

“Group supervision” means the ongoing process of supervising no more than six mental health counselors at one time in a group setting by a qualified supervisor.

“Independent practice of counseling” means providing counseling services in a private-for-profit setting by a licensed professional counselor or a licensed associate counselor working under the direct supervision of a qualified supervisor consistent with the requirements of N.J.A.C. 13:34-10.3.

“One calendar year” means a maximum of 1,500 hours of supervised counseling experience over a period of 52 weeks, which is considered full-time or no less than 750 hours of supervised counseling experience in each of two 52-week periods for a total of 1,500 hours of supervised counseling experience, which is considered part-time. No more than 30 hours of supervised counseling experience shall be obtained in any one week. No more than 125 hours of supervised counseling experience shall be earned in any one month.

“Professional counseling experience” means the rendering of professional counseling services while under the direct supervision of a qualified supervisor.

“Professional counseling services” means the application of mental health and human development principles in order to facilitate human development and adjustment throughout the lifespan; clinically assess and evaluate mental, emotional and associated distresses, which interfere with mental health and development; conduct assessments and evaluations for the purpose of establishing goals and objectives; and plan, implement and evaluate counseling interventions.

“Qualified supervisor” means an individual who holds a clinical license to provide mental health counseling services for a minimum of two years in the state where the services are being provided, and who has:

1. A clinical supervisor’s certificate from the National Board for Certified Counselors Center for Credentialing and Education or its successor or the American Association of Marriage and Family Therapy or its successor; or
2. Completed a minimum of three graduate credits in clinical supervision from a regionally accredited institution of higher education.

A “qualified supervisor” shall satisfy all requirements set forth in N.J.A.C. 13:34-13.1.

“Supervision” or “supervised” means the weekly interaction with a qualified supervisor who monitors the performance of the licensed associate counselor and provides weekly, documented, face-to-face consultation, guidance and instruction with respect to the counseling skills and competencies of the licensed associate counselor, which includes at least 50 hours of face-to-face supervision per one calendar year, at the rate of one hour per week, of which not more than 10 hours may be group supervision.

Amended by R.2004 d.158, effective April 19, 2004.
See: 35 N.J.R. 5228(a), 36 N.J.R. 1943(a).

In “Counseling”, rewrote 2.

Amended by R.2009 d.301, effective October 5, 2009.
See: 41 N.J.R. 1946(a), 41 N.J.R. 3813(a).

In paragraph 3 of definition “Counseling procedures”, substituted “client(s)” for “consultee(s)”; in paragraph 4 of definition “Counseling procedures”, substituted “client” for “counselee” twice; and added definitions “Direct supervision”, “Group supervision”, “Independent practice of counseling”, “One calendar year”, “Professional counseling experience”, “Professional counseling services”, “Qualified supervisor” and “Supervision”.

13:34-10.3 Scope of practice; professional counselor and associate counselor

(a) The scope of practice of a licensed professional counselor includes, but is not limited to, counseling, counseling interventions, appraisal and assessment, consulting, referral and research activities, as defined in N.J.A.C. 13:34-10.2.

(b) The scope of practice of a licensed associate counselor includes, but is not limited to, counseling, counseling interventions, appraisal and assessment, consulting, referral and research activities, as defined in N.J.A.C. 13:34-10.2, under direct supervision pursuant to the provisions of N.J.A.C. 13:34-13. A licensed associate counselor may only engage in the independent practice of counseling under the direct supervision of a qualified supervisor, consistent with the requirements of this section.

(c) An independent practice shall be owned and operated by a licensed professional counselor or a licensed healthcare professional that holds a clinical license to provide mental health counseling services.

Amended by R.2009 d.301, effective October 5, 2009.
See: 41 N.J.R. 1946(a), 41 N.J.R. 3813(a).

In (b), inserted “direct” and rewrote the last sentence; and added (c).

SUBCHAPTER 11. PROFESSIONAL COUNSELORS AND ASSOCIATE COUNSELORS: APPLICATION PROCEDURE; DEFINITIONS

13:34-11.1 (Reserved)

Repeal and New Rule, R.2004 d.158, effective April 19, 2004.
See: 35 N.J.R. 5228(a), 36 N.J.R. 1943(a).

Section was “Application procedure: professional counselor”.

Repealed by R.2009 d.301, effective October 5, 2009.
See: 41 N.J.R. 1946(a), 41 N.J.R. 3813(a).

Section was “Definitions”.

