

Licensed Marital
and
Family Therapists

DIRECTORY OF THERAPISTS

Licensing Act
&
Regulations

1997-1998

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The Oklahoma
LICENSED MARITAL AND FAMILY THERAPIST ACT

59 O.S. Supp 1990 Sec. 1925.1 et seq.
APPROVED BY
GOVERNOR HENRY BELLMON
May 2, 1990

AMENDED November 1, 1995

**TITLE 59 OF THE OKLAHOMA STATUTES
MARITAL AND FAMILY THERAPIST LICENSURE ACT
AS AMENDED 1995**

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Section 1925.1. Short title

This act shall be known and may be cited as the "Marital and Family Therapist Licensure Act".

Section 1925.2. Definitions

For purposes of the Marital and Family Therapist Licensure Act, Section 1925.1 et seq. of this title:

1. "Advertise" means, but is not limited to, the issuing or causing to be distributed any card, sign, or device to any person; or the causing, permitting or allowing any sign or marking on or in any building or structure, or in any newspaper or magazine or in any directory, or on radio or television, or by advertising by any other means designed to secure public attention;
2. "Board" means the State Board of Health;
3. "Commissioner" means the State Commissioner of Health;
4. "Advisory Board" means the Oklahoma Licensed Marital and Family Therapist Advisory Board appointed by the State Board of Health;
5. "Department" means the State Department of Health;
6. "Licensed marital and family therapist" means a person holding a current license issued pursuant to the provisions of the Marital and Family Therapist Licensure Act;
7. "Marital and family therapy" means the treatment of disorders, whether cognitive, affective, or behavioral, within the context of marital and family systems. Marital and family therapy involves the professional application of family systems theories and techniques in the delivery of services to individuals, marital pairs, and families for the purpose of treating such disorders;
8. "Person" means any individual, firm, corporation, partnership, organization or body politic;
9. "Practice of marital and family therapy" means the rendering of professional marital and family therapy services to individuals, family groups and marital pairs, singly or in groups, whether such services are offered directly to the general public or through organizations either public or private, for a fee, monetary or otherwise;
10. "Recognized educational institution" means any educational institution which grants a bachelor's, master's, or doctor's degree and which is recognized by the Oklahoma Licensed Marital and Family Therapist Committee and by a nationally or regionally recognized educational or professional accrediting body; and
11. "Use a title or description of" means to hold oneself out to the public as having a particular status by means of stating on signs, mailboxes, address plates, stationery, announcements, calling cards or other instruments of professional identification.

Section 1925.3. Exemptions--Application to other professional groups

A. A person shall be exempt from the requirements of the Marital and Family Therapist Licensure Act:

1. If the person is practicing marital and family therapy as part of his duties as an employee of:
 - a. a recognized academic institution, or a federal, state, county, or local governmental institution or agency while performing those duties for which he was employed by such an institution, agency or facility;
 - b. an organization which is nonprofit and which is determined by the Board to meet community needs while performing those duties for which he was employed by such an agency; or
2. If the person is a marital and family therapy intern or person preparing for the practice of marital and family therapy under qualified supervision in a training institution or facility or supervisory arrangement recognized and approved by the Board, provided he is designated by such titles as "marital therapy intern", "family therapy intern", or others clearly indicating such training status; or
3. If the person has been issued a temporary permit by the Board to engage in the activities for which licensure is required.

B. The Marital and Family Therapist Licensure Act shall not be construed to apply to the professional pursuit of qualified members of other professional groups, including but not limited to social workers, licensed

professional counselors, psychiatric nurses, psychologists, physicians, attorneys, or members of the clergy who are in good standing in their denominations, Christian Science practitioners, lay pastoral counselors, certified alcohol-drug counselors or school administrators, school teachers and school counselors certified by the State Department of Education within the scope of their duties in recognized public or private schools, when performing the work of marital and family therapy consistent with the accepted standards of their respective professions. Provided, however, no such person shall use a title or description stating or implying that such person is a licensed marital and family therapist.

Section 1925.4. Oklahoma Licensed Marital and Family Therapist Advisory Board--Members--Qualifications--Terms--Vacancies-- Removal--Meetings--Quorum

A. 1. There is hereby created the "Oklahoma Licensed Marital and Family Therapist Advisory Board" whose duty shall be to assist in administering the provisions of the Marital and Family Therapist Licensure Act, Section 1925.1 et seq. of this title, except as otherwise provided by law.

2. The Advisory Board shall consist of seven (7) members who shall be appointed by the State Commissioner of Health with the advice and consent of the State Board of Health. Five members shall be licensed marital and family therapists who shall each have been for at least five (5) years immediately preceding appointment actively engaged as marital and family therapists in rendering professional services in marital and family therapy, or in rendering services in marital and family therapy as members of the clergy, who are in good standing in their denominations, or in the education and training of master's, doctoral or post-doctoral students of marital and family therapy, or in marital and family therapy research, and shall have spent the majority of the time devoted to such activity during the two (2) years preceding appointment to the Advisory Board. Two members shall be lay persons who are not affiliated with any practice of marital and family therapy.

3. The first appointees, other than the lay persons, shall meet the qualifications for licensure required by the Marital and Family Therapist Licensure Act and shall become licensed marital and family therapists immediately upon appointment unless the appointee is a member of the clergy who is in good standing in the clergy's denomination. Thereafter, all appointees to the Advisory Board except the lay persons shall be licensed marital and family therapists prior to appointment.

4. All appointees shall be residents of the State of Oklahoma. The members of the first Advisory Board shall be appointed prior to September 1, 1991. Except for the lay members, the Commissioner shall select the first appointees from a list of qualified candidates submitted by the executive committees of state marital and family therapists' associations. The other members of the first Advisory Board shall serve the following terms: One member for one (1) year, two members for two (2) years, two members for three (3) years and one member for four (4) years. Thereafter, at the expiration of the term of each member, the Commissioner shall appoint a successor for four (4) years. All appointees other than the lay members shall be selected from a list of qualified candidates submitted by the executive committees of all marital and family therapists associations in this state which represent a specialty recognized pursuant to the provisions of the Marital and Family Therapist Licensure Act.

B. Vacancies occurring on the Advisory Board shall be filled for the unexpired term by appointment of the Commissioner with the advice and consent of the Board from a list of qualified candidates submitted within thirty (30) days of such vacancy by the executive committees of all marital and family therapists associations in this state which represent a specialty recognized pursuant to the provisions of the Marital and Family Therapist Licensure Act. Such appointments shall be made within thirty (30) days after the candidates' names have been submitted if possible.

C. Any Advisory Board member may be removed by the Commissioner, after written notice, for incapacity, incompetence, neglect of duty, misfeasance or malfeasance in office.

D. Members of the Advisory Board shall serve without compensation, but shall be reimbursed their actual and necessary travel expenses pursuant to the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes.

E. Advisory Board members shall be ineligible for reappointment for a period of three (3) years following completion of their terms.

F. The Advisory Board shall meet within thirty (30) days after the appointment of its members by the Commissioner. Thereafter the Advisory Board shall hold at least four regular meetings each year. Meetings shall be held at such time and place as the Advisory Board may provide. The Advisory Board shall elect annually the following officers: a chair, a vice-chair, and a secretary. Four members of the Advisory Board shall constitute a quorum.

