

**CHAPTER 34**

**BOARD OF MARRIAGE AND  
FAMILY THERAPY EXAMINERS**

**Authority**

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

**Source and Effective Date**

R.2009 d.301, effective September 10, 2009.  
See: 41 N.J.R. 1946(a), 41 N.J.R. 3813(a).

**Chapter Expiration Date**

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 34, Board of Marriage and Family Therapy Examiners, expires on September 10, 2016. See: 43 N.J.R. 1203(a).

**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: 30 N.J.R. 2987(a), 30 N.J.R. 4058(a).

Chapter 34, Board of Marriage Counselor Examiners, was renamed Board of Marriage and Family Therapy Examiners by administrative change, effective February 16, 1999. See: 31 N.J.R. 547(b).

Subchapter 15, Continuing Education, was adopted as R.2003 d.190, effective May 5, 2003. See: 34 N.J.R. 3682(a), 35 N.J.R. 1932(a).

Subchapter 24, Continuing Education, was adopted as R.2003 d.191, effective May 5, 2003. See: 34 N.J.R. 3686(a), 35 N.J.R. 1934(a).

Subchapter 8, Continuing Education, were adopted as R.2003 d.398, effective October 6, 2003. See: 35 N.J.R. 2831(a), 35 N.J.R. 4722(c).

Chapter 34, Board of Marriage and Family Therapy Examiners, was readopted as R.2004 d.158, effective March 22, 2004. As a part of R.2004 d.158, Subchapter 12, Professional Counselors: Licensure Until February 12, 1999 and Subchapter 22, Rehabilitative Counselors: Licensure Until February 12, 1999 were repealed; and Subchapter 29, Professional Counselors, Associate Counselors and Rehabilitation Counselors: Advertising and Subchapter 30, Professional Counselors, Associate Counselors and Rehabilitation Counselors: Business Practices; Professional Conduct, were adopted as new rules, effective April 19, 2004. See: 35 N.J.R. 5228(a), 36 N.J.R. 1943(a).

Subchapter 4, Applicant Qualifications: Board-Approved Examinations, was renamed Requirements for Licensure; Application Procedures by R.2008 d.56, effective March 17, 2008. As a part of R.2008 d.56, Subchapter 5, Temporary Permit Holders and Qualified Supervisors, was adopted as new rules; and former Subchapters 5 through 8 were re-codified as Subchapters 6 through 9. See: 39 N.J.R. 840(a), 40 N.J.R. 1674(a).

Chapter 34, Board of Marriage and Family Therapy Examiners, was readopted as R.2009 d.301, effective September 10, 2009. As a part of R.2009 d.301, Subchapter 12, Professional Counselors: Licensure By Endorsement, was adopted as new rules, Subchapter 15, Continuing Education, was renamed Professional Counselors and Associate Counselors: Continuing Education; Subchapter 17, Fees, was renamed Professional Counselors and Associate Counselors: Fees; Subchapter 24, Continuing Education, was renamed Rehabilitation Counselors: Continuing Education; and Subchapter 26, Fees, was renamed Rehabilitation Counselors: Fees, effective October 5, 2009. See: Source and Effective Date. See, also, section annotations.

Subchapter 9A, Custody/Parenting Time Evaluations and/or Termination of Parental Rights Evaluations, and Subchapter 31, Professional Counselors: Custody/Parenting Time Evaluations and/or Termination of Parental Rights Evaluations, were adopted as new rules by R.2014 d.053, effective April 7, 2014. See: 45 N.J.R. 435(a), 46 N.J.R. 629(a).

**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. GENERAL PROVISIONS**

- 13:34-1.1 License fees and charges
- 13:34-1.2 Scope of practice
- 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
- 13:34-1.8 Notification of address; service of process
- 13:34-1.9 Notification of change of name
- 13:34-1.10 License renewal; active/inactive status
- 13:34-1.11 Reinstatement

**SUBCHAPTER 2. PROFESSIONAL MISCONDUCT**

- 13:34-2.1 Misconduct defined
- 13:34-2.2 Professional interactions with clients

**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 Advertising by unlicensed persons
- 13:34-3.5 through 13:34-3.7 (Reserved)

**SUBCHAPTER 4. REQUIREMENTS FOR LICENSURE;  
APPLICATION PROCEDURES**

- 13:34-4.1 Requirements for licensure; licensure procedure
- 13:34-4.2 Educational requirements for licensure
- 13:34-4.3 Experiential requirements for licensure
- 13:34-4.4 Licensure by credentials

