

CHAPTER 34

BOARD OF MARRIAGE AND FAMILY THERAPY EXAMINERS

Authority

N.J.S.A. 45:1-3.2, 45:8B-13 and 45:8B-34 et seq.

Source and Effective Date

R.1998 d.544, effective October 22, 1998.
See: 30 N.J.R. 2987(a), 30 N.J.R. 4058(a).

Executive Order No. 66(1978) Expiration Date

Chapter 34, Board of Marriage and Family Therapy Examiners, expires on October 22, 2003.

Chapter Historical Note

Chapter 34, Board of Marriage Counselor Examiners, was adopted as R.1975 d.100, effective April 15, 1975. See: 7 N.J.R. 236(a).

Pursuant to Executive Order No. 66(1978), Chapter 34, Board of Marriage Counselor Examiners, was readopted as R.1988 d.550, effective October 26, 1988. See: 20 N.J.R. 2361(a), 20 N.J.R. 2932(a).

Pursuant to Executive Order No. 66(1978), Chapter 34, Board of Marriage Counselor Examiners, was readopted as R.1993 d.599, effective October 22, 1993. See: 25 N.J.R. 3060(a), 25 N.J.R. 5485(a).

Subchapter 4, Qualification for Admission to Examination, was renamed Application Qualifications; Board-Approved Examination by R.1997 d.103, effective March 3, 1997. See: 28 N.J.R. 4165(a), 29 N.J.R. 783(a).

Subchapters 10 through 14, 17 through 23 and 26 through 28 were adopted as new rules by R.1998 d.94, effective February 17, 1998. See: 29 N.J.R. 4644(a), 30 N.J.R. 687(a).

Pursuant to Executive Order No. 66(1978), Chapter 34, Board of Marriage Counselor Examiners, was readopted as R.1998 d.544, effective October 22, 1998, and Subchapter 5, General Obligations of a Licensee, Subchapter 6, Advertising, and Subchapter 7, Client Records; Confidentiality, were adopted as new rules by R.1998 d.544, effective November 16, 1998. See: Source and Effective Date. See, also, section annotations. Administrative change. See: 31 N.J.R. 547(b).

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SUBCHAPTER 1. GENERAL PROVISIONS

13:34-1.1 License fees and charges

(a) There shall be paid to the State Board of Marriage and Family Therapy Examiners the following fees:

1. Application fee \$ 75.00
2. Initial license fee
 - i. If paid during the first year of a biennial renewal period \$250.00
 - ii. If paid during the second year of a biennial renewal period \$125.00
3. Examination fee \$ 65.00
 plus the fee charged by
 Professional Examination Service
4. Verification of licensure \$ 25.00
5. Temporary permit \$ 75.00
6. License renewal fee, biennial \$250.00
7. Reinstatement fee \$125.00
8. Late renewal fee \$ 50.00
9. Replacement wall certificate \$ 40.00
10. Duplicate license fee \$ 25.00
11. Change of address \$ 25.00

New Rule, R.1975 d.100, effective April 15, 1975.
 See: 7 N.J.R. 236(a).
 Amended by R.1983 d.544, effective November 21, 1983.
 See: 15 N.J.R. 1441(a), 15 N.J.R. 1947(a).
 In (a)7, added i-ii.
 Amended by R.1985 d.549, effective November 4, 1985.
 See: 17 N.J.R. 1527(a), 17 N.J.R. 2669(b).
 Substantially amended.
 Amended by R.1990 d.152, effective March 5, 1990.
 See: 21 N.J.R. 3854(a), 22 N.J.R. 830(a).
 Examination fee increased from \$100.00 to \$225.00.
 Amended by R.1992 d.386, effective October 5, 1992.
 See: 24 N.J.R. 2522(b), 24 N.J.R. 3533(a).
 Revised text.
 Amended by R.1994 d.287, effective June 6, 1994.
 See: 26 N.J.R. 1301(a), 26 N.J.R. 2293(a).
 Amended by R.1997 d.103, effective March 3, 1997.
 See: 28 N.J.R. 4165(a), 29 N.J.R. 783(a).
 In (a), amended title of the Board.
 Amended by R.1998 d.262, effective May 18, 1998.
 See: 30 N.J.R. 793(a), 30 N.J.R. 1842(a).