Section 1925.5. Duties of State Board of Health and Commissioner of Health

A. The State Board of Health, giving regard to the recommendations of the Oklahoma Licensed Marital and Family Therapist Advisory Board, shall:

1. Prescribe, adopt and promulgate rules to implement and enforce the provisions of the Marital and Family Therapist Licensure Act, Section 1925.1 et seq. of this title;
2. Request the district attorney to bring an action to enforce the provisions of the Marital and Family Therapist Licensure Act; and
3. Adopt and establish rules of professional conduct.

B. The State Commissioner of Health shall have the authority to:

1. Initiate prosecution and injunctive proceedings;
2. Set license and examination fees as required by the Marital and Family Therapist Licensure Act;
3. Receive fees and deposit said fees as required by the Marital and Family Therapist Licensure Act;
4. Issue, renew, revoke, deny and suspend licenses to practice marital and family therapy pursuant to the provisions of the Marital and Family Therapist Licensure Act;
5. Examine all qualified applicants for licenses to practice marital and family therapy except as otherwise provided by the Marital and Family Therapist Licensure Act;
6. Accept grants and gifts from various foundations and institutions; and
7. Make such expenditures and employ such personnel as the Commissioner may deem necessary for the administration of the Marital and Family Therapist Licensure Act.

Section 1925.6. License--Application--Qualifications--Examinations

A. Applications for a license to practice as a licensed marital and family therapist shall be made to the Commissioner of Health in writing. Such applications shall be on a form and in a manner prescribed by the Commissioner. The application shall be accompanied by the fee required by Section 18 of this act which shall be retained by the State Department of Health and not returned to the applicant.

B. Each applicant for a license to practice as a licensed marital and family therapist shall:

1. Be possessed of good moral character;
2. Be at least twenty-one (21) years of age;
3. Not have engaged or is not engaged in any practice or conduct which would be a grounds for refusing to issue a license under Section 15 of this act; and
4. Otherwise comply with the rules and regulations promulgated by the Board pursuant to the provisions of the Marital and Family Therapist Licensure Act.

C. 1. In addition to the qualifications specified by the provisions of subsection B of this section, any person applying for a license on or before September 1, 1991, to practice as a licensed marital and family therapist shall:

- a. have an appropriate graduate degree, as defined by the Board, from an accredited institution so recognized at the time of granting such degree, and at least five (5) years of clinical experience in direct services to clients primarily of a marital and family nature; or
- b. (1) have practiced full time as a marital and family therapist for at least two (2) years post-masters degree. Such two (2) years of marital and family practice shall have been supervised by a marital and family supervisor approved pursuant to conditions established by the Board, and

(2) possess a graduate degree from a college or university accredited by an agency recognized by the United States Department of Education with at least thirty-six (36) semester hours of graduate credit with course work primarily in marital and family studies, marital and family therapy, and human development.

2. Applicants subject to the provisions of this subsection shall also:

- a. have current membership in or certification by an appropriate professional organization, as defined by the Board; and
- b. be currently practicing as a marital and family therapist.

D. In addition to the qualifications specified by the provisions of subsection B of this section any person applying for a license after September 1, 1991, to practice as a licensed marital and family therapist shall have the following educational and experience qualifications:

1. A master's degree or a doctoral degree in marital and family therapy, or a content-equivalent degree as defined by the Board.

2. Successful completion of two (2) calendar years of work experience in marital and family therapy following receipt of a qualifying degree, under supervision in accordance with standards established by the Board.

3. An applicant applying for a license after September 1, 1991, shall also be required to pass a written or oral examination or both written and oral examination administered by the Board if, at the discretion of the Board, such examination is deemed necessary in order to determine the applicant's qualifications for the practice of marital and family therapy.

Section 1925.7. Examinations

A. Examinations shall be held at such times, at such place and in such manner as the Commissioner of Health directs if such examination is deemed necessary to determine any applicant's qualifications for the practice of marital and family therapy. An examination shall be held at least annually. Examinations may be written or oral or both written and oral as determined by the Board. In any written examination each applicant shall be designated so that such applicant's name shall not be disclosed to the Board until the examinations have been graded. Examinations shall include questions in such theoretical and applied fields as the Board deems most suitable to test an applicant's knowledge and competence to engage in the practice of marital and family therapy.

B. The Committee shall determine the acceptable grade on examinations.

If an applicant fails to pass the examinations, said applicant may reapply and shall be allowed to take a subsequent examination after the expiration of a six-month time period. An applicant who has failed two successive examinations may not reapply for two (2) years from the date of the last examination.

C. The Commissioner shall preserve examination materials and an accurate transcript of the questions and answers to any examination, and the applicant's performance on each section, as part of its records for a period of two (2) years following the date of the examination.

Section 1925.8. Issuance of license--Renewal--Reinstatement

A. An applicant who meets the requirements for licensure required by the provisions of the Marital and Family Therapist Licensure Act, has paid the required license fees and has otherwise complied with the provisions of the Marital and Family Therapist Licensure Act, shall be licensed by the Board.

B. Licenses issued pursuant to the Marital and Family Therapist Licensure Act shall expire twenty-four (24) months from the date of issuance unless earlier revoked. A license may be renewed upon application and payment of fees. Failure to renew a license as required by the Marital and Family Therapist Licensure Act shall constitute a suspension of said license. A person whose license has been suspended may make application within one (1) year following the suspension in writing to the Board requesting reinstatement in a manner prescribed by the Board and payment of the fees required by the provisions of the Marital and Family Therapist Licensure Act. The license of a person whose license has been suspended pursuant to this

section for more than one (1) year shall not be renewed except upon making application, the payment of fees, and taking and passing the examination as required by the Marital and Family Therapist Licensure Act.

Section 1925.9. Reciprocal or temporary licenses

A. The Commissioner shall have the power to issue, upon application and payment of fees, reciprocal licenses for persons licensed in other states to practice as a licensed marital and family therapist if the Commissioner deems such states to have qualifications and standards equivalent to or which exceed those required pursuant to the provisions of the Marital and Family Therapist Licensure Act.

B. The Commissioner shall also have the power to issue a temporary license for up to one (1) year, to a person who files an application for licensure pursuant to the provisions of the Marital and Family Therapist Licensure Act while his application is being processed by the Department or while he is awaiting the opportunity to take the first written examination offered by the Department after filing his application.

Section 1925.10. Advertisement, self-description or practice of marital or family therapy without license

Commencing September 1, 1991, no person who is not licensed under this act shall:

1. Advertise the performance of marital and family therapy service by such person unless pursuant to another professional license in accordance with Oklahoma Statutes;
2. Use a title or description such as "licensed marital or family therapist", or any other name, style or description denoting that the person is a licensed marital and family therapist; or
3. Practice marital and family therapy except as provided for in subsection B of Section 3 of this act.

Section 1925.11. Confidentiality--Exceptions--Professional privilege--Court testimony

A. No person licensed pursuant to the provisions of the Marital and Family Therapist Licensure Act as a marital and family therapist, nor any of his employees or associates, shall be required to disclose any information which he may have acquired in rendering marital and family therapy services, except when:

1. Authorized by other state laws;
2. Failure to disclose such information presents a clear and present danger to the health or safety of any person;
3. The marital and family therapist is a party defendant to a civil, criminal or disciplinary action arising from such therapy in which case any waiver of the privilege accorded by this section shall be limited to that action;
4. The patient is a defendant in a criminal proceeding and the use of the privilege would violate the defendant's right to a compulsory process and/or right to present testimony and witnesses in his own behalf; or

5. A patient agrees to waiver of the privilege accorded by this section, in the case of death or disability of the patient, the consent of his personal representative or other person authorized to sue or the beneficiary of any insurance policy on his life, health or physical condition. In circumstances where more than one person in a family is receiving therapy, each such family member must agree to the waiver. Absent such a waiver from each family member, a marital and family therapist shall not disclose information received from any family member.

