

## SUBCHAPTER 15. ISSUANCE AND MAINTENANCE OF LICENSE

### Section

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### **310:400-15-1. Issuance of license**

- (a) **Certificate.** The license issued by the Commissioner shall contain 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 Department, the license will be mailed to the licensee.
- [Source: Added at 8 Ok Reg 2983, eff 6-12-91 (emergency); Added at 9 Ok Reg 1461, eff 5-1-92; Amended at 17 Ok Reg 3436, eff 8-29-00 (emergency); Amended at 18 Ok Reg 1688, eff 5-25-01]

### **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.

[Source: Added at 8 Ok Reg 2983, eff 6-12-91 (emergency); Added at 9 Ok Reg 1461, eff 5-1-92]

### **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) **Interim renewal.** The notice for the initial renewal shall solicit the required continuing education documentation and invoice the LMFT for the interim period between the original renewal date and the following December 31 so that subsequent renewals shall be on a calendar year basis. The renewal notice shall inform the licensee of the number of continuing education hours required by December 31. Fees and continuing education hours shall be prorated according to the schedule below.
  - (1) For a license expiring during January, February or March the following shall apply:
    - (A) The renewal fee shall be \$100.00; and
    - (B) Continuing education of 20 hours shall be due by December 31.
  - (2) For a license expiring during April, May or June the following shall apply:
    - (A) The renewal fee shall be \$75.00; and
    - (B) Continuing education of 15 hours shall be due by December 31.
  - (3) For a license expiring during July, August or September the following shall apply:
    - (A) The renewal fee shall be \$50.00; and
    - (B) Continuing education of 10 hours shall be due by December 31.
  - (4) For a license expiring during October or November, the following shall apply:
    - (A) The renewal fee shall be \$25.00; and
    - (B) Continuing education of 5 hours shall be due by December 31.
  - (5) Licenses expiring in December are not prorated.

- (e) **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).
- (f) **Display of renewal certificate.**
- (1) License renewal verification cards shall be displayed on the original (or replaced) license certificate.
  - (2) A current license verification card shall be readily available on the LMFT's person at any time marital and therapy services are being provided.
- [Source: Added at 8 Ok Reg 2983, eff 6-12-91 (emergency); Added at 9 Ok Reg 1461, eff 5-1-92; Amended at 10 Ok Reg 1993, eff 6-1-93; Amended at 23 Ok Reg 2367, eff 6-25-2006; Amended at 26 OK Reg 2015, eff 6-25-09]

### **310:400-15-4. Continuing education.**

- (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.**
- (1) Licensees shall complete and furnish documentation to the Department of twenty (20) clock hours of acceptable continuing education per year. One college credit hour is equal to fifteen (15) clock hours.
  - (2) A minimum of three (3) clock hours of continuing education hours must be in mental health ethics from programs pre-approved by the Department or its designee. Continuing education in mental health ethics is acceptable as meeting the pre-approval requirements by the Department when the continuing education program:
    - (A) Addresses ethics issues specifically pertaining to the practice of therapy, as defined in Section 1925.2(7) of this Act;
    - (B) Addresses regulations as promulgated in Subchapter 5 of this Chapter; and
    - (C) Meets all requirements of subsections (b) through (e) of Section 310:400-15-4 of this Chapter.
    - (D) Beginning renewal year 2009, the three clock hours of mental health ethics continuing education must be accrued in a face-to-face setting.
  - (3) Approved LMFT Supervisors are required to complete a minimum of three (3) clock hours, every three (3) years, of continuing education in therapy supervision specific to Oklahoma law provided by the LMFT Advisory Board, or its designee. Continuing education in Therapy Supervision is acceptable as meeting the pre-approval requirements by the Department when the continuing education program:
    - (A) Addresses issues specifically related to the practice of therapy supervision pursuant to regulations promulgated in Subchapter 11 of this Chapter; and
    - (B) Contains content in one or more of the following knowledge areas:
      - (i) Overview of a supervision model;
      - (ii) Supervisors' areas of focus and roles in supervision;
      - (iii) Supervisors' process and practical application;
      - (iv) Ethical dilemmas involved in therapy supervision;
      - (v) Methods of effectively addressing and preventing ethical dilemmas in therapy supervision;
      - (vi) Overview of AAMFT standards of supervision; or
      - (vii) Overview of Oklahoma LMFT Rules and Regulations regarding therapy supervision; and
    - (C) Meets all requirements of subsections (b) through (e) of Section 310:400-15-4 of this Chapter.
- (c) **Acceptable continuing education.** Continuing education is acceptable to the Department when it:
- (1) approximates the content of any of the academic areas listed under Subchapter 7 of this Chapter and;
  - (2) is presented by a person who meets one of the following qualifications:
    - (A) is licensed or certified by therapy related professions;
    - (B) is 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;
    - (C) has experience teaching, at the graduate level, in a regionally accredited college or university from any of the knowledge areas listed in Section 310:400-7-4 of this Chapter;
    - (D) the person is presenting or has presented at a national mental health conference provided by the American Association for Marriage and Family Therapy (AAMFT), American Psychological Association (APA), American Counseling Association (ACA), or any of its divisions, National Association for Social Workers (NASW), the Association for Addiction Professionals (NAADAC), or other nationally recognized professional organization in the mental health field;
    - (E) is presenting in a program sponsored or provided by a state or federal government agency with responsibility for mental health and substance abuse services; and