In (a), increased fees in 2 and 6.
Amended by R.2002 d.125, effective April 15, 2002.
Sec: 33 N.J.R. 4199(a), 34 N.J.R. 1551(b).
In (a), decreased fees in 2 and 6.

13:34-1.2 Examination review procedure

An unsuccessful candidate may apply to the Board for a review of his or her examination papers. Such application

must be submitted to the Board secretary in writing within three months following notification of examination results, and the secretary shall subsequently arrange a mutually convenient date for the candidate to review his or her examination papers and grades in the Board office with an examiner.

(d) A supervisor shall retain full professional responsibility for collecting fees from clients.

(e) A supervisor shall be ultimately responsible for the welfare of the client with respect to the treatment being rendered by the supervisee.

(f) The supervisor shall ensure that the supervisee maintains, on an annual basis until the supervisee is licensed as a professional counselor, documentation of supervised experience, using forms provided by the Committee for that purpose. The supervisor shall attest to compliance with the standards set forth in (a) above and shall indicate the hours and dates during which the supervisee has been under direct supervision, the nature of the cases assigned, and the proficiency rating earned by the supervisee.

(g) A supervisor shall supervise only in areas for which he or she possesses the requisite skills, training and experience.

(h) A supervisor shall not supervise an individual with whom the supervisor has a relationship that may compromise the objectivity of the supervisor or impair the professional judgment of the supervisor. Examples of inappropriate supervisory relationships include, but are not limited to, current and former clients, relatives, current students, current and former employees or close friends.

13:34-13.3 Responsibilities of supervisee

(a) The supervisee shall maintain documentation of supervised experience for each 50 week period of supervised experience until the supervisee is licensed as a professional counselor.

(b) A supervisee shall not engage in practice under supervision in any area for which the supervisee has not had appropriate education and training.

(c) A supervisee shall not engage in unsupervised or independent practice.

(d) A supervisee shall not receive a professional fee from a client. A supervisee may be compensated only through the supervisor or employing entity.

(e) A supervisee shall not advertise professional services.

13:34-13.4 Permissible supervisor

(a) A supervisor shall be:

1. Licensed as a professional counselor; or

2. A licensed psychologist; a licensed clinical social worker; a licensed physician practicing in the field of psychiatry; a licensed marriage and family therapist; or any other supervisor acceptable to the Committee.

SUBCHAPTER 14. PROFESSIONAL COUNSELOR SPECIALTY DESIGNATIONS

13:34-14.1 Specialty designations

(a) A licensed professional counselor may utilize a professional specialty designation provided that the licensee:

1. Is certified in one of the following specialties by the NBCC or any successor:

i. Clinical mental health counselor pursuant to the requirements set forth in N.J.A.C. 13:34-14.2;

ii. Career counselor;

iii. Gerontological counselor;

iv. School counselor; or

v. Master addictions counselor; and

2. Has satisfied the Committee that he or she has met the recognized minimum standards of the NBCC.

(b) A qualified professional counselor who the Committee determines satisfies the requirements of (a) above may claim or advertise that specialty by using only the specific specialty designation assigned to the specialty by the NBCC.

(c) A professional counselor shall post the NBCC certificate in a conspicuous place in a waiting room or other area where it will be visible to the professional counselor's clients.

(d) The Committee may approve other specialty designations through the rulemaking process. Consistent with the requirements for use of the designations outlined above in this subchapter, any additional approved specialty designations must meet nationally accepted standards as established by the NBCC.

Amended by R.2002 d.235, effective July 15, 2002.