B. No information shall be treated as privileged and there shall be no privileges created by the Marital and Family Therapist Licensure Act as to any information acquired by the person licensed pursuant to the Marital and Family Therapist Licensure Act when such information pertains to criminal acts or violation of any law.

C. The Marital and Family Therapist Licensure Act shall not be construed to prohibit any licensed person from testifying in court hearings concerning matters of adoption, child abuse, child neglect, battery or matters pertaining to the welfare of children or from seeking collaboration or consultation with professional colleagues or administrative superiors on behalf of his client.

Section 1925.12. Alimony or divorce actions--Custody actions--Testimony by therapist

If both parties to a marriage have obtained marital and family therapy by a licensed marital and family therapist, the therapist shall not be competent to testify in an alimony or divorce action concerning information acquired in the course of the therapeutic relationship unless a party relies on such information as an element of his claim or defense in such an action, or said information is gathered as a result of a court-ordered examination. This section shall not apply to custody actions.

Section 1925.13. Complaint--Notice--Hearing--Findings and order--Service-- Intervention--Failure of therapist to appear--Record--Court review--Application for vacation of suspension

A. Any person may file a complaint with the Commissioner of Health seeking denial, suspension or revocation of a license issued or to be issued by the Commissioner. Such complaints shall be in a form prescribed by the Department and shall be verified under oath by the complainant or a duly authorized officer of a complainant. The Commissioner shall forward such complaints to the Oklahoma Licensed Marital and Family Therapist Committee. If the Committee, upon investigation, determines that a complaint alleges facts which, if true, would require denial, revocation or suspension of a license, it shall promptly request that an individual proceeding be conducted. Whenever the Committee determines that a complaint does not state facts which warrant a hearing, such complaint may be dismissed. The Committee may request a hearing for denial, suspension or revocation of a license on its own motion.

B. Whenever the Committee requests that an individual proceeding be conducted, the Commissioner shall give written notice to the alleged violator specifying the cause of complaint. Said notice shall require that the alleged violator appear before an impartial hearing examiner at a time and place specified in the notice and answer the charges specified in said notice. The notice shall be delivered to the alleged violator in accordance with the provisions of subsection D of this section not less than ten (10) days before the time set for the hearing.

C. On the basis of the evidence produced at the hearing, the hearing examiner shall make findings of fact and conclusions of law and enter a recommendation thereon in writing in the record. The Commissioner may issue an order on the basis of such record or, before issuing an order, require additional hearings or further evidence to be presented. The order of the Commissioner shall become final and binding on all parties unless appealed to the district court as provided for in Sections 309 through 325 of Title 75 of the Oklahoma Statutes.

D. Except as otherwise expressly provided for by law, any notice, order or other instrument issued by or pursuant to the authority of the Commissioner may be served on any person affected, by publication, or by mailing a copy of the notice, order or other instrument by registered mail directed to the person affected at the last-known post office address of such person as shown by the files or records of the Commission. Proof of such service shall be made as in case of service of a summons or by publication in a civil action. Proof of mailing may be made by the affidavit of the person who mailed said notice. Proof of service shall be filed in the office of the Department.

Every certificate or affidavit of service made and filed as provided for in this section shall be prima facie evidence of the facts stated therein, and a certified copy thereof shall have the same force and effect as the original certificate or affidavit of service.

E. Any person may be permitted to intervene and participate in such hearings on denial, suspension or revocation of licenses upon a showing of an interest in such proceeding.

F. If the marital and family therapist fails or refuses to appear, the hearing examiner or Commissioner may proceed to hearing and determine the charges in his absence. If the marital and family therapist pleads guilty, or if upon hearing the charges and finding them to be true, the Commissioner may enter an order suspending or revoking the license of the marital and family therapist, reprimanding the marital and family therapist, or placing the marital and family therapist on probation or providing for both the latter actions.

G. The Commissioner shall preserve a record of all proceedings of such hearings and shall furnish a transcript of such hearings to the defendant upon request.

H. A record of the hearing shall be taken and preserved. The record shall contain the notice, all papers, documents and data filed in the proceedings and all statements pertinent thereto, the testimony and exhibits and the findings of fact and orders of the Commissioner in writing. The State of Oklahoma shall be a party in the prosecution of all such actions and hearings pertaining to the suspension or revocation of a license, and the Attorney General, or one of his assistants, is authorized and directed to appear in behalf thereof. The hearing may be adjourned from time to time.

I. Any person aggrieved by the suspension or revocation of his license may file suit within thirty (30) days after receiving the Commissioner's order of revocation or suspension in a court of competent jurisdiction to have his license reinstated pursuant to Sections 318 through 323 of Title 75 of the Oklahoma Statutes. If the court finds that the proceedings were conducted in a manner to protect the rights of the accused, that the proceedings were held in a manner to ensure correct determination of fact, and that the Commissioner's order is consistent with the intent of this law, the court shall affirm the Commissioner's order. If not, the court may order the person's license reinstated or a rehearing before the Commissioner.

J. Any person whose license has been suspended or revoked may apply to the Board for vacation of the suspension or reinstatement of the license.

Section 1925.14. Application of Administrative Procedures Act

The hearings provided for by the Marital and Family Therapist Licensure Act shall be conducted in conformity with, and records made thereof as provided by, the provisions of the Administrative Procedures Act.

Section 1925.15. Denial, revocation or suspension of license

A. The Commissioner may deny, revoke or suspend any license issued pursuant to the provisions of the Marital and Family Therapist Licensure Act to a licensed marital and family therapist after a hearing, if the person has:

1. Been convicted by a court of competent jurisdiction of a crime the Board determines to be of such a nature as to render the person convicted unfit to practice marital and family therapy. The Board shall compile, maintain, and publish a list of such crimes;
2. Violated ethical standards of such a nature as to render the person found by the Commissioner to have engaged in such violation unfit to practice marital and family therapy;
3. Misrepresented any information required in obtaining a license;
4. Been found guilty of fraud or deceit in connection with services rendered or in establishing needed qualifications pursuant to the provisions of the Marital and Family Therapist Licensure Act;
5. Knowingly aided or abetted a person not licensed pursuant to these provisions in representing himself as a licensed marital and family therapist in this state;
6. Been found guilty of unprofessional conduct as defined by the rules established by the Board; or
7. Been found guilty of negligence or wrongful actions in the performance of his duties.

B. No license shall be suspended or revoked until notice is served upon the licensed marital and family therapist and a hearing is held in such manner as is required by the Marital and Family Therapist Licensure Act.

Section 1925.16. False representation as licensed marital and family therapist-- Penalty--Injunction

A. Any person who represents himself by the title "licensed marital and family therapist" or any designation representing such person to be a licensed marital and family therapist without having first complied with the provisions of the Marital and Family Therapist Licensure Act, upon conviction, shall be guilty of a misdemeanor and shall be punished by imposition of a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) for each offense and in addition may be imprisoned for a term not to exceed six (6) months in the county jail or by both such fine and imprisonment.

B. The Commissioner may also proceed in district court to enjoin and restrain any unlicensed person from violating the prohibitions of the Marital and Family Therapist Licensure Act.