(3) takes place in the context of one of the following:

(A) a college course, in-service training, institute, seminar, workshop, conference or a Department pre-approved technology-assisted distance learning or home-study course;

(B) a national mental health conference provided by the American Association for Marriage and Family Therapy (AAMFT), American Psychological Association (APA), American Counseling Association (ACA), or any of its divisions, National Association for Social Workers (NASW), the Association for Addiction Professionals (NAADAC), or other nationally recognized professional organization in the mental health field;

(C) a program approved or offered by a state or federal government agency with responsibility for mental health and substance abuse services.

(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. Two hours of C.E. is credited for each hour taught.

(e) **Continuing education accrual from technology-assisted distance learning or home-study courses.** Continuing education may be accrued when the LMFT completes technology-assisted distance learning or home-study programs that are approved by the Department. No more than ten (10) hours of continuing education may be accrued per renewal period through technology-assisted distance learning or home-study courses.

(f) **Professional audience.** Continuing education, whether received or presented by the LMFT must be targeted toward a professional audience.

(g) **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.

(h) **Submission of continuing education roster.** LMFT's shall submit a Continuing Education Roster, on official Department forms, (not individual verification of attendance documents) with the license renewal fee. Rosters may be obtained from the LMFT office. The Continuing Education Roster shall include the name of the licensee, signature and signature date of the licensee, total clock hours of workshop(s), name of workshop(s), sponsoring agency of workshop, date of workshop, and the number of hours of each workshop. Only C.E. accrued in the preceding license renewal period is acceptable.

(i) **Audit of continuing education submissions.** In November of each year, the Department 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 Department with verification of all credits claimed on their Continuing Education Roster on or before the renewal deadline. The Department may, at its discretion, audit and require verification of any credits claimed which it may consider questionable or fraudulent.

(j) **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.

(k) **Submission of fraudulent continuing education.** The submission of fraudulent C.E. hours will be reviewed by the Department for disciplinary action and may result in suspension or revocation of license.

(l) **Responsibility.** The licensee is ultimately responsible for providing or arranging for sponsors to provide the information necessary for the Department to make a determination of the suitability of the program for continuing education requirements.

(m) **Continuing Education Rosters for LMFT Approved Supervisors.** Every three (3) years, LMFT Approved Supervisors are required to submit three (3) hours of continuing education in therapy supervision on the LMFT Approved Supervisor Continuing Education Roster. The LMFT Approved Supervisor Continuing Education Roster shall include name of licensee, signature and signature date of licensee, total clock hours of workshop(s), name of therapy supervision workshop, sponsoring agency of workshop(s), date of workshop(s), and number of hours of each workshop.