See: 33 N.J.R. 2596(a), 34 N.J.R. 2459(b).

In (a)1, inserted "or any successor" after "NBCC"; in (a)1i, inserted "pursuant to the requirements set forth in N.J.A.C. 13:34-14.2" after "counselor".

13:34-14.2 Clinical mental health counselor

(a) A licensed professional counselor may utilize the specialty designation of clinical mental health counselor and be issued a specialty permit provided that the licensed professional counselor submits the following to the Committee:

1. A certificate that the applicant is a certified clinical mental health counselor from NBCC or any successor;

2. Proof of passing the comprehensive qualifying examination prepared by NBCC or any successor;

3. An official transcript clearly indicating that the applicant has completed a minimum of 60 graduate semester hours in a mental health field at an accredited institution of higher education; and

4. Proof that the applicant has completed two years of post-master's degree field experience, which includes at least 3,000 hours of supervised clinical experience and 100 hours of face-to-face supervision of which no more than 20 hours may be group supervision.

(b) Upon biennial renewal of the specialty permit for a clinical mental health counselor, an applicant shall submit the following to the Committee:

1. Proof that the applicant is currently certified as a clinical mental health counselor from NBCC or any successor; and

2. Proof that the applicant has completed at least 40 hours of continuing education in courses or programs directly related to the mental health field.

New Rule, R.2002 d.235, effective July 15, 2002.
See: 33 N.J.R. 2596(a), 34 N.J.R. 2459(b).

SUBCHAPTERS 15 THROUGH 16. (RESERVED)

SUBCHAPTER 17. FEES

13:34-17.1 Fees

(a) The State Board of Marriage and Family Therapy Examiners shall charge the following fees in connection with the licensure of professional counselors and associate counselors.

- 1. Application fee \$75.00
- 2. Initial license fee:
 - i. Professional counselor:
 - (1) During the first year of a biennial renewal period \$250.00
 - (2) During the second year of a biennial renewal period \$125.00
 - ii. Associate counselor:
 - (1) During the first year of a biennial renewal period \$180.00
 - (2) During the second year of a biennial renewal period \$ 90.00
- 3. Biennial renewal:
 - i. Professional counselor \$250.00
 - ii. Associate counselor \$180.00
- 4. Late fee \$100.00
- 5. Reinstatement Fee \$150.00
- 6. Duplicate wall certificate \$40.00
- 7. Change of address \$25.00
- 8. Verification of licensure \$40.00
- 9. Verification of specialty designation \$40.00
- 10. Initial specialty designation permit:
 - i. During the first year of a biennial period \$50.00
 - ii. During the second year of a biennial period \$25.00

- 11. Biennial renewal, specialty designation permit \$50.00

Amended by R.1998 d.272, effective June 1, 1998.

See: 30 N.J.R. 794(a), 30 N.J.R. 2050(a).

In (a), substituted dollar amounts for reserved fees in 2 and 3.

Amended by R.2002 d.216, effective July 1, 2002.

See: 34 N.J.R. 210(a), 34 N.J.R. 2318(a).

In (a), decreased fees in 2 and 3.

Amended by R.2002 d.235, effective July 15, 2002.

See: 33 N.J.R. 2596(a), 34 N.J.R. 2459(b).

In (a), added 10 and 11.

SUBCHAPTER 18. PROFESSIONAL COUNSELORS AND ASSOCIATE COUNSELORS: CLIENT RECORDS; CONFIDENTIALITY

13:34-18.1 Preparation and maintenance of client records

(a) A licensee shall prepare a permanent client record for each client which accurately reflects the client contact with the licensee whether in an office, hospital, agency or other treatment, evaluation or consultation setting.

(b) A licensee shall make entries in the client record contemporaneously with the services provided. A licensee may dictate an entry for later transcription, provided the transcription is dated and identified as "preliminary" until the licensee reviews the transcription and finalizes the entry in the client record.