Section 1925.17. Licensed Marital and Family Therapist Revolving Fund

There is hereby created in the State Treasury a revolving fund for the State Department of Health, to be designated the "Licensed Marital and Family Therapist Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received pursuant to the provisions of the Marital and Family Therapist Licensure Act. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the State Department of Health to meet expenses necessary for carrying out the purpose of the Marital and Family Therapist Licensure Act. Expenditures from said fund shall be approved by the Commissioner and shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

Section 1925.18. License fee and annual renewal fee--Fixing by Board

The licensing fee and the annual renewal fee shall be amounts fixed by the State Board of Health upon recommendations of the Committee. The Board shall fix the amount of the fees so that the total fees collected will be sufficient to meet the expenses of administering the provisions of the Marital and Family Therapist Licensure Act and so that there are no unnecessary surpluses in the Licensed Marital and Family Therapist Revolving Fund. The Board shall not fix a license fee at an amount in excess of Three Hundred Dollars (\$300.00) and a renewal fee at an amount in excess of Two Hundred Dollars (\$200.00). The fee for the issuance of a license to replace a license which was lost, destroyed, mutilated or revoked shall be Twenty-five Dollars (\$25.00). The fee shall accompany the application for a replacement license. The fee for an examination required pursuant to the Marital and Family Therapist Licensure Act shall not exceed One Hundred Dollars (\$100.00).

LICENSED MARITAL AND FAMILY THERAPIST REGULATIONS

(Unofficial Format)

**RECOMMENDED BY THE
LICENSED MARITAL AND FAMILY THERAPIST ADVISORY BOARD**

**APPROVED BY
OKLAHOMA STATE BOARD OF HEALTH
May 23, 1991**

AMENDED February 17, 1994

CHAPTER 400. LICENSED MARITAL AND FAMILY THERAPIST REGULATIONS

SUBCHAPTER 1. GENERAL PROVISIONS

310:400-1-1. Purpose

The rules in this Chapter implement the Oklahoma Licensed Marital and Family Therapist Act.

310:400-1-2. Consumer information

(a) **Registry.** Each year the Department shall publish a roster of Licensed Marital and Family Therapists (LMFT's). The roster of LMFT's shall include but not be limited to the name, academic degree under which the license is held, preferred mailing address, telephone number and license number.

(b) **Brochure.** The Department shall prepare information of consumer interest which describes the regulatory functions of the Committee and Committee procedures to handle and resolve consumer complaints.

SUBCHAPTER 3. COMMITTEE OPERATIONS

310:400-3-1. Statutory requirements

In addition to those operations described in Section 1925.5 of the LMFT Act, the Committee operations in this Chapter are to be in effect.

310:400-3-2. Officers

(a) **Chairman.** The Chairman shall preside at all meetings at which he or she is in attendance and perform all duties prescribed by law or Board. The Chairman is authorized by the Committee to make day-to-day decisions regarding Committee activities in order to facilitate the responsiveness and effectiveness of the Committee.

(b) **Vice-chairman.** The Vice-Chairman shall perform the duties of the Chairman in case of the absence or disability of the Chairman.

In case the office of the Chairman becomes vacant, the Vice-Chairman shall serve as Chairman until a successor is named.

(c) **Secretary.** In the absence of the Chairman and Vice-Chairman, the Secretary will preside until the Chairman or Vice-Chairman is present.

310:400-3-3. Administrator

(a) The Administrator of the Committee shall be an employee of the Oklahoma State Department of Health appointed by the Commissioner of Health as the administrator of Committee activities and the Commissioner's representative in all activities pertaining to the Act and shall perform related duties as assigned by the Commissioner.

(b) The Administrator shall keep the minutes of the meetings and proceedings of the Committee and shall be the custodian of the files and records.

(c) The Administrator shall exercise general supervision over persons employed in the administration of the Act.

(d) The Administrator shall assist in the investigation of complaints and for the presentation of formal complaints.

(e) The Administrator shall have the responsibility of assembling and evaluating materials submitted by applicants for licensure. Determinations made by the Administrator are subject to the approval of the Committee which shall make the final decision on the eligibility of the applicants.

(f) The Administrator or the Administrator's designated substitute may serve as the administrator of licensure examinations.

(g) The Administrator shall prepare and recommend to the Committee plans and procedures necessary to implement the purposes and objectives of the Act, including rules and proposals on administrative procedures not inconsistent with the Act.

(h) The Administrator shall attend all meetings of the Committee, but the Administrator is not entitled to vote at Committee meetings.

(i) The Administrator shall handle or arrange for the handling of the correspondence of the Committee, arrange for necessary inspections and investigations, and obtain, assemble, or prepare the reports and information that the Committee may direct or authorize.

310:400-3-4. Transactions of official business

(a) The Committee may transact official business only when in a legally constituted meeting with a quorum present.

(b) The Committee shall not be bound in any way by any statement or action on the part of any Committee or staff member except when in pursuance of the specific instructions of the Committee.

310:400-3-5. Agendas

The Administrator shall prepare and submit to each member of the Committee prior to each meeting, an agenda which includes items requested by members, items required by law, and other matters of Committee business which have been approved for discussion by the Chairman.

310:400-3-6. Minutes

The minutes of any Committee meeting are official only when affixed with the original signatures of the Chairman and the Administrator.

310:400-3-7. Rules of order

Robert's Rules of Order Revised shall be the basis of parliamentary decisions except as otherwise provided by Committee rules.

310:400-3-8. Official records

(a) All records of the Committee shall be open for inspection during regular office hours unless specified by statute.

(b) A person desiring to examine official records shall be required to identify himself and sign statements listing the records requested and examined.

(c) Official records shall not be taken from Committee offices; however, persons may obtain photocopies of files upon written request and by paying the cost per page.

310:400-3-9. Sub-committees

(a) The Chairman with the approval of the Committee may establish sub-committees deemed necessary to carry out Committee responsibilities.

(b) The Chairman shall appoint the members of the Committee to serve on sub-committees.

(c) The Chairman may appoint noncommittee members to serve as sub-committee members on a consultant or voluntary basis subject to Committee approval.

(d) Sub-committee Chairman shall make regular reports to the Committee in interim written reports and/or at regular meetings.

(e) Sub-committees shall direct all reports or other materials to the Administrator for distribution.

(f) Sub-committees shall meet when called by the Chairman or when so directed by the Committee.

310:400-3-10. Impartiality

Any Committee member who is unable to be impartial in the determination of an applicant's eligibility for licensure or specialty shall so declare this to the Committee and shall not participate in any committee proceedings involving that applicant.

310:400-3-11. Discrimination policy

The Committee shall make no decision in the discharge of its statutory authority with regard to any person's race, religion, gender, or national origin.

310:400-3-12. Policy on handicapped applicants

The Committee on a case-by-case basis, may consider requests for special arrangements for handicapped applicants including assistance in taking the examination provided that such requests are reasonable and do not violate other rules.

310:400-3-13. Seal

The official seal of the Committee shall consist of the seal of the State of Oklahoma.

