

CHAPTER 34

BOARD OF MARRIAGE COUNSELOR EXAMINERS

Authority

N.J.S.A. 45:8B-13.

Source and Effective Date

R.1993 d.599, effective October 22, 1993.
See: 25 N.J.R. 3060(a), 25 N.J.R. 5485(a).

Executive Order No. 66(1978) Expiration Date

Chapter 34, Board of Marriage Counselor Examiners, expires on October 22, 1998.

Chapter Historical Note

Subchapter 2, 3 and 4 were adopted effective November 4, 1985 as R.1985 d.549. See: 17 N.J.R. 1527(a), 17 N.J.R. 2669(b).

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 was readopted as R.1993 d.599, effective October 22, 1993. See: Source and Effective Date.

See section annotations for specific rulemaking activity.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 13:34-1.1 Annual license fees and charges
- 13:34-1.2 Examination review procedure
- 13:34-1.3 Office location
- 13:34-1.4 License lists
- 13:34-1.5 Applications
- 13:34-1.6 Licensee to display notice
- 13:34-1.7 Hearings to conform to law

SUBCHAPTER 2. PROFESSIONAL MISCONDUCT

- 13:34-2.1 Misconduct defined

SUBCHAPTER 3. UNLICENSED PERSONS—
PERMISSIBLE ACTIVITIES

- 13:34-3.1 Employees of certain organizations; permissible activities
- 13:34-3.2 Bona fide community agency defined
- 13:34-3.3 Supervision of employees and interns
- 13:34-3.4 Supervised experience
- 13:34-3.5 Permit without supervision
- 13:34-3.6 Temporary permit requiring supervision
- 13:34-3.7 Advertising by unlicensed persons

SUBCHAPTER 4. APPLICANT QUALIFICATIONS;
BOARD-APPROVED EXAMINATION

- 13:34-4.1 General requirements
- 13:34-4.2 Experiential requirements
- 13:34-4.3 Educational requirements

SUBCHAPTER 1. GENERAL PROVISIONS

13:34-1.1 Annual 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 \$200.00
 - ii. If paid during the second year of a biennial renewal period \$100.00
- 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 \$200.00
- 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.

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.

New Rule, R.1976 d.309, effective October 6, 1976.

See: 8 N.J.R. 136(c), 8 N.J.R. 532(b).

13:34-1.3 Office location

The offices of the Board shall be at 124 Halsey Street, Newark, New Jersey 07101.

R.1983 d.544, effective November 21, 1983.

See: 15 N.J.R. 1441(a), 15 N.J.R. 1947(a).

Administrative change.

See: 25 N.J.R. 1516(b).

13:34-1.4 License lists

A current list of licensed New Jersey Marriage and Family Therapists shall be maintained and made available at the Board's office.

R.1983 d.544, effective November 21, 1983.

See: 15 N.J.R. 1441(a), 15 N.J.R. 1947(a).

Amended by R.1997 d.103, effective March 3, 1997.

See: 28 N.J.R. 4165(a), 29 N.J.R. 783(a).

Substituted "Marriage and Family Therapists" for "Marriage Counselors".

13:34-1.5 Applications

Application forms and information regarding licensure of practicing marriage and family therapists may be obtained from the State Board of Marriage and Family Therapy Examiners, Post Office Box 45007, 124 Halsey Street, Newark, New Jersey 07101.

R.1983 d.544, effective November 21, 1983.

See: 15 N.J.R. 1441(a), 15 N.J.R. 1947(a).

Administrative change.

See: 25 N.J.R. 1516(b).

Amended by R.1997 d.103, effective March 3, 1997.

See: 28 N.J.R. 4165(a), 29 N.J.R. 783(a).

Substituted "marriage and family therapists" for "marriage counselor" and amended title of the Board.

13:34-1.6 Licensee to display notice

Every licensee shall prominently display in a conspicuous location in his or her office the following notice:

(Name of individual) is licensed by the State Board of Marriage and Family Therapy Examiners, an agency of the New Jersey Division of Consumer Affairs. Any member of the consuming public having a complaint concerning the manner in which this practice is conducted should notice the State Board of Marriage and Family Therapy Examiners, Post Office Box 45007, 124 Halsey Street, Newark, New Jersey 07101, or the New Jersey Division of Consumer Affairs, Post Office Box 45027, 124 Halsey Street, Newark, New Jersey 07101.

R.1983, d.544 effective November 21, 1983.

See: 15 N.J.R. 1441(a), 15 N.J.R. 1947(a).

Administrative change.

See: 25 N.J.R. 1516(b).

Amended by R.1997 d.103, effective March 3, 1997.

See: 28 N.J.R. 4165(a), 29 N.J.R. 783(a).

Amended title of the Board.

13:34-1.7 Hearings to conform to law

The conduct of all hearings shall conform to the requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., as amended and supplemented.

