

**TITLE 86. STATE BOARD OF BEHAVIORAL HEALTH LICENSURE  
CHAPTER 10. LICENSED PROFESSIONAL COUNSELORS**

**RULEMAKING ACTION:**

PERMANENT final adoption

**RULES:**

Subchapter 1. General Provisions  
86:10-1-2. [AMENDED]  
Subchapter 3. Rules of Professional Conduct  
86:10-3-3. [AMENDED]  
86:10-3-4. [AMENDED]  
Subchapter 7. Application Procedures  
86:10-7-1. [AMENDED]  
86:10-7-2. [AMENDED]  
86:10-7-3. [REVOKED]  
86:10-7-3.1 [NEW]  
86:10-7-4. [AMENDED]  
86:10-7-5. [AMENDED]  
86:10-7-6. [AMENDED]  
86:10-7-7. [AMENDED]  
86:10-7-7.1 [NEW]  
86:10-7-8. [AMENDED]  
86:10-7-8.1. [AMENDED]  
Subchapter 11. Supervised Experience Requirement  
86:10-11-1. [AMENDED]  
86:10-11-3. [AMENDED]  
86:10-11-5. [AMENDED]  
86:10-11-6. [AMENDED]  
86:10-11-7. [REVOKED]  
Subchapter 15. Licensure Examinations  
86:10-15-1. [AMENDED]  
86:10-15-3. [REVOKED]  
86:10-15-4. [AMENDED]  
86:10-15-6. [REVOKED]  
86:10-15-7. [REVOKED]  
Subchapter 19. Issuance of License  
86:10-19-1.1. [REVOKED]  
Subchapter 25. Licensure by Endorsement  
86:10-25-2. [AMENDED]  
Subchapter 27. Consumer Information  
86:10-27-3. [REVOKED]  
Subchapter 29. Enforcement  
86:10-29-16. [AMENDED]

**AUTHORITY:**

State Board of Behavioral Health Licensure; 59 O.S. 2011; 59 O.S. 2001, Section 1901 et. seq]

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n/a

**GIST/ANALYSIS:**

The following permanent rules interpret the Oklahoma Licensed Professional Counselor Act, (59 O.S. 1991, Sections 1901 et seq.)

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**PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES ARE CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S. § 250.35 and 208 (e), WITH AN EFFECTIVE DATE OF July 25, 2019:**

**SUBCHAPTER 1. GENERAL PROVISIONS**

**86:10-1-2. Definitions**

When used in this Chapter, the following words and/or terms shall have the following meaning unless the context clearly requires otherwise:

**"Act"** means the Licensed Professional Counselors Act, 59 O.S. §§ 1901 et seq., as amended.

**"Administrative Procedures Act" ("APA")** means Article I and/or Article II of the Administrative Procedures Act, 75 O.S. §§ 250 et seq.

**"Applicant"** means a person who has made a formal application with the Board.

**"Approved LPC Supervisor" ("Supervisor")** means an individual who meets the qualifications to become an approved supervisor and is approved by the Board pursuant to Section 86:10-11-4 of this Chapter.

**"Board"** means the State Board of Behavioral Health Licensure.

**"Complainant"** means any person who files a Request for Inquiry against a LPC, Candidate, or a person who delivers licensed professional counseling services without a license.

**"Complaint Committee"** means one Board member who is a LPC, the Executive Director, the Assistant Attorney General and may include other appropriate individuals as determined by the Committee.

**"Dual relationship"** means a familial, social, financial, business, professional, close personal, sexual or other non-therapeutic relationship with a client, or engaging in any activity with another person that interferes or conflicts with the LPC's or LPC Candidate's professional obligation to a client.

**"Direct Client Contact Hours"** means the performance of therapeutic or clinical functions that includes diagnosis, assessment and treatment of mental, emotional and behavioral disorders based primarily on verbal communications and intervention with, and in the presence of, one or more clients.

**"Employee"** means in accordance with 26 U.S.C. § 3121 (d):

(A) Any officer of a corporation; or

(B) Any individual who, under the usual common law rules applicable in determining the employer-employee relationship, has the status of employee.

~~**"Face-to-face counseling"** means the LPC and the client shall be in the physical presence of the other during counseling.~~

**"Face-to-face supervision"** means the Supervisor and the Candidate shall be in the physical presence of the other during individual or group supervision.

**"Forensic services"** means the application of knowledge, training and experience from the mental health field to the establishment of facts and/or the establishment of evidence in a court of law or ordered by a court of law.

**"Formal Complaint"** means a written statement of alleged violation(s) of the Act and/or Rules which is filed by the Assistant Attorney General. The Formal Complaint schedules an Individual Proceeding before the Board in accordance with 75 O.S. §309.