13:34-11.2 Professional counselor: application and educational requirements

(a) An applicant for licensure as a professional counselor shall submit the following to the Committee:

1. A completed application form, which contains information concerning the applicant’s educational and experiential background;

2. The application fee set forth in N.J.A.C. 13:34-17.1;

3. An official transcript(s) clearly indicating that the applicant has completed a minimum of 60 graduate semester hours and has obtained a master's degree or a doctorate in counseling in a planned educational program designed to prepare students for the professional practice of counseling from a regionally accredited institution of higher education. The degree and official transcript(s) shall clearly indicate that:

i. The degree awarded is a master's degree or doctorate in counseling. The word "Counseling" or the word "Counselor" shall appear in the title of the graduate degree awarded and the institution offering the degree shall state in the catalog or in another format acceptable to the Committee that the purpose of the graduate degree is to prepare students for the professional practice of counseling; and

ii. The applicant has completed a minimum of 60 graduate semester hours of which 45 graduate semester hours shall be distributed in at least eight of the following areas:

(1) Counseling theory and practice, which includes the study of basic theories, principles and techniques of counseling and their application to professional counseling settings;

(2) The helping relationship, which includes studies that provide a broad understanding of philosophic bases of helping processes, basic and advanced helping skills, consultation theories and their applications, client and helper self-understanding and self-development and facilitation or client change;

(3) Human growth and development and maladaptive behavior, which includes studies that provide a broad understanding of the nature and needs of individuals at all developmental levels, normal and abnormal behavior, personality theory, life-span theory, and learning theory within cultural contexts;

(4) Lifestyle and career development, which include studies that provide a broad understanding of career development theories, occupational and educational information sources and systems, career and leisure counseling, guidance and education, lifestyle and career decision-making, career development program planning, resources, and career option identification;

(5) Group dynamics, processes, counseling and consulting, which include studies that provide a broad understanding of group development dynamics, group counseling theories, group leadership styles, basic and advanced group counseling methods and skills, and other group approaches;

(6) Appraisal of individuals, which includes studies that provide a broad understanding of group and individual educational and psychometric theories and approaches to appraisal, data and information gathering methods, validity and reliability, psychometric statistics, factors that influence appraisals, use of appraisal results in helping process and the specific ability to administer and interpret tests and inventories to assess abilities and interests and identify career options;

(7) Social and cultural foundations, which include studies that provide a broad understanding of societal changes and trends, human roles, societal subgroups, social mores and interaction patterns, multicultural and pluralistic trends, differing lifestyles, and major societal concerns including stress, person abuse, substance abuse, discrimination and methods of alleviating these concerns;

(8) Research and evaluation, which include studies that provide a broad understanding of types of research, basic statistics, research-report development, research implementation, program evaluation, needs assessment, publication of research information and ethical and legal considerations; and

(9) The counseling profession, which includes studies that provide a broad understanding of professional roles and functions, professional goals and objectives, professional organizations and associations, professional history and trends, ethical and legal standards, professional preparation standards and professional credentialing.

(b) An applicant shall be required to submit documentation that the coursework he or she has completed meets the education requirements set forth in (a) above, if the official transcript has not been issued by an educational institution, which at the time of the applicant's graduation:

1. Was accredited by the Council for the Accreditation of Counseling and Related Educational Programs (CACREP) or its successor; or

2. Had obtained program approval from the Committee, after its review of documentation, including course descriptions and syllabi, demonstrating that the curriculum meets the requirements set forth in (a) above.

Repeal and New Rule, R.2004 d.158, effective April 19, 2004.
See: 35 N.J.R. 5228(a), 36 N.J.R. 1943(a).

Section was "Application procedure: associate counselor".
Amended by R.2009 d.301, effective October 5, 2009.
See: 41 N.J.R. 1946(a), 41 N.J.R. 3813(a).

Rewrote the introductory paragraph of (a)3, (a)3i and the introductory paragraph of (a)3ii; in (a)3ii(2), deleted a comma following "self-development" and substituted "client" for "consultee"; and added (b).
Amended by R.2011 d.286, effective December 5, 2011.
See: 43 N.J.R. 1414(a), 43 N.J.R. 3191(a).

Rewrote (b).