**SUBCHAPTER 5. TEMPORARY PERMIT HOLDERS AND  
QUALIFIED SUPERVISORS**

- 13:34-5.1 Definitions
- 13:34-5.2 Temporary permit application procedure
- 13:34-5.3 Responsibilities of qualified supervisors
- 13:34-5.4 Responsibilities of permit holders
- 13:34-5.5 through 13:34-5.7 (Reserved)

**SUBCHAPTER 6. GENERAL OBLIGATIONS OF A LICENSEE**

- 13:34-6.1 Financial arrangements with clients
- 13:34-6.2 Conflicts of interest
- 13:34-6.3 Termination of service
- 13:34-6.4 Sexual misconduct and harassment
- 13:34-6.5 Reporting of violations by other licensees
- 13:34-6.6 Prohibition on solicitation; unethical referrals and kick-backs
- 13:34-6.7 Prohibition on excessive fees
- 13:34-6.8 (Reserved)

**SUBCHAPTER 7. ADVERTISING**

- 13:34-7.1 Definitions
- 13:34-7.2 Advertising; general requirements
- 13:34-7.3 Minimum content
- 13:34-7.4 Use of professional credentials and certifications
- 13:34-7.5 Advertisements regarding fees; required disclosures
- 13:34-7.6 Prohibited types or methods of advertising
- 13:34-7.7 Use of testimonials
- 13:34-7.8 Retention of advertisements

**SUBCHAPTER 8. CLIENT RECORDS; CONFIDENTIALITY**

- 13:34-8.1 Preparation and maintenance of client records
- 13:34-8.2 Use of personal or other computer to prepare client records
- 13:34-8.3 Confidentiality

**SUBCHAPTER 9. CONTINUING EDUCATION**

- 13:34-9.1 Continuing education requirement for license renewal
- 13:34-9.2 Contact hour requirement for licensed marriage and family therapists
- 13:34-9.3 Approval of continuing education programs and courses
- 13:34-9.4 Contact hour calculations
- 13:34-9.5 Documentation of continuing education credit
- 13:34-9.6 Waiver of continuing education requirements

**SUBCHAPTER 9A. CUSTODY/PARENTING TIME EVALUATIONS AND/OR TERMINATION OF PARENTAL RIGHTS EVALUATIONS**

- 13:34-9A.1 Purpose and scope
- 13:34-9A.2 Qualifications
- 13:34-9A.3 Dual relationships
- 13:34-9A.4 Communications
- 13:34-9A.5 Required disclosures
- 13:34-9A.6 Fees
- 13:34-9A.7 Reports and recommendations

**SUBCHAPTER 10. PROFESSIONAL COUNSELORS AND ASSOCIATE COUNSELORS: PURPOSE AND SCOPE; DEFINITIONS; SCOPE OF PRACTICE**

- 13:34-10.1 Purpose and scope
- 13:34-10.2 Definitions
- 13:34-10.3 Scope of practice; professional counselor and associate counselor

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

- 13:34-11.1 (Reserved)
- 13:34-11.2 Professional counselor: application and educational requirements
- 13:34-11.3 Professional counselor: experience requirements
- 13:34-11.4 Professional counselor: examination requirements
- 13:34-11.5 Associate counselor: application and educational requirements
- 13:34-11.6 Associate counselor: examination requirements
- 13:34-11.7 Payment of licensing fee; abandonment of application

**SUBCHAPTER 12. PROFESSIONAL COUNSELORS: LICENSURE BY ENDORSEMENT**

- 13:34-12.1 Licensure by endorsement

**SUBCHAPTER 13. ASSOCIATE COUNSELORS: SUPERVISION**

- 13:34-13.1 Supervisor qualifications; supervisor responsibilities
- 13:34-13.2 Responsibilities of licensed associate counselors
- 13:34-13.3 Supervised professional counseling experience acquired prior to application
- 13:34-13.4 (Reserved)

**SUBCHAPTER 14. PROFESSIONAL COUNSELOR SPECIALTY DESIGNATIONS**

- 13:34-14.1 Specialty designations
- 13:34-14.2 Clinical mental health counselor

**SUBCHAPTER 15. PROFESSIONAL COUNSELORS AND ASSOCIATE COUNSELORS: CONTINUING EDUCATION**

- 13:34-15.1 License renewal and continuing education requirement
- 13:34-15.2 Contact-hour requirements for licensed professional counselors
- 13:34-15.3 Contact-hour requirements for licensed professional counselors with a specialty permit
- 13:34-15.4 Approval of courses or programs
- 13:34-15.5 Continuing education credits and contact-hour calculation
- 13:34-15.6 Documentation of continuing education credit
- 13:34-15.7 Waiver of continuing education requirements