SUBCHAPTER 5. RULES OF PROFESSIONAL CONDUCT

310:400-5-1. Responsibility to clients

- (a) Marital and family therapists are dedicated to advancing the welfare of families and individuals, including respecting the rights of those persons seeking their assistance, and making reasonable efforts to ensure that their services are used appropriately.
- (b) Marital and family therapists do not discriminate against or refuse professional service to anyone on the basis of race, gender, religion, or national origin.
- (c) Marital and family therapists are cognizant of their potentially influential position with respect to clients, and they avoid exploiting the trust and dependency of such persons. Marital and family therapists therefore make every effort to avoid dual relationships with clients that could impair their professional judgement or increase the risk of exploitation or when dual relationships cannot be avoided, to take appropriate professional precautions to insure that judgement is not impaired and that no exploitation occurs. Examples of such dual relationships include, but are not limited to, business or close personal relationships with clients. Sexual intimacy with clients is prohibited. Sexual intimacy with former clients for two years following the termination of therapy is prohibited.
- (d) Marital and family therapists do not use their professional relationship with clients to further their own interests.
- (e) Marital and family therapists respect the right of clients to make decisions and help them to understand the consequences of those decisions. Marital and family therapists clearly advise a client that a decision on marital status is the responsibility of the client.
- (f) Marital and family therapists continue therapeutic relationships only so long as it is reasonably clear that clients are benefiting from the relationship.
- (g) Marital and family therapists assist persons in obtaining other therapeutic services if a marital and family therapist is unable or unwilling, for appropriate reasons, to see a person who has requested professional help.
- (h) Marital and family therapists do not abandon or neglect clients in treatment without making reasonable arrangements for the continuation of such treatment.
- (i) Marital and family therapists obtain informed consent of clients before taping, recording, or permitting third party observation of their activities.

310:400-5-2. Confidentiality

(a) Marital and family therapists have unique confidentiality problems because the "client" in a therapeutic relationship may be more than one person. The overriding principle is that marital and family therapists respect the confidences of their client(s).

(b) Marital and family therapists cannot disclose client information and confidences to anyone, except:

- (1) as mandated by law;
- (2) to prevent a clear and immediate danger to a person or persons;
- (3) where the marital and family therapist is a defendant in a civil, criminal, or disciplinary action rising from the therapy (in which case client confidences may be disclosed only in the course of that action);
- (4) if there is a waiver previously obtained in writing, and then such information may be revealed only in accordance with the terms of the waiver.

(c) In circumstances where more than one person in a family is receiving therapy, each such family member who is legally competent to execute a waiver must agree to the waiver required by paragraph (b)(4) of this section. Absent such a waiver from each family member legally competent to execute a waiver, a marital and family therapist cannot disclose information received from any family member.

(d) Marital and family therapists use client and/or clinical materials in teaching, writing, and public presentations only if a written waiver has been received in accordance with subsection (c) of this section, or when appropriate steps have been taken to protect client identity.

(e) Marital and family therapists store or dispose of client records in ways that maintain confidentiality.

310:400-5-3. Professional competence and integrity

(a) Marital and family therapists are dedicated to maintaining high standards of professional competence and integrity.

(b) Marital and family therapists are presumed to have violated high standards of integrity or competence if they:

- (1) are convicted of felonies;
- (2) are convicted of misdemeanors (related to their qualifications or functions);
- (3) engage in conduct which could lead to conviction of felonies, or misdemeanors related to their qualifications or functions;
- (4) have their license or certificates suspended or revoked; or
- (5) are no longer competent to practice marital and family therapy because they are impaired due to physical or mental causes or the abuse of alcohol or other substances.

(c) Marital and family therapists seek appropriate professional assistance for their own personal problems or conflicts that are likely to impair their work performance and their clinical judgement.

(d) Marital and family therapists, as teachers and supervisors, are dedicated to maintaining high standards of scholarship and presenting information that is accurate.

(e) Marital and family therapists seek to remain abreast of new developments in family therapy knowledge and practice through both educational activities and clinical experiences.

(f) Marital and family therapists do not engage in sexual or other harassment or exploitation of clients, students, trainees, supervisees, employees, colleagues, research subjects, or actual or potential witnesses or complainants in ethical proceedings.

(g) Marital and family therapists do not attempt to diagnose, treat, or advise on problems outside the recognized boundaries of their competence.

(h) Marital and family therapists attempt to prevent the distortion or misuse of their clinical and research findings.

(i) Marital and family therapists are aware that, because of their ability to influence and alter the lives of others, they must exercise special care when making public their professional recommendations and opinions through testimony or other public statements.

(j) Marital and family therapists shall protect the welfare of the client by storing and/or destroying, when appropriate, client files.

(k) Marital and family therapists shall not, under normal circumstances, offer professional services to clients concurrently receiving services from another professional except with the knowledge of the professional.

(l) Marital and family therapists shall display their original, current license certificate in a prominent place in the primary location of their practice.

(m) Marital and family therapists shall keep the Administrator updated regarding changes in mailing address, phone number and place of employment. Failure to do so may place the license in jeopardy due to missed renewal notices and other important communications.

310:400-5-4. Responsibility to students, employees, and supervisees

(a) Marital and family therapists do not exploit the trust and dependency of students, employees and supervisees.

(b) Marital and family therapists are cognizant of their potentially influential position with respect to students, employees, and supervisees, and they avoid exploiting the trust and dependency of such persons. Marital and family therapists, therefore, make every effort to avoid dual relationships that could impair their professional judgement or increase the risk of exploitation, or when dual relationships cannot be avoided, to insure that judgement is not impaired and that no exploitation occurs. Examples of such dual relationships include, but are not limited to, provision of therapy to students, employees, or supervisees, and business or close personal relationships with students, employees, or supervisees. Sexual intimacy with students or supervisees is prohibited.

(c) Marital and family therapists do not permit students, employees, or supervisees to perform or to hold themselves out as competent to perform professional services beyond their training, level of experience, and competence.

(d) Marital and family therapists cannot disclose supervisee confidences to anyone, except:

(1) as mandated by law;

(2) to prevent a clear and immediate danger to a person or persons;

(3) where the marital and family therapist is a defendant in a civil, criminal, or disciplinary action arising from the therapy (in which case client confidences may be disclosed only in the course of that action);

(4) if there is a waiver previously obtained in writing, and then such information may be revealed only in accordance with the terms of the waiver.

310:400-5-5. Responsibility to research participants

(a) Marital and family therapists respect the dignity and protect the welfare of persons who participate in research and are cognizant of federal and state laws and regulations and professional standards governing the conduct of research with human participants.

(b) In planning a study, the investigator has the responsibility to make a careful examination of its ethical acceptability. To the extent that services to research participants may be compromised by participation in research, the investigator incurs a correspondingly serious obligation to seek the ethical advice of others not directly involved in the investigation and to observe safeguards to protect the rights of research participants. Examples of compromising conditions include, but are not limited to, random assignment to control groups, waiting lists, and inflexible treatment protocols.

(c) In requesting involvement in research, investigators are obligated to fully inform potential participants of all aspects of the research that might reasonably be expected to influence willingness to participate and to explain all other aspects of the research about which participants inquire. Investigators are especially sensitive to the possibility of diminished consent when participants are also receiving clinical services or when participants are children or have impairments which limit understanding and/or communication.

(d) The investigator respects the individual's freedom to decline to participate in or to withdraw from the research at any time. This obligation requires special thought and consideration when the investigator or other members of the research team are in positions of authority or influence over the participant.

(e) Information obtained about a research participant during the course of an investigation is confidential unless otherwise agreed upon in advance. When the possibility exists that others, including family member, may obtain access to such information, this possibility, together with the plan for protecting confidentiality, is explained as part of the procedure for obtaining informed consent.

310:400-5-6. Responsibility to colleagues

(a) Marital and family therapists respect the rights and responsibilities of professional colleagues, and participate in activities which advance the goals of the profession.

(b) Marital and family therapists assign publication credit to those who have contributed to a publication in proportion to their contributions and in accordance with customary professional publication practices.

(c) Marital and family therapists who are the authors of books or other materials that are published or distributed should cite appropriately persons to whom credit for original ideas is due.

(d) Marital and family therapists who are the authors of books or other materials published or distributed by an organization take reasonable precautions to ensure that the organization promotes and advertises the materials accurately and factually.