**"Full time"** means at least twenty (20) hours of on-the-job experience per week.

**"Group supervision"** means an assemblage of two (2) to six (6) Candidates.

**"Home-study"** or **"technology-assisted distance learning"** means the delivery of graduate coursework or continuing education through mailed correspondence or other distance learning technologies, which focuses on using synchronous or asynchronous instructional delivery methods. Home-study or technology-assisted distance learning is designed to deliver education to learners who are not in the direct physical presence of the educator.

**"Licensed Professional Counselor" ("LPC")** means a person holding a current license issued pursuant to the provision of the Professional Counselor Licensure Act.

**"Licensed Professional Counselor Candidate" ("Candidate")** means a person whose application for licensure has been accepted

and who is under supervision for licensure as provided in 59 O.S. §1906.

**"Licensure Committee"** means two LPC Board members, the Executive Director, and may include other appropriate individuals as determined by the Committee.

**"OAC"** means the Oklahoma Administrative Code.

**"On-site supervisor"** means a person who may not be an approved LPC supervisor but is licensed by the state of Oklahoma as a Licensed Marital and Family Therapist, Licensed Professional Counselor, Licensed Behavioral Practitioner, Psychologist, Clinical Social Worker, Psychiatrist, or Licensed Alcohol and Drug Counselor employed by the agency employing the LPC Candidate whose assigned job duties include acting as the immediate supervisor to the LPC Candidate and who is available to the candidate at all times when counseling services are being rendered by the LPC Candidate.

**"Request for Inquiry" ("RFI")** means a written or oral statement of complaint from any person alleging possible violation(s) of the Act and/or Rules.

**"Respondent"** means the person against whom an Individual Proceeding is initiated.

**"Staff"** means the personnel of the Board.

**"Technology-assisted supervision"** refers to supervision that occurs through video teleconferencing, over secure internet connections, wherein a Supervisor and a Candidate are in separate physical locations.

### SUBCHAPTER 3. RULES OF PROFESSIONAL CONDUCT

#### 86:10-3-3. Client welfare

(a) **Discrimination.** LPCs shall not, in the rendering of their professional services, participate in, condone, or promote discrimination based on age, culture, disability, ethnicity, race, religion/spirituality, gender, gender identity, sexual orientation, marital status/partnership, language preference, socioeconomic status, or any basis proscribed by law. LPCs do not discriminate against clients, students, employees, supervisees, or research participants in a manner that has a negative impact on these persons.

(b) **Records.**

(1) **Requirement of records.** LPCs shall maintain verifiable, accurate and truthful records necessary for rendering professional services to their clients for at least five (5) years beyond termination of services. LPCs employed at an institution or facility that has a published records retention policy that is equal to the retention required by this subsection will be deemed to be in compliance with this subsection.

(2) **Confidentiality.** LPCs shall maintain the confidentiality of any information received from any person or source about a client, unless authorized in writing by the client or otherwise authorized or required by law or court order.

(3) **Confidentiality of records.** LPCs shall be responsible for complying with the applicable state and federal regulations in regard to the security, safety and confidentiality of any counseling record they create, maintain, transfer, or destroy whether the record is written, taped, computerized, or stored in any other medium.

(4) **Client access.** LPCs shall provide the client with a copy of the client's record in accordance with state and federal laws. In situations involving multiple clients, access to records is limited to those parts of records that do not include confidential information related to another client.

(c) **Dual relationships.** LPCs shall not knowingly enter into a dual relationship(s) and shall take any necessary precautions to prevent a dual relationship from occurring. When the LPC reasonably suspects that he or she has inadvertently entered into a dual relationship the LPC shall record that fact in the records of the affected client(s) and take reasonable steps to eliminate the source or agent creating or causing the dual relationship. If the dual relationship cannot be prevented or eliminated and the LPC cannot readily refer the client to another counselor or other professional, the LPC shall complete one or more of the following measures as necessary to prevent the exploitation of the client and/or the impairment of the LPC's professional judgment:

(1) Fully disclose the circumstances of the dual relationship to the client and secure the client's written consent to continue providing counseling;

(2) Consult with the other professional(s) to understand the potential impairment to the LPC's professional judgment and the risk of harm to the client of continuing the dual relationship.

(d) **Sexual conduct with current clients.** Sexual conduct with current clients is prohibited.

(~~e~~) **Providing counseling to persons of prior association.** LPCs shall not undertake to provide counseling to any person with whom the LPC has had any prior sexual ~~contact~~conduct, as defined by the Board. ~~or~~ LPCs shall not undertake to provide counseling to any person with whom the LPC has had familial, any prior social, financial, business, professional, close personal, or other non-therapeutic relationship with a client, or engage in any activity with another person that interferes or conflicts with the LPCs professional obligation to a client within the previous five (5) years.