R.1983 d.544, effective November 21, 1983.

See: 15 N.J.R. 1441(a), 15 N.J.R. 1947(a).

Amended by R.1993 d.599, effective December 6, 1993.

See: 25 N.J.R. 3060(a), 25 N.J.R. 5485(a).

SUBCHAPTER 2. PROFESSIONAL MISCONDUCT

13:34-2.1 Misconduct defined

(a) Professional or occupational misconduct in the practice of marriage and family therapy by persons licensed by the State Board of Marriage and Family Therapy Examiners shall include, but not be limited to, the following:

1. Willful or grossly negligent failure to comply with Federal, State or local laws, rules or regulations governing the practice of the profession.

2. Permitting any person to share in fees for professional services, other than a partner, employee, associate in a professional firm or corporation, professional subcontractor or consultant authorized to practice the same profession.

3. Failing to respond within 30 days to written communications from the Board of Marriage and Family Therapy Examiners and make available any relevant records with respect to an inquiry or complaint about the licensee's unprofessional conduct.

- i. The period of 30 days shall commence on the date when such communication was sent from the Board by registered or certified mail, with return receipt requested, to the address appearing in the last registration.

4. Abandoning or neglecting a client under and in need of immediate professional care, without making reasonable arrangements for the continuation of such care, or abandoning a professional employment by a group practice, hospital clinic or other health care facility, without reasonable notice and under circumstances which seriously impair the delivery of professional care to clients.

5. Willfully harassing, abusing or intimidating a client or other professional colleague relative to delivery of client services, either physically or verbally.

6. Failing to maintain a record for each client which accurately reflects the client contact with the practitioner.

- i. Unless otherwise provided by law, all client records must be retained for at least seven years.

- ii. If a licensee ceases to engage in practice or it is anticipated that he or she will remain out of practice for more than three months, the licensee or designee shall:

- (1) Establish a procedure by which clients can obtain their records or acquiesce in the transfer of those records to another licensee or health care professional who is assuming the responsibilities of that practice;

1. The equivalent of one year of full-time experience is set at a minimum of 1,750 hours, equal to but no more than 35 hours per week on a 50-week per year basis. The 35 hours per week shall include:

- i. Twenty hours of face-to-face client contact per week;
- ii. Four hours of supervision, at least two hours of which must be individual face-to-face supervision. The remaining two hours may be individual or group supervision. The ratio shall be one hour of supervision for each five hours of client contact; and
- iii. Eleven hours in other work-related activities such as recordkeeping, consultations, report writing, etc.

2. Unsupervised independent practice by the candidate is prohibited. The candidate's clients shall include only those who have been approved in advance by the supervisor(s).

3. No more than three candidates shall be under concurrent supervision by any supervisor.

4. The final professional responsibility for the welfare of the client with respect to the treatment being rendered rests with the supervisor(s).

5. Supervisors are required to attest to compliance with (b)1 and 2 above, using forms provided by the board for that purpose, indicating the dates during which the candidate has been under direct supervision, the nature of the cases assigned, and the proficiency rating earned by the candidate.

6. Supervised experience not completed prior to the filing of an application for licensure, unless conducted in a facility expressly permitted by law (N.J.S.A. 45:8B-6), will require the issuance of a temporary permit (N.J.S.A. 45:8B-6(e)), obtainable by the following procedures:

- i. Filing the application with all supporting materials;
- ii. Submission of request in writing for a temporary permit;
- iii. Arranging for a supervisor to provide the Board with a written statement detailing the planned hours of supervised time, hours of practice required for the candidate to qualify for admission to examination and/or licensure, the nature of the work assignments planned, and evidence that the supervisor meets the requirements of N.J.S.A. 45:8B-18(b); and
- iv. Estimated date of completion of supervised experience.

7. Documentation of supervised experience for holders of temporary permits shall be filed with the Board by both the candidate and the supervisor(s), individually and in confidence, every six months for evaluation of the candidate's progress.

i. The candidate is responsible in this regard for the filing of the report.

8. Under no circumstances are fees for client service to be billed or accepted by the candidate.

i. The supervisor retains full professional responsibility for assessing and collecting fees from clients.

ii. The supervisor may indicate that the services are rendered in association with a supervisee.

9. Any question concerning the implementation of all or any part of this policy shall be directed in writing to the Board of Marriage and Family Therapy Examiners for its consideration and ruling.

Amended by R.1993 d.599, effective December 6, 1993.

See: 25 N.J.R. 3060(a), 25 N.J.R. 5485(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 (b), substituted "marriage and family therapy" for "marriage counseling" and deleted a reference to counseling; and in (b)9, amended title of the Board.

13:34-3.5 Permit without supervision

Pursuant to N.J.S.A. 45:8B-6(d), temporary permits not requiring supervision will only be issued in extraordinary circumstances and will not be renewable.