310:400-5-7. Financial arrangements

(a) Marital and family therapists make financial arrangements with clients and third party payors that conform to accepted professional practice and that are reasonably understandable.

(b) Marital and family therapists do not offer or accept payment for referrals.

(c) Marital and family therapists do not charge excessive fees for services.

(d) Marital and family therapists disclose their fee structure to clients at the onset of treatment.

(e) Marital and family therapists are careful to represent facts truthfully to clients and third party payor regarding services rendered.

310:400-5-8. Advertising

(a) Marital and family therapists engage in appropriate informational activities, including those that enable laypersons to choose marital and family services on an informed basis.

(b) Marital and family therapists accurately represent their competence, education, training, and experience relevant to their practice of marriage and family therapy.

(c) Marital and family therapists do not use a name which could mislead the public concerning the identity, responsibility, source, and status of those practicing under that name and do not hold themselves out as being partners or associates of a firm if they are not.

(d) Marital and family therapists do not use any professional identification (such as a professional card, office sign, letterhead, or telephone or association directory listing) if it includes a statement or claim that is false, fraudulent, misleading or deceptive. A statement is false, fraudulent, misleading, or deceptive if it:

(1) contains a material misrepresentation of fact;

(2) fails to state any material fact necessary to make the statement, in light of all circumstances, not misleading;

(3) is intended to or is likely to create an unjustified expectation.

(e) Marital and family therapists correct, wherever possible, false, misleading, or inaccurate information and representations made by others concerning the marriage and family therapist's qualifications, services or product.

(f) Marital and family therapists make certain that the qualifications of persons in their employ are represented in a manner that is not false, misleading or deceptive.

310:400-5-9. Failure to comply

A Marital and family therapist who does not comply with the Rules of Professional Conduct in this Subchapter shall be guilty of unprofessional conduct.

SUBCHAPTER 7. APPLICATION FOR LICENSURE**310:400-7-1. Fitness of applicants**

(a) **Purpose.** The purpose of this section is to establish the fitness of an applicant as one of the criteria for approval for licensure as an LMFT and to set forth the criteria by which the Commissioner, through the recommendations of the Committee, will determine the fitness of applicants.

(b) **Fitness for licensure.** The substantiation of any of the following items related to the applicant may be, as the Commissioner determines, the basis for the denial of or delay of licensure of the applicant.

- (1) Lack of necessary skills and abilities to provide adequate services.
- (2) Misrepresentation on the application or other materials submitted to the Committee.
- (3) A violation of the Code of Ethics of the professional discipline espoused by the applicant.
- (4) Any violation of the Board rules in effect at the time of application which is applicable to an unlicensed person.

(c) **Materials considered to determine fitness.**

- (1) Materials considered to determine fitness of skills and abilities include:
 - (A) Evaluations of supervisors or instructors.
 - (B) Statements from persons submitting references for the applicant.
 - (C) Evaluations of employers and/or professional associations.
- (2) Materials considered to determine fitness of professional conduct includes:
 - (A) Allegations of clients.
 - (B) Transcripts or other findings from official court, hearing or investigative proceedings.
 - (C) Any other information which the Committee considers pertinent to determining the fitness of applicants.

310:400-7-2. Application procedures

(a) **General.**

- (1) The purpose of this section is to insure that all applicants meet those requirements specified in Section 1925.6 of the Act.
- (2) Unless otherwise indicated, an applicant must submit all required information and documentation of credentials on official Department forms.
- (3) The Committee will not consider an application as officially submitted until receipt of the Application, application fee, official transcripts and Internship/Practicum Documentation Form. The fee must accompany the Application Form and must be in the form of a cashiers check or money order.
- (4) The Committee must receive all required application materials at least 60 days prior to the date the applicant wishes to take the examination.
- (5) The Committee will send a notice, to last known address, to an applicant who does not complete application in a timely manner listing the additional materials required. An application not completed within 30 days after the date of the Committee's notice may be voided.

(b) **Application materials.** The purpose of this section is to list the materials required in the application process. All forms must be completed in full by the applicant, as per the instructions on the following individual forms:

- (1) Application form.
- (2) Official university transcript.
- (3) Documents of recommendation.

- (4) Internship/practicum documentation form.
- (5) Supervised experience documentation forms.
- (6) Fees.
- (7) Signatures/notary section.

(c) **Negative references.** The Committee may ask any applicant for licensure as an LMFT, whose file contains negative references of substance, to come before the Committee for an interview before the licensure designation process may proceed.

310:400-7-3. Academic and experience requirements on or before September 1, 1991 (Revoked)

310:400-7-4. Academic and experience requirements

(a) Fulfillment of Section 1925.6, subsection B of the LMFT Act.

Persons applying for licensure must have fulfilled the requirements listed in Section 1925.6, Subsection B of the LMFT Act.

(b) Academic requirements.

- (1) Applicants must possess at least a masters degree in marital and family therapy from a college or university accredited by an agency recognized by the United States Department of Education or;
- (2) Applicants must possess at least a masters degree in marital and family therapy or in a mental health, behavioral science, or counseling related field from a college or university accredited by an agency recognized by the United States Department of Education which is content-equivalent to a graduate degree in marital and family therapy. In order to qualify as a "content-equivalent" degree, a graduate transcript must document the minimum number of graduate hours and knowledge areas listed below.

(A) Theoretical Foundations of Marital and Family Systems - any course which deals primarily in areas such as family life cycle; theories of family development; marriage and/or the family; sociology of the family; families under stress; the contemporary family; family in a social context; the cross-cultural family; youth/adult/aging and the family; family subsystems; individual, interpersonal relationships (marital, parental, sibling). (3 courses: 9 semester or 12 quarter hours.)

(B) Assessment and Treatment in Marital and Family Therapy -any course which deals primarily in areas such as family therapy methodology; family assessment; treatment and intervention methods; overview of major clinical theories of marital and family therapy such as: communications, contextual, experiential, object relations, strategic, structural, systemic, transgenerational. (3 courses: 9 semester or 12 quarter hours.)

(C) Human Development - any course which deals primarily in areas such as human development; personality theory; human sexuality; psychopathology; at least one of which must be in psychopathology or abnormal human behavior. (3 courses: 9 semester or 12 quarter hours.)

(D) Ethics and Professional Studies - any course which deals primarily in areas such as professional socialization and the role of the professional organization; legal responsibilities and liabilities; independent practice and interprofessional cooperation; ethics; family law. (1 course: 3 semester or 4 quarter hours.)

(E) Research - any course which deals primarily in areas such as research design, methods, statistics; research in marital and family studies and therapy. (1 course: 3 semester or 4 quarter hours.)

(F) Practicum/Internship (at least 300 clock hours.)

(c) Experience requirement.

- (1) Applicants must complete two (2) calendar years of work in marital and family therapy following the receipt of the qualifying degree.
- (2) These two years must be completed under an LMFT approved marital and family therapist supervisor.

(d) Examination. Applicants must achieve a passing score on the LMFT examination.

SUBCHAPTER 9. LICENSURE EXAMINATIONS

310:400-9-1. Eligibility

An LMFT applicant is eligible to take the licensing examination following the submission and approval of:

- (1) Application Form and fee
- (2) Practicum/Internship Documentation Form
- (3) Official transcript(s) showing completion of all academic requirements listed in Subchapter 7 of this Chapter.
- (4) examination fee (or examination processing fee if national exam has previously been taken.)

310:400-9-2. Format

A written and/or oral examination may be required.