(~~e~~) **Interaction with former clients.** LPCs shall not knowingly enter into a close personal relationship, or engage in any business or financial dealings with a former client for ~~two (2)~~ five

(5)years after the termination of the counseling relationship. LPCs shall not engage in any activity that is or may be sexual in nature, as defined by the Board, with a former client ~~for at least five~~ ~~(5) years~~ after the termination of the counseling relationship. Sexual conduct with former clients is prohibited. LPCs shall not exploit or obtain an advantage over a former client by the use of information or trust gained during the counseling relationship.

~~(f)~~ **Invasion of privacy.** LPCs shall not make inquiry into persons or matters that are not reasonably calculated to assist or benefit the counseling process.

~~(g)~~ **Private or independent practice.** No person may engage in the private or independent practice of professional counseling work or open a facility with the intent of providing private or independent counseling practice unless that person:

(1) is licensed under this Act as a Licensed Professional Counselor; and,

(2) has met all requirements of OAC Section 86:10-11-5 of the LPC Regulations and all other requirements under the Act rules; and

(3) has continued to meet all continuing education requirements set forth in Subchapter 17 of this Chapter.

~~(h)~~ **Referral.**

(1) If LPCs determine that they are unable to be of professional assistance to a client, the LPC shall not enter a counseling relationship. LPCs shall refer clients to appropriate sources when indicated. If the client declines the suggested referral, the LPC shall terminate the relationship.

(2) LPCs shall not abandon or neglect current clients in treatment without making reasonable arrangements for the continuation of such treatment.

(3) When an LPC becomes cognizant of a disability or other condition that may impede, undermine or otherwise interfere with the LPC's duty of responsibility to the current client, including a suspension of the LPC's license or any other situation or condition described in subchapter 3 of these rules, the LPC shall promptly notify the client in writing of the presence or existence of the disability or condition and take reasonable steps to timely terminate the therapeutic relationship.

#### **86:10-3-4. Professional standards**

(a) **Violations of other laws.** It shall be unprofessional conduct for an LPC to plead guilty to or no contest to or be convicted of a state or federal statute if the violation directly relates to the duties and responsibilities of the counselor or if the violation involves moral turpitude.

(b) **Drug and alcohol use.** LPCs shall not render professional services while under the influence of alcohol or other mind or mood altering drugs.

(c) **Sexual ~~contact~~conduct.**

(1) **Current and previous clients.** ~~LPCs shall not have any type of sexual contact with current clients. Sexual conduct with current and previous clients is prohibited.~~

(2) **Supervisees.** LPCs shall not engage in sexual ~~contact~~conduct with supervisees and shall not supervise persons with whom they have had a sexual relationship within the previous five (5) years. LPCs shall not engage in sexual contact with supervisees they have supervised within the previous five (5) years.

(d) **Updating.** LPCs shall notify the Board of any change in their contact information, including by not limited to: mailing address, telephone number, and place of employment, name and email address, within fourteen (14) days of the change ~~and shall make necessary adjustments on the Statement of Professional Disclosure, supplying an updated copy to the Board.~~

(e) **Candor to the Board.** A LPC or applicant for LPC licensure, in connection with a license application or an investigation conducted by the Board or the Board's designee pursuant to OAC 86:10-29-1 through 15, shall not:

(1) knowingly make a false statement of material fact;

(2) fail to disclose a fact necessary to correct a misapprehension known by the LPC, LPC candidate or applicant for licensure to have arisen in the application or the matter under investigation; or

(3) fail to respond to a demand for information made by the Board or any designated representative thereof.

## SUBCHAPTER 7. APPLICATION PROCEDURES

### 86:10-7-1. General

(a) The purpose of this subchapter is to ensure that all applicants meet those requirements specified in the Act.

(b) Unless otherwise indicated, an applicant shall submit all required information and documentation of credentials on official Board forms.

(c) The Board will not consider an application as officially submitted until receipt of the Application Form, application fee, official transcript(s), ~~three (3) Document of Recommendation forms,~~ Internship/Practicum Documentation Form, and completed criminal background check. The application fee must accompany the Application Form.