[Source: Added at 8 Ok Reg 2983, eff 6-12-91 (emergency); Added at 9 Ok Reg 1461, eff 5-1-92; Amended at 11 Ok Reg 1529, eff 4-12-94 (emergency); Amended at 11 Ok Reg 3165, eff 6-27-94; Amended at 17 Ok Reg 3436, eff 8-29-00 (emergency); Amended at 18 Ok Reg 1688, eff 5-25-01; Amended at 23 Ok Reg 2367, eff 6-25-2006; Amended at 24 Ok Reg 1957, eff 6-25-2007; Amended at 25 Ok Reg 2412, eff 7-11-2008; Amended at 26 OK Reg 2015, eff 6-25-09]

### **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) When a license is placed on inactive status, it remains inactive for at least one (1) year from the date of inactivation.
- (c) Active status may be re-established upon payment of the current renewal fee if there are no impediments to licensure.  
[Source: Added at 8 Ok Reg 2983, eff 6-12-91 (emergency); Added at 9 Ok Reg 1461, eff 5-1-92; Amended at 23 Ok Reg 2367, eff 6-25-2006]

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

- (a) **Renewal notification.** The Department 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 expire and the rights and privileges granted by the license will be forfeited.
  - (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 expiration of the license.
  - (3) licenses not renewed within the 1 year renewal period shall not be reinstated and shall be permanently expired. The license must be returned to the Department.
- (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 Department.
- (d) **Retirement of license.** An LMFT whose license is current and in good standing, who wishes to retire the license, may do so by informing the Department in writing and returning the license to the LMFT office. A license so retired shall not be reinstated but does not prevent a person from applying for a license at a future date.  
[Source: Added at 8 Ok Reg 2983, eff 6-12-91 (emergency); Added at 9 Ok Reg 1461, eff 5-1-92; Amended at 17 Ok Reg 3436, eff 8-29-00 (emergency); Amended at 18 Ok Reg 1688, eff 5-25-01; Amended at 23 Ok Reg 2367, eff 6-25-2006]

### **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 shall be subject to discipline and injunction reported to the appropriate District Attorney for prosecution.  
[Source: Added at 8 Ok Reg 2983, eff 6-12-91 (emergency); Added at 9 Ok Reg 1461, eff 5-1-92; Amended at 17 Ok Reg 3436, eff 8-29-00 (emergency); Amended at 18 Ok Reg 1688, eff 5-25-01]

### **310:400-15-8. Licensure by endorsement**

- The Commissioner may grant a license by endorsement, in accordance with Section 1925.9 of the LMFT Act.
- (1) **Submission of license or verification card.** An applicant for licensure by endorsement must submit a copy of the current active license, certificate or verification card, and may be required to submit a copy of the statute and rules of the agency issuing the license and the name and address of the licensing agency.
  - (2) **Licensing procedures.** An applicant must submit the application form and documents as requested, license fees, three current documents of recommendation and official transcript(s).
  - (3) The Department shall issue a license by endorsement to an applicant who is licensed or certified as a marital and family therapist in another jurisdiction and who meets the following:
    - (A) The applicant's marital and family therapy license in the other jurisdiction is active and in good standing;
    - (B) The applicant fulfills the requirements of Section 1925.6 A. and B. of the LMFT Act;
    - (C) The applicant must have at least a masters degree from a regionally accredited college or university;
    - (D) The applicant takes and passes the examination as provided under Section 1925.7 of the LMFT Act, and the applicant has passed the national written, marital and family examination that, in the judgement of the Department, is substantially equivalent to the examination established by the Department.
    - (E) The applicant takes and passes the Oklahoma LMFT Oral Examination.
- [Source: Added at 8 Ok Reg 2983, eff 6-12-91 (emergency); Added at 9 Ok Reg 1461, eff 5-1-92; Amended at 17 Ok Reg 3436, eff 8-29-00 (emergency); Amended at 18 Ok Reg 1688, eff 5-25-01; Amended at 24 Ok Reg 1957, eff 6-25-

2007; Amended at 25 Ok Reg 2412, eff 7-11-2008]

**310:400-15-9. Temporary license**

Marital and Family Therapists who are currently licensed in another state, who have made application for licensure by endorsement in Oklahoma may be granted a temporary license. An applicant who has met all requirements for licensure except for the written and/or oral examination and is waiting for the first opportunity to take the first written and/or oral 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 Department upon expiration or when a permanent license is issued.

[Source: Added at 11 Ok Reg 1529, eff 4-12-94 (emergency); Added at 11 Ok Reg 3165, eff 6-27-94; Amended at 17 Ok Reg 3436, eff 8-29-00 (emergency); Amended at 18 Ok Reg 1688, eff 5-25-01; Amended at 23 Ok Reg 2367, eff 6-25-2006]