310:400-9-3. Frequency

The committee shall administer licensure examinations at least once a year or as often as deemed necessary.

310:400-9-4. Application

(a) The Committee shall mail notification of approval of his/her application to the last known address of applicant 60 days prior to the date of the next scheduled examination.

(b) An applicant who wishes to take a scheduled examination must complete an examination registration form and return it to the Committee submitting the required fee at least 30 days prior to the date of the examination.

310:400-9-5. Notice of results

(a) The Committee shall mail notification of the examination results and an analysis of performance to examinee at last known address.

(b) If the notice of examination results will be delayed for more than 90 days after the date of the examination, the Committee shall mail notification of the delay to the applicant at last known address before the 90th day.

310:400-9-6. Failure to appear

If an applicant fails to appear for examination for reasons other than documented illness or other cause beyond the applicant's control after having agreed to do so by applying to take a particular examination, the applicant must reapply and pay another examination fee before being admitted to a subsequent examination.

310:400-9-7. Failure to apply

The application may be voided if a person fails to apply for and take one of the first two examinations scheduled after the applicant has been mailed notification at last known address in writing of his/her approval for examination.

SUBCHAPTER 11. SUPERVISED EXPERIENCE REQUIREMENTS

310:400-11-1. Supervisor and supervisee responsibilities

Supervisor and Supervisee shall be jointly responsible for:

- (1) insuring that the requirements under this subchapter are fulfilled. Any failure to comply may result in the loss of supervision hours, denial of licensure, or initiation of formal complaint procedures.
- (2) insuring that the client's right to confidentiality and the proprietary rights of the supervisor's and supervisee's respective employers are adhered to during the course of supervision.

310:400-11-2. Acceptable supervised experience

Supervised experience is acceptable when:

- (1) it begins after all applicable academic requirements as stated in Subchapter 7 have been completed.
- (2) official application has been made. This includes Application, application fee, Internship/Practicum Documentation Form official transcript, and Supervision Agreement. Applicants who have completed part or all of supervision experience requirements for clinical membership in AAMFT will be considered to have met part or all of the supervisor requirements for licensure in Oklahoma.
- (3) it consists of the performance of therapy activities as described in Section 1925.2, article 7 and 9 of the LMFT Act and contains the following characteristics:
 - (A) supervision focuses on the raw data from a supervisee's continuing clinical practice, which may be available to the supervisor through a combination of direct observation, co-therapy, written clinical notes, and audio and video recordings.
 - (B) supervision is a process clearly distinguishable from personal psychotherapy, and is contracted in order to serve professional/vocational goals.
 - (C) individual supervision should be face-to-face with one supervisor and one or two supervisees.
 - (D) group supervision may be done with up to six supervisees and a supervisor.

310:400-11-3. Supervisor qualifications

In order to be approved as a supervisor for therapists seeking MFT licensure, an individual must:

- (1) be an American Association for Marriage and Family Therapy approved Supervisor familiar with Oklahoma LMFT Act and Rules duly promulgated, or
- (2) be an LMFT
 - (A) with two (2) years of experience in marital and family therapy beyond the number of years of experience required for licensure. For licensees on or before September 1, 1991, this means 7 years for Track I and 4 years for Track II, and
 - (B) who has successfully completed a graduate course in therapist supervision (at least 45 contact hours) or equivalent course of study acceptable to the Committee. This equivalent course of study should consist of workshops in marriage and family therapy supervision in combination with directed study of the marriage and family therapy supervision literature. Fifteen of the 45 contact hours should be in a class or workshop format which includes a minimum of four supervisors-in-training; the other 30 contact hours should be reserved for the directed study. Directed study must be approved and monitored by an Approved Supervisor.

310:400-11-4. Duration of supervised experience

(a) Work experience under supervision must extend over a minimum of 24 months. This work experience must be full time, defined as a minimum of twenty-four hours per week of marital and family therapy related experience.

(b) Supervision sessions:

- (1) shall be scheduled weekly and shall be one and one half (1 1/2) hours in length, or
- (2) may be arranged on a different schedule upon:
 - (A) written request of the supervisor and supervisee in advance, and
 - (B) approval of the schedule by the Committee.

(c) Total number of face-to-face supervision hours must be at least 150. Supervision in group sessions shall equal no more than 75 hours of the total requirement.

(d) The total number of hours of direct client contact shall be no less than 1000 hours.

310:400-11-5. Documentation of supervised experience

(a) An LMFT Supervision Agreement between supervisor and supervisee must be received and approved by the LMFT Committee or Administrator prior to the accrual of supervision hours.

(b) Semi-annual documentation of supervision hours and evaluation of competence must be submitted by the supervisor and co-signed by the supervisee on official Supervision Evaluation Forms.

SUBCHAPTER 13. FEES**310:400-13-1. Fees established**

The Commissioner shall establish fees to provide for the support of the administration of the Act.

310:400-13-2. Schedule of fees

The following fees apply to the administration of the Act:

- (1) Application fee - \$200.00 - As long as the license is renewed, this is a one-time fee to be submitted with the application form.
- (2) License examination - \$100.00 - As long as the license is renewed, this is a one-time fee to be submitted when the applicant is notified of eligibility to sit for the examination.
- (3) Examination processing fee - \$50.00 - If the examination has previously been taken and as long as the license is renewed, this is a one-time fee to be submitted when the applicant is notified following the review of his/her application form.
- (4) License fee - \$100.00 - As long as the license is renewed, this is a one-time fee to be submitted upon notification that all application materials and fees have been received and are in order. This fee validates the license for the initial two-year period.
- (5) License renewal fee - \$100.00. - After the initial two-year period of licensure, this is a yearly fee to be submitted on or before December 31 of each year.
- (6) Late renewal fee - \$25.00 - This fee is assessed in addition to the renewal fee for failure to renew license on or before December 31.
- (7) Replacement fee - \$25.00 - This fee is for the issuance of a license certificate to replace a license certificate which has been lost, damaged, or is in need of revision to be submitted with documentation of the necessary replacement.
- (8) Inactive license fee - \$25.00 - Payment of this fee renders the license inactive and suspends all rights and privileges granted by the license until the license is reinstated.

310:400-13-3. Fees non-refundable

Fees paid by applicants are not refundable.

310:400-13-4. Method of payment

Any remittance submitted to the Committee in payment of a required fee must be in the form of a cashiers check or money order.

310:400-13-5. Review of fees

The Committee shall make periodic reviews of its fee schedule and make any adjustments necessary to provide funds to meet its expenses without creating an unnecessary surplus.

SUBCHAPTER 15. ISSUANCE AND MAINTENANCE OF LICENSE

310:400-15-1. Issuance of license

(a) **Certificate.** The Commissioner shall issue a license certificate which contains the licensee's name, license number, highest accredited therapy-related academic degree and date of issuance.

(b) **Signature.** Official licenses shall be signed by the Commissioner and be affixed with the seal of the State of Oklahoma.

(c) **Property of the department.** All licenses issued by the Commissioner shall remain the property of the Department and must be surrendered on demand.

(d) **Notification.** After having fulfilled all requirements for licensure, the Department shall mail notification to the licensee, at last known address, of his/her qualification for licensure; and when the license fee is received by the Committee, the certificate will be mailed to the licensee.

310:400-15-2. Replacement of certificate

The department will replace a license certificate that is lost, damaged, or is in need of revision upon written request from the LMFT and payment of the license replacement fee. Requests must include the LMFT's original license or be accompanied by the damaged certificate, if available.