~~(d) The Board shall notify applicants of their test eligibility no later than 60 days after receiving and approving the required application materials.~~

**86:10-7-2. Application materials and forms**

- (a) Each application shall include the following documents:
- (1) Application form,
  - (2) Official transcript(s), ~~mailed from the university or college,~~
  - ~~(3) Three (3) Document of recommendation forms,~~
  - ~~(4) Internship/Practicum documentation~~Documentation form~~Form,~~
  - ~~(5) Two (2) classifiable sets of fingerprints,~~Completed criminal background check, and
  - ~~(6) Fees.~~
- (b) The Application Form requires the following:
- (1) Identifying information;
  - (2) Possession of other credentials;
  - (3) Previous misconduct;
  - (4) Education; and
  - ~~(5) References; and~~
  - ~~(6) (5) Proposed professional practice.~~
- (c) The Internship/Practicum Documentation form requires the following:
- (1) Identifying information; and
  - (2) Time, place, location of practicum.
- ~~(d) The Document of Recommendation requires the following:~~
- ~~(1) Identifying information;~~
  - ~~(2) Ratings of ethical and professional characteristics; and~~
  - ~~(3) Circumstances and time period submitter has known applicant.~~
- ~~(e) The Statement of Professional Disclosure requires the following:~~
- ~~(1) Statement providing for the applicant's disclosure of professional standing; and~~
  - ~~(2) Statement providing for making contact with OSDH for further information.~~
- ~~(f) The Supervision Agreement requires identifying information of supervisee and supervisor as follows:~~
- (1) Name of candidate;
  - (2) Name of candidate's place of employment;
  - (3) Location supervised experience hours are being accrued;
  - (4) Candidate's contact information;
  - (5) Signature of Candidate;
  - (6) Name of Approved LPC Supervisor;
  - (7) Name of Approved LPC Supervisor's place of employment;
  - (8) LPC Approved Supervisor's contact information;
  - (9) Signature of LPC Approved Supervisor;
  - (10) Name of On-Site Supervisor;
  - (11) On-Site Supervisor's licensure information;
  - (12) Name of On-Site Supervisor's place of employment;
  - (13) On-Site Supervisor's contact information;
  - (14) Signature of On-Site Supervisor.



~~(g) The On-Site Supervisor Verification Form requires identifying information as follows:~~

- ~~(1) Name of applicant;~~
- ~~(2) Place of employment;~~
- ~~(3) On-Site Supervisor information;~~
- ~~(4) A reproduction of the regulation regarding supervision accrued in a private setting.~~

(~~h~~e) The Licensure Verification Request Form requires the following information:

- (1) Name of licensee;
- (2) Licensee license number; and
- (3) Licensee license type.

(~~i~~f) The Out-of-State Licensure Verification Form requires the following information:

- (1) Identifying information;
- (2) Type of credential held in other state;
- (3) License number;
- (4) Issue and expiration date of license;
- (5) Current standing of license;
- (6) Past complaints or sanctions;
- (7) Exam information;
- (8) Supervision information;
- (9) Graduate education;
- (10) Internship documentation; and
- (11) Signature and identifying information of person verifying from out-of-state.

(~~j~~g) The Mailing Addresses Request/Order Form requires the following information:

- (1) Type of licensure list requested;
- (2) Format requested; and
- (3) Identifying information of person making request.

(~~k~~h) The Licensure Reactivation Request Form requires the following information:

- (1) Licensure type;
- (2) Identifying information;
- (3) Employment information;
- (4) Graduate education;
- (5) License type and number; and
- (6) Dates of inactivation and reactivation of license.

(~~l~~i) The LPC Continuing Education Approval Application Form requires the following information:

- (1) name of workshop;
- (2) program context;
- (3) program knowledge area;
- (4) name of presenter;
- (5) presenter qualifications;
- (6) date of presentation;
- (7) number of hours requested;
- (8) sponsoring agency;

- (9) name of contact;
  - (10) phone number of contact;
  - (11) signature and signature date of contact;
  - (12) program content in relation to counseling ethics;
  - (13) program content in relation to counseling supervision;
  - (14) number of hours requested for counseling ethics; and
  - (15) number of hour requested for counseling supervision. The
- (mj) The Continuing Education Rosters for LPC Approved Supervisors requires the following information:
- (1) name of licensee;
  - (2) signature and signature date of licensee;
  - (3) total clock hours of workshop(s);
  - (4) name of counseling supervision workshop;
  - (5) sponsoring agency of workshop(s);and
  - (6) date of workshop(s), and number of hours of each workshop.
- (k) The Termination of Supervision Agreement requires the following information:
- (1) name of candidate;
  - (2) current place of employment of candidate;
  - (3) address of current place of employment of candidate;
  - (4) phone number of candidate;
  - (5) email address of candidate;
  - (6) signature and signature date of candidate, (if available);
  - (7) name of supervisor;
  - (8) license number of supervisor;
  - (9) current place of employment of supervisor;
  - (10) phone number of supervisor;
  - (11) email address of supervisor;
  - (12) signature and signature date of supervisor, (if available); and
  - (13) effective date of termination of supervision agreement.

