorders*.

A.10. - B.3. ...

4. Completed peer consultation form

5. For authoring, editing, or reviewing professional manuscripts or presentations in the area of marriage and family therapy:

- i. copy of article plus the table of contents of the journal it appears in
- ii. copy of chapter plus table of contents for chapter authored for books
- iii. title page and table of contents for authoring or editing books
- iv. letter from conference coordinator or journal editor for reviewing refereed workshop presentations or journal articles.

C.

1. An LMFT may obtain the 40 clock hours of continuing education through the options listed. Effective January 1, 2017, a maximum of 20 CEHs may be obtained through an online format, with the exception of coursework obtained through a regionally accredited institution of higher education. All continuing education hours may be obtained through Subparagraph a or 20 of the 40 hours may be obtained through Subparagraph b:

C.2.a. ...

i. The advisory committee will accept workshops and presentations approved by, the Louisiana Counseling Association (LCA), the American Association for Marriage and Family Therapy (AAMFT) and its regional or state divisions including the Louisiana Association for Marriage and Family Therapy (LAMFT). Contact them directly to find out which organizations, groups, or individuals are approved providers. Graduate coursework either taken for credit or audit must be from a regionally accredited college or university and in the areas of marriage and family therapy described in Paragraph C.3.

C.2.a.ii.-C.2.b.i.(b). ...

ii. Original presentations at workshops, seminars, symposia, and meetings in an area of marriage and family therapy as described in Paragraph C.3 may count for up to 10 hours maximum at a rate of three clock hours per one-hour presentation. Presenters must meet the qualifications stated in Subparagraph 2.a. The presentation must be to the professional community, not to the lay public or a classroom presentation.

iii. Peer Consultation (10 hours maximum per renewal period). One may receive one clock hour of continuing education per hour of participation in peer consultation activities. Per consultation content must meet the guidelines indicated in 3503.C.3. All peer consultation sessions must include at least one LMFT.

C.3.- C.3.g. ...

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 29:160 (February 2003), repromulgated LR 29:581 (April 2003), amended LR 29:2789 (December 2003), LR 41:752 (April 2015), LR 50: ____.

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of these rules 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 In particular, there should be no known or foreseeable effect on:

1. The effect on household income, assets, and financial security;
2. The effect on early childhood development and preschool through postsecondary education development;
3. The effect on employment and workforce development;
4. The effect on taxes and tax credits;
5. The effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

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. In particular, there should be no known or foreseeable effect on:

1. The effect on the staffing level requirements or qualifications required to provide the same level of service;
2. The total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. The overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to Jamie S. Doming, Licensed Professional Counselors Board of Examiners, 11410 Lake Sherwood Avenue North Suite A, Baton Rouge, LA 70816 by October 10, 2024, at 5:00 p.m.

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

Other than the cost of rulemaking, which is approximately \$900 in FY 25 related to publishing the proposed rule and final rule in the Louisiana Register, the proposed rule changes are not anticipated to result in implementation costs or savings to state or local governmental units. The cost of rulemaking will be paid from self-generated funds.

Existing rules provide that preapproved continuing education for Licensed Marriage and Family Therapists (LMFT) may be provided by the American Association for Marriage and Family Therapy (AAMFT) and its regional or state divisions. The proposed changes would allow additional preapproval of continuing education hours by the Louisiana Counseling Association (LCA). Secondly, the proposed changes add peer consultation as a mode of accruing continuing education hours for LMFTs, as it is currently permitted for Licensed Professional Counselors (LPC). Thirdly, the continuing education hours for original presentations would count as three continuing education hours per one hour presentation for LMFTs. Currently, the ratio is two continuing education hours per one hour presentation. For informational purposes, rules for LPCs currently allow five continuing education hours per one hour presentation. The proposed changes also include technical revisions that were made to provide clarity on the definition of continuing education and the requirement that information be submitted to the board online rather than via mail.

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

The proposed rule changes will not affect revenue collections for state or local governmental units.

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

Applicants for license renewal may benefit from the additional modes of obtaining continuing education provided under the proposed changes. Peer consultation does not require preapproved

coursework, and a licensee can obtain up to ten hours via this mode. The proposed changes will allow licensees to accrue more continuing education hours via presentations. The addition of the LCA as a preapproved continuing education provider for LMFTs may also benefit renewal applicants as they can obtain preapproval of continuing education for both the LPC and LMFT licenses at one annual conference.

The proposed rule changes may result in decreased income to accredited providers of continuing education coursework or professional associations, as licensees will be able to obtain continuing education hours from additional sources under the proposed changes.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes may result in increased competition among continuing education providers as there will be more options for preapproved coursework and additional methods for accruing hours. The proposed rule changes are not expected to affect employment.