13:34-11.3 Professional counselor: experience requirements

(a) In addition to the requirements listed in N.J.A.C. 13:34-11.2, an applicant for licensure as a professional counselor shall submit to the Committee documentation indicating that the applicant has met the supervised professional counseling experience requirements for licensure as set forth below:

1. Three calendar years of supervised professional counseling experience in a professional counseling setting, only one calendar year of which may be obtained prior to the granting of the master's degree. Two calendar years of supervised professional counseling experience shall have been obtained following licensure as an associate counselor. Hours of supervised professional counseling experience obtained during college or university graduate level practicums or internships may be counted toward satisfying a portion of the supervised counseling experience requirement provided the courses labeled practicums or internships are not also used to satisfy the 45 hours distributed in the eight areas of the educational requirements for licensure as set forth in N.J.A.C. 13:34-11.2; or

2. Two calendar years of supervised professional counseling experience as a licensed associate counselor in a professional counseling setting, provided that the applicant has earned, subsequent to completing the 60 graduate semester hours to include a master's degree, an additional 30 graduate semester hours clearly related to counseling as contained in N.J.A.C. 13:34-11.2(a)3iii(1) through (9). Hours of supervised professional counseling experience obtained during college or university graduate level practicums may be counted toward satisfying a portion of the supervised professional counseling experience requirement provided the courses labeled graduate level practicums or internships are not also used to satisfy the 45 hours distributed in the eight areas of the educational requirements for licensure as set forth in N.J.A.C. 13:34-11.2. No more than one calendar year of supervised professional counseling experience may be obtained prior to the completion of the 60 graduate semester hours.

(b) An applicant for licensure may take up to a maximum of six years to satisfy the supervised professional counseling experience requirement within the definitions stated in N.J.A.C. 13:34-10.2. Professional counseling experience submitted to the Committee that occurs before the date of the application may be accepted toward the fulfillment of the experience requirement if the experience meets the criteria stated above, including supervision by a qualified supervisor.

Repeal and New Rule, R.2004 d.158, effective April 19, 2004.

See: 35 N.J.R. 5228(a), 36 N.J.R. 1943(a).

Section was "Educational requirements".

Amended by R.2009 d.301, effective October 5, 2009.

See: 41 N.J.R. 1946(a), 41 N.J.R. 3813(a).

In (a)1 and (a)2, inserted "45 hours distributed in the eight areas of the"; in (a)1, inserted the second sentence; in (a)2, inserted "as a licensed associate counselor" and "60 graduate semester hours to include a" and substituted "completion of the 60 graduate semester hours" for "granting

of the master's degree"; and in (b), updated the N.J.A.C. reference, substituted "that" for "which" and inserted a comma following "above".

13:34-11.4 Professional counselor: examination requirements

(a) An applicant for licensure as a professional counselor shall submit to the Committee, in addition to the requirements stated in N.J.A.C. 13:34-11.2 and 11.3, proof that the applicant has successfully passed the National Counselor Examination (NCE) or its successor, administered by the National Board for Certified Counselors (NBCC) or its successor.

(b) The applicant shall only be admitted to the NCE upon receipt of written permission from the Committee following the Committee's review of the applicant's coursework, unless the NCE is taken as part of the applicant's graduate degree program or in another state pursuant to that state's examination requirements.

New Rule, R.2004 d.158, effective April 19, 2004.

See: 35 N.J.R. 5228(a), 36 N.J.R. 1943(a).

Amended by R.2009 d.301, effective October 5, 2009.

See: 41 N.J.R. 1946(a), 41 N.J.R. 3813(a).

Inserted designation (a); in (a), inserted "(NCE) or its successor,"; and added (b).

13:34-11.5 Associate counselor: application and educational requirements

(a) An applicant for licensure as an associate counselor shall submit to the Committee:

1. A completed application form which contains information concerning the applicant's educational and experiential background;

2. The application fee set forth in N.J.A.C. 13:34-17.1;

3. An official transcript(s) clearly indicating that the applicant has completed a minimum of 60 graduate semester hours and has obtained a master's degree or doctorate in counseling in a planned educational program designed to prepare students for the professional practice of counseling from a regionally accredited institution of higher education. The degree and official transcript(s) shall clearly indicate that:

i. The degree awarded is a master's degree or doctorate in counseling. The word "Counseling" or the word "Counselor" shall appear in the title of the graduate degree submitted and the institution offering the degree shall state in the catalog or in another format acceptable to the Committee that the purpose of the graduate degree is to prepare students for the professional practice of counseling; and

ii. The applicant has completed a minimum of 60 graduate semester hours of which 45 graduate semester hours are distributed in at least eight of the following areas:

(1) Counseling theory and practice, which includes the study of basic theories, principles and techniques of counseling and their application to professional counseling settings;