**86:10-7-3. Negative references [REVOKED]**

~~The Board may ask an applicant for licensure as a professional counselor or specialty designation, whose file contains negative references of substance, to appear for an interview before the licensure is completed.~~

**86:10-7-3.1. Inactive application**

Applications with 24 months of inactivity shall be voided.

**86:10-7-4. ~~Re-application~~Application for permanently expired license**

- (a) ~~Re-application~~Application after license expires for non-renewal shall include the following documents:
- (1) Application form,
  - (2) Official transcript(s), ~~mailed from the university or college,~~
  - ~~(3) Document of Recommendation forms,~~

- ~~(4)~~ (3) Supervision Agreement,
- ~~(5)~~ Statement of Professional Disclosure,
- ~~(6)~~ (4) New Application Fee, and
- ~~(7)~~ On-Site Supervisor Verification Form, and
- ~~(8)~~ (5) ~~Two (2) classifiable sets of fingerprints.~~ Completed criminal background check.

(b) Applicant shall ~~re-take two examinations:~~ provide a passing score on:

- (1) The National Counselor Examination or another equivalent examination as determined by the Board; and
- (2) The Oklahoma Legal and Ethical Responsibilities Examination.

(c) Exam results accrued prior to date of this application shall not be considered.

~~(ed)~~ The Internship/Practicum Documentation Form on file shall carry over ~~to a new application.~~

~~(de)~~ All previously submitted and approved Supervised Experience shall carry over ~~to a new application.~~

~~(e)~~ Applicant shall obtain approved supervision until the exams are taken and passed as described in OAC Rule ~~86:10-29-13.~~

#### **86:10-7-5. ~~Re-application~~ Application for revoked license**

(a) No ~~re-application~~ Application for a revoked license will be considered for a period of 5 years following the revocation. ~~Re-application~~ Application after license is revoked for administrative action shall include the following documents:

- (1) Application form,
- (2) Official ~~transcript~~ transcript(s), ~~mailed from the university or college,~~
- ~~(3) Document of Recommendation forms,~~
- ~~(4) Supervision Agreement,~~
- ~~(5) Statement of Professional Disclosure,~~
- ~~(6)~~ (3) New Application Fee, and
- ~~(7)~~ On-Site Supervisor Verification Form, and
- ~~(8)~~ (4) ~~Two (2) classifiable sets of fingerprints.~~ Completed criminal background check.

(b) Applicant shall ~~re-take two examinations:~~ provide a passing score on:

- (1) The National Counselor Examination or another equivalent examination as determined by the Board; and
- (2) The Oklahoma Legal and Ethical Responsibilities Examination.

(c) Exam results accrued prior to date of this application shall not be considered.

~~(ed)~~ The Internship/Practicum Documentation Form on file shall carry over to a new application.

~~(de)~~ All previously submitted and approved Supervised Experience shall not carry over to a new application.

~~(ef)~~ Application materials shall be reviewed by the Board.

(~~f~~g) At the time of application, applicant must provide additional documentation to demonstrate rehabilitation relating to the cause of the revocation of licensure.

(~~g~~h) The Board may impose reasonable practice limitations that are in addition to the requirements for completion of approved supervised experience.

**86:10-7-6. ~~Re-application~~Application for voided application for failure to ~~take~~provide a passing score on scheduled examinations**

(a) ~~Re-application~~Application after application is voided for failure to ~~take~~provide a passing score on scheduled examinations ~~or after the eligible applicant fails an examination and does not take subsequent scheduled examinations~~ shall include the following documents:

- (1) Application form,
- (2) Official transcript(s), ~~mailed from the university or college,~~
- ~~(3) Document of Recommendation forms,~~
- ~~(4) Supervision Agreement,~~
- ~~(5) Statement of Professional Disclosure,~~
- ~~(6) (3) New Application Fee, and~~
- ~~(7) On-Site Supervisor Verification Form, and~~
- ~~(8) (4) Two (2) classifiable sets of fingerprints. Completed criminal background check.~~

(b) Applicant shall take and pass two examinations:

- (1) The National Counselor Examination or another equivalent examination as determined by the Board; and
- (2) The Oklahoma Legal and Ethical Responsibilities Examination.

(c) The Internship/Practicum Documentation Form on file shall carry over to a new application.

(d) All previously submitted and approved Supervised Experience shall carry over to a new application.