13:34-3.6 Temporary permit requiring supervision

Pursuant to N.J.S.A. 45:8B-6(e) and N.J.S.A. 45:8B-18(b), prior to the Board's approval of a three-year temporary permit the applicant must show that he or she has had a minimum of two years of full-time therapy experience and meets the education requirement for licensure.

Amended by R.1988 d.228, effective May 16, 1988.

See: 20 N.J.R. 501(a), 20 N.J.R. 1095(a).

Deleted text "The temporary permit . . .".

Amended by R.1997 d.103, effective March 3, 1997.

See: 28 N.J.R. 4165(a), 29 N.J.R. 783(a).

Substituted "therapy" for "counseling".

13:34-3.7 Advertising by unlicensed persons

Advertising by or on behalf of an unlicensed individual who is authorized to practice marriage or family therapy pursuant to N.J.S.A. 45:8B-6 or N.J.S.A. 45:8B-8, shall disclose the name of the unlicensed individual and the fact of non-licensure.

Amended by R.1997 d.103, effective March 3, 1997.

See: 28 N.J.R. 4165(a), 29 N.J.R. 783(a).

Substituted "therapy" for "counseling".

SUBCHAPTER 4. APPLICANT QUALIFICATIONS; BOARD-APPROVED EXAMINATION

Subchapter Historical Note

The name of Subchapter 4, Qualification For Admission to Examination, was changed to Applicant Qualifications; Board-Approved Exami-

nation by R.1997 d.103, effective March 3, 1997. See: 28 N.J.R. 4165(a), 29 N.J.R. 783(a).

13:34-4.1 General requirements

(a) Pursuant to N.J.S.A. 45:8B-14, a person who desires to obtain a license as a practicing marriage and family therapist shall submit the following to the Board:

1. A completed application form pursuant to N.J.A.C. 13:34-1.5, which requests information concerning the applicant's educational and experiential background;
2. The application fee set forth in N.J.A.C. 13:34-1.1; and
3. An official transcript indicating that the applicant has satisfied the educational requirements set forth in N.J.A.C. 13:34-4.3.

(b) In addition to (a) above, the applicant shall furnish to the Board evidence that the applicant satisfies the following criteria:

1. The applicant is at least 21 years of age;
2. The applicant is of good moral character;
3. The applicant is not engaged in any practice or conduct upon which the Board shall have grounds to refuse to issue, suspend or revoke a license which it issues; and
4. The applicant qualifies for licensing by an examination of credentials pursuant to N.J.S.A. 45:8B-21, or for admission to an assembled examination to be conducted by the Board.

New Rule, R.1997 d.103, effective March 3, 1997.

See: 28 N.J.R. 4165(a), 29 N.J.R. 783(a).

Former section recodified to N.J.A.C. 13:34-4.2.

13:34-4.2 Experiential requirements

(a) Pursuant to N.J.S.A. 45:8B-18(b), the processing of a candidate's application is dependent upon successful completion and documentation of a minimum of five years of full-time counseling and therapy experience, or its equivalent, of a character which the Board has approved, two years of which shall be in marriage and family therapy. The candidate shall have completed two of the five required years in marriage and family therapy under the supervision of a person holding a degree specified in N.J.S.A. 45:8B-18(a) who has had no less than five years of full-time professional experience or the equivalent.

1. "Supervised experience" for a period of one year is defined as:

- i. A minimum of 20 hours per week of actual marriage and family therapy client contact, with a minimum of one hour of supervision for every five hours of client contact; and

ii. A minimum of 1,000 hours of therapy with couples and families and a minimum of 200 hours of supervision is required.

2. Individuals may prorate the experience requirements on a part-time basis so long as the two-year experience requirement is satisfied within the permit period of three years.

Amended by R.1993 d.599, effective December 6, 1993.

See: 25 N.J.R. 3060(a), 25 N.J.R. 5485(a).

Recodified from 13:34-4.1 and 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), substituted "full-time counseling" for "supervised counseling", inserted references to equivalent experience and therapy experience, and inserted provision requiring experience under the supervision of a person holding a degree; and in (a)1i and (a)1ii, substituted "therapy" for "counseling". Former section recodified to N.J.A.C. 13:34-4.3.

13:34-4.3 Educational requirements

(a) Pursuant to N.J.S.A. 45:8B-18(a), any person applying to the Board after January 1, 1970 shall be admitted to an examination if he or she meets the qualifications set forth in subsections (a), (b) and (c) of Section 14 of P.L. 1968, c.401 (45:8B-14) and provides evidence that he or she has met the following educational requirements, unless the person appears for examination in an obviously diminished state of mental faculty or otherwise demonstrates behavior which is inappropriate and offensive to the test-taking environment and to other examinees.