(2) The helping relationship, which includes studies that provide a broad understanding of philosophic bases of helping processes, basic and advanced helping skills, consultation theories and their applications, client and helper self-understanding and self-development and facilitation or client change;

(3) Human growth and development and maladaptive behavior, which includes studies that provide a broad understanding of the nature and needs of individuals at all developmental levels, normal and abnormal behavior, personality theory, life-span theory, and learning theory within cultural contexts;

(4) Lifestyle and career development, which include studies that provide a broad understanding of career development theories, occupational and educational information sources and systems, career and leisure counseling, guidance and education, lifestyle and career decision-making, career development program planning, resources, and career option identification;

(5) Group dynamics, processes, counseling and consulting, which include studies that provide a broad understanding of group development dynamics, group counseling theories, group leadership styles, basic and advanced group counseling methods and skills, and other group approaches;

(6) Appraisal of individuals, which includes studies that provide a broad understanding of group and individual educational and psychometric theories and approaches to appraisal, data and information gathering methods, validity and reliability, psychometric statistics, factors that influence appraisals, use of appraisal results in helping process and the specific ability to administer and interpret tests and inventories to assess abilities and interests and identify career options;

(7) Social and cultural foundations, which include studies that provide a broad understanding of societal changes and trends, human roles, societal subgroups, social mores and interaction patterns, multicultural and pluralistic trends, differing lifestyles, and major societal concerns including stress, person abuse, substance abuse, discrimination and methods of alleviating these concerns;

(8) Research and evaluation, which include studies that provide a broad understanding of types of research, basic statistics, research-report development, research implementation, program evaluation, needs

assessment, publication of research information and ethical and legal considerations; and

(9) The counseling profession, which includes studies that provide a broad understanding of professional roles and functions, professional goals and objectives, professional organizations and associations, professional history and trends, ethical and legal standards, professional preparation standards and professional credentialing.

(b) An applicant shall be required to submit documentation that the coursework he or she has completed meets the education requirements set forth in (a) above, if the official transcript has not been issued by an educational institution, which at the time of the applicant's graduation:

1. Was accredited by the Council for the Accreditation of Counseling and Related Educational Programs (CACREP) or its successor; or

2. Had obtained program approval from the Committee, after its review of documentation, including course descriptions and syllabi, demonstrating that the curriculum meets the requirements set forth in (a) above.

New Rule, R.2004 d.158, effective April 19, 2004.

See: 35 N.J.R. 5228(a), 36 N.J.R. 1943(a).

Amended by R.2009 d.301, effective October 5, 2009.

See: 41 N.J.R. 1946(a), 41 N.J.R. 3813(a).

Rewrote the introductory paragraph of (a)3, (a)3i and the introductory paragraph of (a)3ii; in (a)3ii(2), deleted a comma following "self-development" and substituted "client" for "consultee"; and added (b).

Amended by R.2011 d.286, effective December 5, 2011.

See: 43 N.J.R. 1414(a), 43 N.J.R. 3191(a).

Rewrote (b).

13:34-11.6 Associate counselor: examination requirements

(a) In addition to the requirements listed in N.J.A.C. 13:34-11.5, an applicant for licensure as an associate counselor shall submit proof to the Committee that the applicant has successfully passed the National Counselor Examination (NCE), or its successor, administered by the National Board for Certified Counselors (NBCC) or its successor.

(b) The applicant shall only be admitted to the NCE upon receipt of written permission from the Committee following the Committee's review of the applicant's coursework, unless the NCE is taken as part of the applicant's graduate degree program or in another state pursuant to that state's examination requirements.

New Rule, R.2004 d.158, effective April 19, 2004.

See: 35 N.J.R. 5228(a), 36 N.J.R. 1943(a).

Amended by R.2009 d.301, effective October 5, 2009.

See: 41 N.J.R. 1946(a), 41 N.J.R. 3813(a).

Inserted designation (a); in (a), substituted "Committee" for "Board" and "Counselor" for "Counselors" and inserted "(NCE), or its successor,"; and added (b).

13:34-11.7 Payment of licensing fee; abandonment of application

(a) An applicant for licensure shall submit the licensing fee set forth in N.J.A.C. 13:34-17.1 upon receipt of notification from the Committee that his or her application for licensure has been approved. Failure to submit the licensing fee within six months following the date of notification from the Committee shall result in the application for licensure being deemed abandoned.

(b) An applicant for licensure whose application has been deemed abandoned pursuant to (a) above shall submit a new application for licensure to the Committee and shall comply with all application requirements in this subchapter.