~~(e) Applicant shall obtain approved supervision until the the supervision requirement is complete as described in OAC Rule 86:10-11-5(h).~~

**86:10-7-7. ~~Re-application~~Application for voided application for failure to complete supervised experience**

(a) ~~Re-application~~Application after application is voided for failure to complete the supervised experience requirement within sixty (60) months as described in OAC Rule 86:10-11-5(i) shall include the following documents:

- (1) Application form,
- (2) Official transcripts, ~~mailed from the university or college,~~
- ~~(3) Document of Recommendation forms,~~
- ~~(4) Supervision Agreement,~~
- ~~(5) Statement of Professional Disclosure,~~

- ~~(6)~~ (3) New Application Fee, and
- ~~(7)~~ On-Site Supervisor Verification Form, and
- ~~(8)~~ (4) Two (2) classifiable sets of fingerprints Completed criminal background check.

(b) Applicant shall ~~re-take two examinations:~~ provide a passing score on:

- (1) The National Counselor Examination or another equivalent examination as determined by the Board; and
- (2) The Oklahoma Legal and Ethical Responsibilities Examination.

(c) Exam results accrued prior to date of this application shall not be considered.

(ed) The Internship/Practicum Documentation Form on file shall carry over to a new application.

(de) All previously submitted and approved Supervised Experience shall be voided with prior application and shall not carry over to a new application.

~~(e) Applicant shall obtain approved supervision until the supervision requirement is complete as described in OAC Rule 86:10-11-5(h).~~

**86:10-7-7.1. Application procedures for voided application for inactivity**

(a) Application after application is voided for remaining inactive for 24 months, in accordance with 86:10-7-2.2, shall include the following documents:

- (1) Application form,
- (2) Official transcript(s),
- (3) Supervision Agreement,
- (4) Application Fee, and
- (5) Completed criminal background check.

(b) Applicant shall take and pass two examinations:

- (1) The National Counselor Examination or another equivalent examination as determined by the Board; and
- (2) The Oklahoma Legal and Ethical Responsibilities Examination.

(c) The Internship/Practicum Documentation Form on file shall carry over to a new application.

(d) All previously submitted and approved Supervised Experience shall be voided with prior application and shall not carry over to a new application.

**86:10-7-8. Re-applicationApplication for denied application**

(a) Re-applicationApplication after application has been denied, as prescribed in Section 1912 of the LPC Act, shall include the following documents:

- (1) Application form,
- (2) Official transcripts, mailed from the university or college,

- ~~(3) Document of Recommendation forms,~~
- ~~(4) Supervision Agreement,~~
- ~~(5) Statement of Professional Disclosure,~~
- ~~(6) (3) New Application Fee, and~~
- ~~(7) On-Site Supervisor Verification Form, and~~
- ~~(8) (4) Two (2) classifiable sets of fingerprints. Completed criminal background check.~~

(b) Application materials shall be reviewed by the Board.

~~(c) Applicant shall be required to take necessary examinations.~~

(c) Applicant shall provide a passing score on:

(1) The National Counselor Examination or another equivalent examination as determined by the Board; and

(2) The Oklahoma Legal and Ethical Responsibilities Examination.

(d) Exam results accrued prior to date of this application shall not be considered.

~~(de)~~ Applicant shall be required to accrue an additional 500 hours of supervised experience.

~~(ef)~~ Internship/Practicum Documentation Form on file shall carry over to a new application.

~~(fg)~~ All previously submitted and approved Supervised Experience shall carry over to a new application.

~~(g) Applicant shall obtain approved supervision until the exams are taken and passed Failure to do so may constitute a violation of OAC Rule 86:10-29-13.~~

#### **86:10-7-8.1. ~~Re-application~~Application for revoked approved supervisor status**

No ~~re-application~~Application for a revoked approved supervisor status, as a result of administrative action, shall be considered for a period of five (5) years following the revocation and said ~~re-application~~application shall meet the requirements described in subsection 86:10-11-4 of this Chapter.

### **SUBCHAPTER 11. SUPERVISED EXPERIENCE REQUIREMENT**

#### **86:10-11-1. Documents required prior to accrual of supervision hours**

The following documents must be received and approved by the Board before the accrual of supervised experience can begin:

- (1) Application materials;
- (2) Official Verification~~verification~~ of passing results on  
(A) Oklahoma Legal and Ethical Responsibilities Examination National Counselor Exam (NCE) passing score;  
(B) Oklahoma Legal and Ethical Responsibilities Examination;and
- (3) Supervision agreement.
- ~~(4) Statement of professional disclosure; and~~
- ~~(5) On-Site Supervisor Verification Form.~~

**86:10-11-3. Acceptability of supervised experience**

(a) Supervised experience is acceptable when it consists of the performance of counseling activities as described in Section 1902, of the Act under supervision as described below.

(1) Supervision shall focus 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.

(2) Supervision is a process clearly distinguishable from personal psychotherapy, and is contracted in order to serve professional/vocational goals.

(3) Individual supervision consists of face-to-face contact with one supervisor and one supervisee.