1. An applicant shall have a minimum of a master's degree in marriage and family therapy, a master's degree in social work or a graduate degree in a related field. All applicants shall have obtained their degrees from regionally accredited institutions so recognized at the time of the granting of the degrees. If the applicant has a graduate degree in a related field, the applicant shall demonstrate to the Board that he or she has completed substantial equivalents to the course work at the required levels as set out in (b) below. An applicant with a graduate degree in a related field which does not provide the training and course work substantially equivalent in content to those set out in (b) below shall be deemed to meet the educational requirements set forth in this section upon satisfactory completion of either a post graduate degree recognized by the Board which includes the course work at the required levels as stated in (b) below, or a program of training and course work at an institute or training program accredited by the Commission on Accreditation for Marriage and Family Therapy Education.

(b) To satisfy the basic educational requirements for admission to an examination, an applicant shall complete a minimum of:

1. Nine courses (27 semester hours or 36 quarter hours) from Areas I, II and III as specified in (c) below;

2. One course (three semester hours for four quarter hours) from Area IV;
3. One course (three semester hours or four quarter hours) from Area V;
4. Three courses (nine semester hours or 12 quarter hours) taken in 12 successive months from Area VI; and
5. One course (three semester hours or four quarter hours) from Area VII.

(c) Areas of course work are as follows:

1. Area I: Theoretical Foundations of Marriage and Family Therapy (a minimum of one three-credit course equivalent to three semester hours or four quarter hours.) Course work which qualifies in this area shall include topics which deal with the historical development, theoretical foundations and conceptual directions of the field of marriage and family therapy.

2. Area II: Assessment and Treatment in Marriage and Family Therapy (a minimum of four three-credit courses equivalent to 12 semester hours or 16 quarter hours.) Course work which qualifies in this area shall provide a comprehensive survey and substantive understanding of the major models of marriage and family therapy. Courses shall also address the applied aspects of marriage and family therapy. Courses shall focus on two major interdependent components: diagnosis/assessment and treatment processes. Within the context of marital and family systems, course work topics shall include the diagnosis and treatment of dysfunctional relationship patterns and nervous and mental disorders, whether cognitive, affective or behavioral. Course work in this area shall also include major marriage and family assessment methods and instruments, the use of appropriate major mental health assessment instruments within a systemic context and topics which deal with a wide variety of presenting problems including, but not limited to, incest, intense stress, problems of life cycle transitions, sexual dysfunctions, substance abuse, suicide and violence.

3. Area III: Human Development and Family Studies (a minimum of two three-credit courses equivalent to six semester hours or eight quarter hours.) Courses shall address the developmental processes in the family, and shall emphasize the interface between the interpersonal and the intrapersonal as well as the patterns and dynamics of family life. Courses shall also address the life cycle of the family, the processes and modifications of family structures over time and as they relate to marriage and

family practice and theory, issues of gender, sex discrimination, gender role stereotyping, ethnicity, race, socioeconomic status and culture. Courses shall address social, educational, economic and behavioral factors.

4. Area IV: Ethics and Professional Studies (a minimum of one three-credit course equivalent to three semester hours or four quarter hours.) Course work shall deal with the development of a professional attitude and identity. It shall address professional socialization, the role of professional organizations, legal responsibilities and liabilities of clinical practice and research, family law, confidentiality issues, professional ethics and interprofessional cooperation.

5. Area V: Research (a minimum of one three-credit course equivalent to three semester hours or four quarter hours.) Course work in this area shall deal with the understanding of research methodology and data analysis and the evaluation of research in marriage and family therapy. The content must include both quantitative and qualitative research models.

6. Area VI: Supervised Clinical Practice (a minimum of one three-credit course equivalent to three semester hours or four quarter hours.) Course work shall focus on the therapist's development of a professional attitude and identity. Topics shall include professional socialization, the role of professional organizations, legal responsibilities and liabilities of clinical practice and research, family law, confidentiality issues, professional ethics and interprofessional cooperation.

7. Area VII: Additional Courses (a minimum of one three-credit course equivalent to three semester hours or four quarter hours.) Course work shall be elective, and this area shall seek to augment an applicant's individual interest and background in marriage and family therapy. The applicant may choose courses from a variety of disciplines.

(d) The Board shall not base its determination as to whether it will recognize an educational institution's program solely on the failure of any professional organization of marriage and family therapists to accredit the program.

Amended by R.1993 d.599, effective December 6, 1993.

See: 25 N.J.R. 3060(a), 25 N.J.R. 5485(a).

Recodified from 13:34-4.2 and amended by R.1997 d.103, effective March 3, 1997.

See: 28 N.J.R. 4165(a), 29 N.J.R. 783(a).

Rewrote (a); inserted new (b); inserted (c); and recodified former (b) to (d).