New Rule, R.2009 d.301, effective October 5, 2009.
See: 41 N.J.R. 1946(a), 41 N.J.R. 3813(a).

13:34-11.8 Professional counselor: credit towards licensure for education, training, and experience received while serving as a member of the Armed Forces

(a) An applicant who has served in the Armed Forces of the United States (Armed Forces) and who does not meet all of the training, education, and experience requirements for licensure under N.J.A.C. 13:34-11.2 and 11.3 may apply to the Committee for recognition of the applicant's training, education, or experience received while serving as a member of the Armed Forces, which the Committee shall consider, together with any training, education, and experience obtained outside of the Armed Forces, for determining substantial equivalence to the training, education, and experience required for licensure.

(b) The Board shall issue a license as a professional counselor to the applicant, if the applicant presents evidence to the Committee that:

1. The applicant has been honorably discharged from active military service;

2. The relevant training, experience, and education the applicant received in the military, together with any training, education, and experience obtained outside of the Armed Forces, is substantially equivalent in scope and character to the training, experience, and education required for licensure under N.J.A.C. 13:34-11.2 and 11.3.

i. An applicant seeking credit for military training and experience shall submit to the Committee the applicant's Verification of Military Experience and Training (VMET) Document, DD Form 2586.

ii. An applicant seeking credit for education courses and/or training completed while in the military, who does not hold a master's degree or a doctorate in counseling as described in N.J.A.C. 13:34-11.2, shall submit to the Committee a Joint Services Transcript of his or her education for a determination that the education

courses and/or training completed are substantially equivalent in level, scope, and intent to a master's degree or a doctorate in counseling as described and required for licensure under N.J.A.C. 13:34-11.2. For the purpose of determining substantial equivalence of the applicant's military education and/or training, the Committee shall consider only those courses relevant to the practice of counseling that have been evaluated by the American Council on Education for substantial equivalence to civilian postsecondary curricula; and

3. The applicant complies with all other requirements for licensure as a professional counselor, including successful completion of the National Counselor Examination (NCE) or its successor, administered by the National Board for Certified Counselors (NBCC) or its successor, as set forth in N.J.A.C. 13:34-11.4.

(c) It is the applicant's responsibility to provide timely and complete evidence of the education, training, and experience gained in the military for review and consideration.

(d) If the applicant's military training, education, and experience, or a portion thereof, is not deemed to be substantially equivalent to that required for licensure as a professional counselor, the Committee shall credit whatever portion of the military training, education, and experience that is substantially equivalent towards meeting the requirements under N.J.A.C. 13:34-11.2 and 11.3 for the issuance of the license as a professional counselor.

(e) Satisfactory evidence of such education, training, and experience shall be assessed on a case-by-case basis.

New Rule, R.2015 d.110, effective July 6, 2015.
See: 46 N.J.R. 2262(a), 47 N.J.R. 1637(a).

13:34-11.9 Associate counselor: credit towards licensure for education, training, and experience received while serving as a member of the Armed Forces

(a) An applicant who has served in the Armed Forces of the United States (Armed Forces) and who does not meet all of the training, education, and experience requirements for licensure under N.J.A.C. 13:34-11.5 may apply to the Committee for recognition of the applicant's training, education, or experience received while serving as a member of the Armed Forces, which the Committee shall consider together with any training, education, and experience obtained outside of the Armed Forces, for determining substantial equivalence to the training, education, and experience required for licensure.

(b) The Board shall issue a license as an associate counselor to the applicant, if the applicant presents evidence to the Committee that:

1. The applicant has been honorably discharged from active military service;

2. The relevant training, experience, and education the applicant has received in the military, together with any training, education, and experience obtained and outside of the Armed Forces, is substantially equivalent in scope and character to the training, education, and experience required for licensure under N.J.A.C. 13:34-11.5.

i. An applicant seeking credit for military training and experience shall submit to the Committee the applicant's Verification of Military Experience and Training (VMET) Document, DD Form 2586.

ii. An applicant seeking credit for education courses and/or training completed while in the military, who does not hold a master's degree or a doctorate in counseling as described in N.J.A.C. 13:34-11.5, shall submit to the Committee a Joint Services Transcript of his or her education/training for a determination that the education courses and/or training completed are substantially equivalent in level, scope, and intent to a master's degree or a doctorate in counseling, as described and required for licensure under N.J.A.C. 13:34-11.5. For the purpose of determining substantial equivalence of the applicant's military education and/or training, the Committee shall consider only those courses relevant to the practice of counseling that have been evaluated by the American Council on Education for substantial equivalence to civilian postsecondary curricula; and

3. The applicant complies with all other requirements for licensure as an associate counselor, including successful completion of the National Counselor Examination

(NCE) or its successor, administered by the National Board for Certified Counselors (NBCC) or its successor, as set forth in N.J.A.C. 13:34-11.6.