(4) Group supervision may be conducted with two (2) to six (6) supervisees and a supervisor.

(5) Technology-assisted supervision must be approved by the Board prior to the accrual of hours. Factors to be considered by the Board include: distance between approved supervisor and candidate; financial hardship on approved supervisor or candidate; physical hardship on approved supervisor or candidate; specialty credentials; and other pertinent factors.

(b) Supervised experience begins after all applicable academic requirements, as stated in LPC Regulations, Subchapter 9, have been completed.

(c) An LPC Candidate may accrue supervised experience hours in academic, governmental or private-not-for-profit and private for-profit settings.

(d) Supervised experienced hours shall be accrued in a private for-profit or not-for-profit counseling practice setting, only if:

(1) The LPC Candidate is ~~employed at an~~ employee, as defined by 86:10-1-2, of the same facility as a person licensed in the state of Oklahoma as a Licensed Professional Counselor, a Licensed Marital and Family Therapist, a Licensed Behavioral Practitioner, a Psychologist, a Psychiatrist, a Clinical Social Worker, or a Licensed Alcohol and Drug Counselor, whose assigned job duties include being immediately available to the LPC Candidate for supervision at any time the LPC Candidate is engaging in the practice of counseling or counseling-related services.

(2) The LPC Candidate is receiving supervision for licensure from an approved LPC supervisor who is not required to work at the same location as the LPC Candidate.

**86:10-11-5. Duration of supervision**

(a) Three (3) years or three-thousand (3000) clock hours of full time, on-the-job experience, which is supervised by an approved LPC supervisor, shall be completed.

(b) For each one-thousand (1000) clock hours of full time, on-the-job experience, three hundred fifty (350) hours shall be direct ~~face to face client contact~~ hours.

(c) "Full time" means at least twenty (20) hours per week.

(d) Weekly, face-to-face supervision shall be accrued under an LPC at the ratio of forty-five (45) minutes of supervision for every twenty (20) hours of on-the-job experience.

(e) "Group supervision" means an assemblage of counseling supervisees consisting of from two (2) to six (6) members and no more than one-half ( $\frac{1}{2}$ ) of the required supervision hours may be received in group supervision. Technology-assisted supervision shall not account for more than 56.25 hours of the total requirement. Technology-assisted supervision shall not account for more than 56.25 hours of the total requirement.

(f) One (1) or two (2) years of supervised experience may be gained at the rate of one (1) year for each thirty (30) graduate semester credit hours or forty-five (45) graduate quarter credit hours in counseling-related course work beyond the master's degree. (Minimal educational requirements are a master's degree [at least forty-five (45) hours] or doctorate with the first forty-five (45) hours meeting the minimal educational requirements. As of January 1, 2000, minimal educational requirements are a master's degree [at least sixty (60) semester credit hours or ninety (90) quarter credit hours] or a doctorate with the first sixty (60) semester credit hours or ninety (90) quarter credit hours meeting the minimal educational requirements.)

(g) Regardless of the number of hours earned beyond the master's degree, the LPC supervisee shall receive at least one (1) year or one-thousand (1000) clock hours of supervision in the ratio described in subchapter 11, section 86:10-11-5(b-d).

(h) If an applicant completes the supervised experience requirement before passing the licensure examination, the applicant shall continue to practice under LPC supervision as described in this subchapter, unless exempted by the Act, until licensed. Failure to do so constitutes a violation of the Act and may be subject to prosecution under the District Attorney and sanction by the Board.

(i) Applicants shall complete supervised experience requirements within sixty (60) months of the date of the approval of the first supervision agreement or the application shall be voided.

(j) Approved supervisors shall perform at least two (2) observations (live or tape) per each six (6) month evaluation period for each supervisee.

(k) Approved supervisors shall consult with on-site supervisor at least once during each six (6) month evaluation period for each supervisee.

#### **86:10-11-6. Documentation of supervised experience**



(a) A supervision agreement form between the supervisor and supervisee, shall be received by the LPC Board prior to beginning the accrual of supervised hours.

(b) Supervisor and supervisee shall agree to terms set forth for the accrual of supervised experience.

~~(b)~~ The supervisor and supervisee shall sign and submit the "Evaluation of Supervised Experience," including documentation of observations and date of consultation between approved supervisor and on-site supervisor, semi-annually.

(d) Evaluation of Supervised Experience document shall include the following:

- (1) Identifying information;
- (2) Time, place and duration of supervised experience;
- (3) Percentage of time spent in different counseling activities;
- (4) Supervisor's rating of professional activity;
- (5) Supervisor's comment section; and
- (6) Record of supervised experience.

(e) Any Evaluation of Supervised Experience form submitted beyond 60 days of the semi-annual due date will not be credited towards the duration of supervision as described in 86:10-11-5.