(c) The licensee shall include in the client record material pertinent to the nature and extent of the professional interaction, for example:

- 1. The client name, address and telephone number;
- 2. The client complaint on intake;
- 3. Medical history recognized as of potential significance;
- 4. Past and current medications;
- 5. Significant social history;
- 6. Findings on appropriate examination;
- 7. Raw data and interpretation of tests administered;
- 8. Current functional impairments and rating levels thereof;
- 9. A diagnostic impression;
- 10. Contemporaneous and dated progress or session notes including specific components of treatment, evaluation or consultation;
- 11. Dates of all treatment, evaluation or consultation sessions;

4. An official transcript indicating that the applicant completed a master's degree of fewer than 45 semester hours or a bachelor's degree from a regionally accredited institution of higher education in subject matter that is primarily counseling as set forth in N.J.A.C. 13:34-11.3(a)2i through viii, or a related field in content including, but not limited to, the following degrees:

- i. Psychology;
- ii. Social work;
- iii. Marriage and family therapy;
- iv. Human development;
- v. Sociology;
- vi. Nursing;
- vii. Guidance and counseling;
- viii. Human services; and

5. Evidence that the applicant has passed the Certified Rehabilitation Counselor Examination administered by the CRCC.

1. Three calendar years, only one year of which may be obtained prior to the granting of the master's degree; or

2. Two calendar years, provided that the applicant has earned, subsequent to completing the master's degree, an additional 30 graduate semester hours clearly related to rehabilitation counseling as set forth in N.J.A.C. 13:34-21.2(a)1 through 10. Of the required two years of supervised experience, only one year may be obtained prior to the granting of the master's degree.

13:34-23.2 Responsibilities of supervisor

(a) A supervisor shall obtain Committee approval before engaging in a supervisory relationship.

(b) A supervisor seeking Committee approval shall submit the following information on forms provided by the Committee:

1. Proof of qualification to act as a supervisor pursuant to N.J.A.C. 13:34-23.4; and

2. A written statement detailing the planned hours of supervised time, planned hours of practice required for the candidate to qualify for licensure, and the nature of the work assignments planned.

(c) Prior to a supervisee's commencement of client treatment, the supervisor shall obtain a written disclosure, which shall be signed by the client and retained as part of the client record, acknowledging that the client has been informed that services are to be rendered by a supervisee under the supervision of a rehabilitation counselor or a physician practicing rehabilitation medicine. If the written disclosure is included as part of another document provided for the client's information, the disclosure shall be set forth in a conspicuous manner so that it will be easily readable, clearly understood, signed by the client, and retained as part of the client record.

(d) A supervisor shall retain full professional responsibility for collecting fees from clients.

(e) A supervisor shall be ultimately responsible for the welfare of the client with respect to the treatment being rendered by the supervisee.

(f) The supervisor shall ensure that the supervisee maintains, on an annual basis until the supervisee is licensed as a rehabilitation counselor, documentation of supervised experience, using forms provided by the Committee for that purpose. The supervisor shall attest to compliance with the standards set forth in (a) above and shall indicate the hours and dates during which the supervisee has been under direct supervision, the nature of the cases assigned, and the proficiency rating earned by the supervisee.

(g) A supervisor shall supervise only in areas for which he or she possesses the requisite skills, training and experience.

SUBCHAPTER 23. REHABILITATION COUNSELORS: SUPERVISION

13:34-23.1 Definitions; supervised experience required for licensure

(a) For purposes of this subchapter, the following words and terms shall have the following meanings:

"Group supervision" means the process of supervising no more than six persons in a group setting by a qualified supervisor as set forth in N.J.A.C. 13:34-23.4.

"One calendar year" means at least 1,500 hours over a 50 week period.

"Rehabilitation counseling experience" means rehabilitation counseling practice or the provision of rehabilitation counseling education.