(c) It is the applicant's responsibility to provide timely and complete evidence of the education, training, and experience gained in the military for review and consideration.

(d) If the applicant's military training, education, and experience, or a portion thereof, is not deemed to be substantially equivalent to that required for licensure, the Committee shall credit whatever portion of the military training, education, and experience that is substantially equivalent towards meeting the requirements under N.J.A.C. 13:34-11.5 for the issuance of the license as an associate counselor.

(e) Satisfactory evidence of such education, training or service shall be assessed on a case-by-case basis.

New Rule, R.2015 d.110, effective July 6, 2015.
See: 46 N.J.R. 2262(a), 47 N.J.R. 1637(a).

SUBCHAPTER 12. PROFESSIONAL COUNSELORS: LICENSURE BY ENDORSEMENT

13:34-12.1 Licensure by endorsement

(a) Applicants licensed to practice professional counseling by a professional counseling licensing board in the United

States may apply to the Committee for a license by endorsement as a licensed professional counselor. Applicants shall have been engaged in active licensed practice for a period of three years immediately preceding the date of application and shall satisfy the requirements of this section.

(b) Applicants for licensure by endorsement shall register with the National Credentials Registry or its successor, approved by the American Association of State Counseling Boards (AASCB).

(c) An applicant for licensure by endorsement shall hold a master's degree or doctorate in counseling from a counseling program accredited by the Council for the Accreditation of Counseling and Related Educational Programs (CACREP). The word "Counseling" or the word "Counselor" shall appear in the title of the graduate degree awarded and the institution offering the degree shall state in the catalog or in another format acceptable to the Committee that the purpose of the graduate degree is to prepare students for the professional practice of counseling. The degree shall consist of at least 60 semester hours or 80 quarter hours of clinical and didactic instruction, including a course in human sexuality and a course in substance abuse.

(d) If an applicant for licensure by endorsement has a master's degree or doctorate in counseling from a regionally accredited program related to the practice of counseling that is not accredited by CACREP, the word "Counseling" or the word "Counselor" shall appear in the title of the graduate degree awarded and the institution offering the degree shall state in the catalog or in another format acceptable to the Committee that the purpose of the graduate degree is to prepare students for the professional practice of counseling. The applicant shall establish that the coursework and practicum, internship, and/or fieldwork for the program consists of at least 60 semester hours or 80 quarter hours, and is consistent with the following minimum requirements:

1. Thirty-three semester hours or 44 quarter hours of graduate coursework, which shall include a minimum of three semester hours or four quarter hours of graduate-level coursework in each of the following 11 content areas: counseling theories and practice; human growth and development; diagnosis and treatment of psychopathology; human sexuality; group theories and practice; individual evaluation and assessment; career and lifestyle assessment; research and program evaluation; social and cultural foundations; counseling in community settings; and substance abuse. Courses in research, thesis or dissertation work, practicums, internships or fieldwork may not be applied toward this requirement; and

2. Three semester hours or four quarter hours of graduate-level coursework in legal, ethical and professional standards in the practice of mental health counseling, which includes goals, objectives and practices of professional counseling organizations, codes of ethics, legal considerations, standards of preparation, certifications and licensing and the role identity and professional obligations

of mental health counselors. Courses in research, thesis or dissertation work, practicums, internships or fieldwork may not be applied toward this requirement; and

(e) An applicant for licensure by endorsement shall have 4,500 hours of work experience obtained over a period of time between three and six years.

(f) An applicant for licensure by endorsement shall have passed either the National Counselor Examination (NCE) or the Clinical Mental Health Counseling Examination (CMHCE).

Administrative correction.
Sec: 42 N.J.R. 1741(b).

SUBCHAPTER 13. ASSOCIATE COUNSELORS: SUPERVISION

13:34-13.1 Supervisor qualifications; supervisor responsibilities

(a) A qualified supervisor, as defined in N.J.A.C. 13:34-10.2, shall meet the following requirements prior to supervising the provision of professional counseling services:

1. The individual shall have obtained 3,000 hours of work experience subsequent to holding a clinical license to provide mental health counseling services. The 3,000 hours shall have been obtained over a minimum of two years, but no more than six years; and

2. On or after October 5, 2011, the individual shall hold an approved clinical supervisor credential from the Center for Credentialing and Education of the National Board for Certified Counselors (NBCC) or an equivalent clinical supervisor credential recognized by the individual's respective professional healthcare licensing board, if applicable, or shall have completed a minimum of three graduate credits in clinical supervision from a regionally accredited institution of higher education.