310:400-15-3. License renewal

(a) **Responsibility.** Each LMFT is responsible for renewing his/her license before the expiration date.

(b) **Initial licensing period.** The renewal date of the original license shall be two (2) years from the last day of the month in which the license was originally issued.

(c) **Annual renewal.** Subsequent renewals will be yearly, on or before January 1. License fees will be prorated on a quarterly basis for the first renewal.

(d) **Requirements for renewal.** Requirements for renewal are:

(1) Compliance with the Act and Board rules.

(2) Documentation of the required continuing education. (See 310:400-15-4 for information regarding C.E.).

(3) Payment of the renewal fee(s).

(e) **Display of renewal certificate.** License renewal verification cards shall be displayed on the original (or replaced) license certificate.

310:400-15-4. Continuing education requirements

(a) **Purpose.** The purpose of the requirements in this Section is to establish the continuing education requirements necessary for license renewal.

(b) **Number of hours required.** Licensees shall complete and furnish documentation to the Committee of twenty (20) clock hours of acceptable continuing education per year. One graduate credit hour is equal to fifteen (15) clock hours.

- (c) **Acceptable continuing education.** Continuing education is acceptable to the Committee when it:
- (1) approximates the content of any of the academic areas listed under Subchapter 7 of this Chapter.
 - (2) is presented by a person licensed or certified by therapy related professions.
 - (3) is presented by a licensed or certified member of a non-therapy field (i.e. medicine, law) if the content of the presentation is therapy related and falls within the presenter's area of training.
 - (4) takes place in the context of a college course, in-service training, institute, seminar, workshop, conference or an LMFT Committee pre-approved home study course.
- (d) **Continuing education accrual from teaching.** Continuing education may also be accrued when the LMFT teaches in programs such as institutes, seminars, workshops, and conferences, when the content conforms to section 310:400-15-4(c) of this subchapter, provided that such teaching is not required as part of the LMFT's regular employment. Three hours of C.E. is credited for each hour taught.
- (e) **Professional audience.** Continuing education, whether received or presented by the LMFT must be targeted toward a professional audience.
- (f) **Documentation of attendance.** LMFT's shall retain verification of attendance documents for all C.E. hours claimed for a period of two (2) years. Acceptable C.E. verification of attendance documents are:
- (1) an official continuing education validation form furnished by the presenter, or,
 - (2) a letter on the sponsoring presenter's letterhead giving the name of the program, location, dates, subjects taught, total number of hours attended, participant's name and presenter's name and credentials, or,
 - (3) an official college transcript showing courses or audit credit.
 - (4) (For teaching) a letter on sponsoring agency's letterhead giving the name of the program, location, dates, subject taught and total number of hours taught.
- (g) **Submission of continuing education roster.** LMFT's shall submit a Continuing Education Roster (not individual verification of attendance documents) with the license renewal fee. Rosters may be obtained from the LMFT office. Only C.E. accrued in the preceding license renewal period is acceptable.
- (h) **Audit of continuing education submissions.** In January of each year, the Committee will randomly select from two (2) to twenty-five (25) percent of the number of LMFT's on active status the previous year for an audit of their claimed Continuing Education credits. These selected LMFT's must then provide the Committee with verification of all credits claimed on their Continuing Education Roster within thirty (30) days following receipt of the audit notice. The Committee may, at its discretion, audit and require verification of any credits claimed which it may consider questionable or fraudulent.
- (i) **Penalty for failure to submit continuing education.** Failure to fulfill the C.E. requirement by the renewal date renders the license in suspension. All rights granted by the license are null and void until the requirement is fulfilled and a late renewal fee is paid. The LMFT has 12 months from the date of suspension to become reinstated. If not reinstated, the license shall be revoked.
- (j) **Submission of fraudulent continuing education.** The submission of fraudulent C.E. hours will be reviewed by the Committee for disciplinary action through the Attorney General's office and may result in suspension or revocation of license.
- (k) **Responsibility.** The licensee is ultimately responsible for providing or arranging for sponsors to provide the information necessary for the Committee to make a determination of the suitability of the program for continuing education requirements.

310:400-15-5. Inactive status

- (a) An active license may be placed on inactive status by written request and payment of a one-time twenty-five dollar (\$25.00) fee. An inactive license forfeits all rights and privileges granted by the license.
- (b) Active status may be re-established upon payment of the current renewal fee if there are no impediments to licensure.

310:400-15-6. Late license renewal; reapplication

(a) **Renewal notification.** The Committee shall mail a notice of expiration to licensee's last known address, 45 days prior to the expiration date of the LMFT's license.

(b) **Failure to renew.** If the licensee fails to renew his/her license by the expiration date:

(1) the license will be suspended and forfeiture of rights and privileges granted by the license will also be suspended.

(2) the LMFT has the right to reinstate the license by payment of the renewal fee and the late renewal fee and fulfillment of all other renewal requirements for up to one year following the suspension of the license.

(3) licenses not renewed within the 1 year renewal period shall be deemed revoked and the license certificate must be returned to the Administrator's office.

(c) **Reapplication.** It shall be the responsibility of the former licensee to reapply for licensure. Reapplication means making application, payment of all fees, taking and passing the exam and fulfillment of all requirements for licensure in effect at the time of reapplication. No contact will be initiated by the Committee.

310:400-15-7. Misrepresentation

If a therapist whose license has been inactivated, suspended, or revoked continues to represent himself as a Licensed Marital and Family Therapist or practices Marital and Family Therapy, he is in violation of Section 1925.10 and 1925.16 of the Licensed Marital and Family Therapist Act and will be reported to the appropriate District Attorney for prosecution.

310:400-15-8. Reciprocity

(a) **Exam.** The Commissioner may grant a reciprocal license, in accordance with Section 1925.9-A of the LMFT Act. Applicants accepted for licensure through reciprocity shall not be required to take the LMFT examination.

(b) **Submission of license or verification card.** An applicant applying for licensing by reciprocity must submit a copy of the current active license, certificate or verification card, a copy of the statute and rules of the agency issuing the license and the name and address of the licensing agency.

(c) **Licensing procedures.** All application materials, as listed in section 310:400-7-2, must be submitted; and the application and licensure fees must be paid by the applicant.

310:400-15-9. Temporary license

Marital and Family Therapists who are currently licensed in another state, who have made application for reciprocal licensure in Oklahoma may be granted a temporary license. An applicant who has met all requirements for licensure except for the written examination and is waiting for the first opportunity to take the first written examination may be granted a temporary license. A temporary license is valid up to 12 months from date of issue or until a permanent license is issued or until the application is denied. Temporary licenses must be returned to the LMFT Administrator when a permanent license is issued.

SUBCHAPTER 17. COMPLAINT PROCEDURES**310:400-17-1. Reporting a complaint**

A person wishing to make a complaint or alleged violation against a licensee may notify the Administrator in writing, by telephone, or by a personal visit, followed by the completion of an official Complaint Form.

310:400-17-2. Complaint form

Upon receipt of a Complaint, the Administrator shall send an acknowledgement letter to the complainant and an official complaint form to be completed, notarized and returned by the complainant before further action can be taken.

310:400-17-3. Committee action

(a) Upon receipt of the official Complaint Form, the Administrator will notify the Committee who will direct further action.

(b) On the basis of the Committee's recommendation, an investigation of the alleged violation may be conducted.

310:400-17-4. Investigation and committee action

Based on the results of the investigation, the Committee may:

- (1) dismiss the complaint.
- (2) recommend a formal hearing with the accused as described in the Act, Section 1925.14.