"Supervision" means the ongoing process performed by a supervisor who monitors the performance of the person supervised and provides regular, documented face-to-face consultation, guidance and instruction with respect to the counseling skills and competencies of the person supervised. Supervision shall include at least 50 hours of face-to-face supervision per year, a minimum of one hour per week, not more than 10 hours of which may be group supervision.

(b) An applicant for a licensure as a rehabilitation counselor shall be required to document full time, supervised rehabilitation counseling experience in a rehabilitation counseling setting for either:

(h) A supervisor shall not supervise an individual with whom the supervisor has a relationship that may compromise the objectivity of the supervisor or impair the professional judgment of the supervisor. Examples of inappropriate supervisory relationships include, but are not limited to, current and former clients, relatives, current students, current and former employees or close friends.

13:34-23.3 Responsibilities of supervisee

(a) The supervisee shall maintain documentation of supervised experience for each 50 week period of supervised experience until the supervisee is licensed as a rehabilitation counselor.

(b) A supervisee shall not engage in practice under supervision in any area for which the supervisee has not had appropriate education and training.

(c) A supervisee shall not engage in unsupervised or independent practice.

(d) A supervisee shall not receive a professional fee from a client. A supervisee may be compensated only through the supervisor or employing entity.

(e) A supervisee shall not advertise professional services.

13:34-23.4 Permissible supervisor

(a) A permissible supervisor shall include a rehabilitation counselor, a licensed physician practicing in the field of rehabilitation medicine, or any other supervisor acceptable to the Committee.

SUBCHAPTERS 24 THROUGH 25. (RESERVED)

SUBCHAPTER 26. FEES

13:34-26.1 Fees

(a) The State Board of Marriage and Family Therapy Examiners shall charge the following fees in connection with the licensure of rehabilitation counselors:

1. Application fee \$75.00
2. Initial license fee:
 - i. Rehabilitation counselor:
 - (1) During the first year of a biennial renewal period \$250.00
 - (2) During the second year of a biennial renewal period \$125.00
3. Biennial renewal:
 - i. Rehabilitation counselor \$250.00
4. Late fee \$100.00
5. Reinstatement Fee \$150.00

6. Duplicate wall certificate \$40.00
7. Change of address \$25.00
8. Verification of licensure \$40.00

Amended by R.1998 d.272, effective June 1, 1998.
See: 30 N.J.R. 794(a), 30 N.J.R. 2050(a).

In (a), substituted dollar amounts for reserved fees in 2 and 3.
Amended by R.2002 d.216, effective July 1, 2002.

See: 34 N.J.R. 210(a), 34 N.J.R. 2318(a).

In (a), decreased fees in 2 and 3.

SUBCHAPTER 27. REHABILITATION
COUNSELORS: CLIENT RECORDS;
CONFIDENTIALITY

13:34-27.1 Preparation and maintenance of client records

(a) A licensee shall prepare a permanent client record for each client which accurately reflects the client contact with the licensee whether in an office, hospital, agency or other treatment, evaluation or consultation setting.

(b) A licensee shall make entries in the client record contemporaneously with the services provided. A licensee may dictate an entry for later transcription, provided the transcription is dated and identified as "preliminary" until the licensee reviews the transcription and finalizes the entry in the client record.

(c) The licensee shall include in the client record material pertinent to the nature and extent of the professional interaction, for example:

1. The client name, address and telephone number;
2. The client complaint on intake;
3. Medical history recognized as of potential significance;
4. Past and current medications;
5. Significant social history;
6. Findings on appropriate examination;
7. Raw data and interpretation of tests administered;
8. Current functional impairments and rating levels thereof;
9. A diagnostic impression;
10. Contemporaneous and dated progress or session notes including specific components of treatment, evaluation or consultation;
11. Dates of all treatment, evaluation or consultation sessions;
12. The location of treatment, evaluation or consultation;
13. An evaluation of progress (if applicable);