(b) A qualified supervisor shall be responsible for creating a written supervision plan with the licensed associate counselor. The supervision plan shall outline the work setting, the licensed associate counselor's job description, including the nature of his or her duties and his or her qualifications and the supervisor's responsibilities and qualifications. Supervision may be provided through live observation or through the review of videotapes, audiotapes and/or self-reporting of sessions with clients, consistent with the requirements of (d) below.

(c) The written supervision plan shall be approved by the Committee prior to the performance of counseling by the licensed associate counselor.

(d) A qualified supervisor shall perform and document the following activities with the licensed associate counselor:

1. The supervisor shall perform at least one of the following activities with the licensed associate counselor:

- i. Work as a co-counselor with the licensed associate counselor;
- ii. Observe the licensed associate counselor's sessions with clients;
- iii. View videotapes of the licensed associate counselor's session with clients; or
- iv. Listen to audiotapes of the licensed associate counselor's session with clients;

2. The supervisor shall perform at least one of the following activities with the licensed associate counselor:

- i. React to case presentations given by the licensed associate counselor; or
- ii. Conduct role-playing sessions with the licensed associate counselor; and

3. The supervisor shall perform all of the following activities:

- i. Engage in problem-solving discussions with the licensed associate counselor concerning individual clients;
- ii. Enter into problem-solving discussions concerning the licensed associate counselor's own problems that affect the licensed associate counselor's work with clients;
- iii. Offer feedback to the licensed associate counselor concerning specific interventions utilized with clients;
- iv. Offer feedback to the licensed associate counselor concerning the licensed associate counselor's personal qualities as they affect work with clients; and
- v. Offer feedback to the licensed associate counselor concerning the supervision experience.

(e) A qualified supervisor shall maintain all documentation with respect to the supervision provided to licensed associate counselors for a minimum of three years. A qualified supervisor shall attest to compliance with the supervision requirements of this section by completing all forms provided by the Committee.

(f) A qualified supervisor shall not supervise more than a total of six mental health counselors at any one time.

(g) Prior to a licensed associate counselor'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 an associate counselor under the supervision of a professional counselor or a qualified supervisor as defined in N.J.A.C. 13:34-10.2. 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 shall be easily

readable, clearly understood, signed by the client and retained as part of the client record.

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

(i) A qualified supervisor shall be responsible for knowing the name and either the diagnosis or the nature of the problem of each client being treated by the licensed associate counselor. A supervisor shall be ultimately responsible for the welfare of the client with respect to the treatment being rendered by the licensed associate counselor.

(j) A qualified supervisor shall ensure that the licensed associate counselor maintains, on an annual basis until the licensed associate counselor 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 this section and shall indicate the hours and dates during which the licensed associate counselor has been under supervision, the nature of the cases assigned and the proficiency rating earned by the licensed associate counselor.

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

(l) A qualified 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, current employers, relatives of the supervisor, immediate relatives of current clients, current students or close friends.

Recodified from N.J.A.C. 13:34-13.2 and amended by R.2004 d.158, effective April 19, 2004.

See: 35 N.J.R. 5228(a), 36 N.J.R. 1943(a).

Former N.J.A.C. 13:34-13.1, Definitions; supervised experience required for licensure, repealed. Deleted (a) and (b); recodified former (c) through (h) as (a) through (f); in (a), amended the N.J.A.C. reference; in (f), deleted "current and former employees" preceding "or close friends", in the last sentence.

Amended by R.2009 d.301, effective October 5, 2009.

See: 41 N.J.R. 1946(a), 41 N.J.R. 3813(a).

Section was "Responsibilities of supervisor". Rewrote the section.

13:34-13.2 Responsibilities of licensed associate counselors

(a) The licensed associate counselor shall maintain documentation of supervised experience for each 52 week period of supervised experience until the licensed associate counselor is licensed as a professional counselor.

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

(b) A professional counselor who seeks a waiver of the continuing education requirements shall provide to the Committee, in writing, the specific reasons for requesting the waiver and such additional documentation as the Committee may request in support of the waiver.