#### **86:10-11-7. Supervision agreement [REVOKED]**

~~(a) The Supervision Agreement shall include the following:~~

- ~~(1) Supervisor and supervisee agree to terms set forth for the accrual of supervised experience; and~~
- ~~(2) A reproduction of the regulation regarding supervised experience.~~

~~(b) Evaluation of Supervised Experience document shall include the following:~~

- ~~(1) Identifying information;~~
- ~~(2) Time, place and duration of supervised experience;~~
- ~~(3) Percentage of time spent in different counseling activities;~~
- ~~(4) Supervisor's rating of professional activity;~~
- ~~(5) Supervisor's comment section; and~~
- ~~(6) Record of supervised experience.~~

### **SUBCHAPTER 15. LICENSURE EXAMINATIONS**

#### **86:10-15-1. Eligibility**

An LPC applicant may be eligible to sit for the licensing examination following the submission of:

- (1) Application fee and form;
- (2) Practicum/Internship Documentation Form;
- (3) Official transcript(s) showing completion of all academic requirements listed in subchapter 9, section 86:10-9-2; and
- ~~(4) Three (3) Document of Recommendation Forms; and~~

~~(54) Two (2) classifiable sets of fingerprints. Completed criminal background check.~~

**86:10-15-3. Frequency** [REVOKED]

~~The Board shall administer the licensure examination at least one (1) time each year or as often as deemed necessary.~~

**86:10-15-4. Application**

(a) ~~The Board shall mail notification of eligibility to sit for examination~~examinations to the last known address of applicant ~~no later than sixty (60) days after receiving the required and completed application materials.~~

(b) Upon receiving test eligibility letter from the Board, applicant shall submit examination registration materials and fees to the Board's designee.

(c) An applicant's eligibility to sit for the Oklahoma Legal and Ethical Responsibilities Examination shall be valid once the application has been Board approved.

(d) An applicant's eligibility to sit for the National Counselor Examination for Certification may be valid for two years, at which time if they have not successfully passed the exam, their licensure application shall be voided and the applicant shall be mailed notification at last known address.

(e) An applicant who fails the NCE exam, may schedule additional examinations, within the two-year eligibility period, with the submission of subsequent exam registration materials and fees. The subsequent exam can be scheduled no sooner than 90 days after the prior exam.

**86:10-15-6. Notice of results** [REVOKED]

~~(a) The Board shall mail notification to the examinee at last known address of the examination results within sixty (60) days of the date of the examination.~~

~~(b) The Board shall furnish the applicant an analysis of performance.~~

~~(c) No matter what numerical or other scoring system the Board may use in arriving at examination results, the official notice of results to the examinees shall be stated in terms of "pass" or "fail".~~

~~(d) If the notice of examination results is delayed for more than ninety (90) days after the date of the examination, the Board shall mail notification to the examinee at the last known address before the ninetieth (90th) day.~~

**86:10-15-7. Failure to appear** [REVOKED]

~~If an applicant for licensure 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 shall reapply and pay~~

~~another examination fee before being admitted to a subsequent examination.~~

#### **SUBCHAPTER 19. ISSUANCE OF LICENSE**

##### **86:10-19-1.1. Statement of Professional Disclosure [REVOKED]**

~~An LPC license shall be issued only after the Board has received the applicant's Statement of Professional Disclosure.~~

#### **SUBCHAPTER 25. LICENSURE BY ENDORSEMENT**

##### **86:10-25-2. Licensing procedures**

An applicant must submit the application form and related documents as requested, licensure fees, ~~three current documents of recommendation and official transcript~~transcript(s), and completed criminal background check.

#### **SUBCHAPTER 27. CONSUMER INFORMATION**

##### **86:10-27-3. Statement of professional disclosure [REVOKED]**

~~(a) The Statement of Professional Disclosure shall inform clients of the LPC's credentials, training, fees, orientation/techniques and inform the client to contact the Board should the client seek additional information about the LPC.~~

~~(b) Both LPCs and LPC candidates shall:~~

~~(1) Furnish an example copy signed by the LPC, and in the case of a candidate, signed by the LPC supervisor and the candidate, to the Board. The LPC and LPC Candidate shall submit updated copies when the situation warrants; and~~

~~(2) Have two (2) copies signed by both the client or adult caretaker and the counselor. One (1) copy shall be given to the client and the other copy shall be retained by the counselor in the client's file.~~

#### **SUBCHAPTER 29. ENFORCEMENT**

##### **86:10-29-16. RFI confidentiality**

The RFI and the identity of the Complainant shall be confidential and shall not be available for public inspection, in accordance with 51 O.S. Section 24A.14.