SUBCHAPTER 16. (RESERVED)

SUBCHAPTER 17. PROFESSIONAL COUNSELORS AND ASSOCIATE COUNSELORS: 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. Certification of licensure..... \$40.00
9. Certification 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.
 Amended by R.2004 d.158, effective April 19, 2004.
 See: 35 N.J.R. 5228(a), 36 N.J.R. 1943(a).
 In (a), substituted "Certification" for "Verification" in 8 and 9.

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, which shall include:

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, if 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);
14. A prognosis;
15. The client identity on each page;
16. Fees charged and paid;
17. The identity of each provider of treatment, evaluation or consultation (and supervisor, if any);

18. If services are rendered by an associate counselor, the written disclosure form signed by the client; and

19. Information regarding referrals to other professionals.

(d) The client record shall contain the written disclosure form required pursuant to N.J.A.C. 13:34-13.2(b) and reports and records provided by other professionals and integrated into the client's treatment, evaluation or consultation report.

(e) A licensee may make corrections or additions to an existing record provided that each change is clearly identified as such, dated and initialed by the licensee. Any other alteration of records shall be deemed professional misconduct.

(f) When records are to be maintained as confidential, the licensee shall establish and maintain a procedure to protect such records from access by unauthorized persons.

(g) The licensee shall retain the permanent client record for at least seven years from the date of last entry, unless otherwise provided by law.

(h) The licensee shall establish procedures for maintaining the confidentiality of client records in the event of the licensee's relocation, retirement or death and shall establish reasonable procedures to assure the preservation of client records in the event of the licensee's separation from a group practice.

(i) Subsections (f) through (h) above shall not apply to a licensee employed in an agency setting which does not, by agency policy, have control over client records.

Amended by R.2009 d.301, effective October 5, 2009.

See: 41 N.J.R. 1946(a), 41 N.J.R. 3813(a).

In the introductory paragraph of (c), substituted "which shall include" for "for example"; and in (c)7, inserted ", if".

13:34-18.2 Use of personal or other computer to prepare client records

(a) A licensee who prepares a client record maintained solely on a personal or other computer shall use a write-protected program which:

1. Contains an internal permanently activated date and time recordation for all entries;

2. Automatically prepares a back-up copy of the file; and

3. Is designed in such manner that, after the licensee "signs" by means of a confidential personal code ("CPC"), the entry cannot be changed in any manner.

(b) Notwithstanding the permanent status of a prior entry, the licensee may make a new entry at any time and may indicate correction to a prior entry.

(c) The licensee shall include in the client record at least two forms of identification; for example, name and record number or any other specific identifying information.

(d) The licensee shall finalize or "sign" the entry by means of a CPC. Where more than one individual is authorized to make entries into the computer file of any client record, the licensee responsible for the practice shall assure that each person obtains a CPC and uses the program in the same manner.

(e) A licensee wishing to continue a system of computerized client records which does not meet the requirements of this section shall initiate arrangements for modification of the system, which must be completed by February 17, 2000. In the interim, the licensee shall, on the date of the first treatment of each client subsequent to February 17, 2000, print out a hard copy of the entire computer recorded client record. The printout shall be dated and initialed by the licensee. Thereafter, a hard copy shall be prepared for each subsequent visit, continuing to the date of the change over of computer program, with each page initialed by the licensee. The initial printout and the subsequent hard copies shall be retained as a permanent part of the client record.

13:34-18.3 Access to copy of client record

(a) For purposes of this section, "authorized representative" means, but is not necessarily limited to, a person designated by the client or a court to exercise rights under this section. An authorized representative may be the client's attorney or an agent of a third-party payor with whom the client has a contract, which provides that the third party be given access to records to assess a claim for monetary damages or reimbursement.

(b) A licensee may require the record request to be in writing. The licensee shall provide a copy of the client record and/or billing records, including reports relating to the client, no later than 30 days from receipt of a request from a client or duly authorized representative. Limitations on this requirement are set forth in (g) below and in N.J.A.C. 13:34-18.5.

(c) Unless otherwise required by law, the licensee may elect to provide a summary of the record, as long as the summary adequately and accurately reflects the client's history and treatment.

(d) A licensee may charge a reasonable fee for the preparation of a summary and reproduction of records, which shall be no greater than an amount reasonably calculated to recoup the costs of transcription or copying.

(e) The licensee's obligation hereunder to release information shall include the obligation to complete forms or reports required for third party reimbursement of client treatment expenses. The licensee may charge reasonable fees for completion of reports other than health insurance claim forms, for which no fee may be charged pursuant to N.J.S.A. 45:1-12.