**SUBCHAPTER 16. (RESERVED)**

**SUBCHAPTER 17. PROFESSIONAL COUNSELORS AND ASSOCIATE COUNSELORS: FEES**

- 13:34-17.1 Fees

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

- 13:34-18.1 Preparation and maintenance of client records
- 13:34-18.2 Use of personal or other computer to prepare client records
- 13:34-18.3 Access to copy of client record
- 13:34-18.4 Access by a managed health care plan to information in client record
- 13:34-18.5 Confidentiality
- 13:34-18.6 Minors
- 13:34-18.7 Transfer or disposal of records

**SUBCHAPTER 19. PROFESSIONAL COUNSELORS AND ASSOCIATE COUNSELORS: GENERAL OBLIGATIONS OF A LICENSEE**

- 13:34-19.1 Posting of practice authorization and notification of availability of fee information
- 13:34-19.2 Notification of change of address or name; service of process; duty to notify
- 13:34-19.3 Sexual misconduct
- 13:34-19.4 Real estate arrangements
- 13:34-19.5 License renewal; active/inactive status
- 13:34-19.6 Reinstatement

**SUBCHAPTER 20. REHABILITATION COUNSELORS: PURPOSE AND SCOPE; DEFINITIONS; SCOPE OF PRACTICE**

- 13:34-20.1 Purpose and scope
- 13:34-20.2 Definitions
- 13:34-20.3 Scope of practice; rehabilitation counselor

SUBCHAPTER 21. REHABILITATION COUNSELORS: APPLICATION PROCEDURE; DEFINITIONS

- 13:34-21.1 (Reserved)
13:34-21.2 Rehabilitation counselor: application and educational requirements
13:34-21.3 Rehabilitation counselor: experience requirements
13:34-21.4 Rehabilitation counselor: examination requirements
13:34-21.5 Payment of licensing fee; abandonment of application

SUBCHAPTER 22. (RESERVED)

SUBCHAPTER 23. REHABILITATION COUNSELORS: SUPERVISION

- 13:34-23.1 Supervisor qualifications; supervisor responsibilities
13:34-23.2 Responsibilities of supervisee
13:34-23.3 Supervised rehabilitation counseling experience acquired prior to application
13:34-23.4 (Reserved)

SUBCHAPTER 24. REHABILITATION COUNSELORS: CONTINUING EDUCATION

- 13:34-24.1 License renewal and continuing education requirement
13:34-24.2 Contact-hour requirements for licensed rehabilitation counselors
13:34-24.3 Approval of courses or programs
13:34-24.4 Continuing education credits and contact-hour calculation
13:34-24.5 Documentation of continuing education credit
13:34-24.6 Waiver of continuing education requirements

SUBCHAPTER 25. (RESERVED)

SUBCHAPTER 26. REHABILITATION COUNSELORS: FEES

- 13:34-26.1 Fees

SUBCHAPTER 27. REHABILITATION COUNSELORS: CLIENT RECORDS; CONFIDENTIALITY

- 13:34-27.1 Preparation and maintenance of client records
13:34-27.2 Use of personal or other computer to prepare client records
13:34-27.3 Access to copy of client record
13:34-27.4 Access by a managed health care plan to information in client record
13:34-27.5 Confidentiality
13:34-27.6 Minors
13:34-27.7 Transfer or disposal of records

SUBCHAPTER 28. REHABILITATION COUNSELORS: GENERAL OBLIGATIONS OF A LICENSEE

- 13:34-28.1 Posting of practice authorization and notification of availability of fee information
13:34-28.2 Notification of change of address or name; service of process; duty to notify
13:34-28.3 Sexual misconduct
13:34-28.4 Real estate arrangements
13:34-28.5 License renewal; active/inactive status
13:34-28.6 Reinstatement

SUBCHAPTER 29. PROFESSIONAL COUNSELORS, ASSOCIATE COUNSELORS AND REHABILITATION COUNSELORS: ADVERTISING

- 13:34-29.1 Definitions
13:34-29.2 Advertising; general requirements
13:34-29.3 Minimum content
13:34-29.4 Use of professional credentials and certifications
13:34-29.5 Prohibited types or methods of advertising
13:34-29.6 Retention of advertisements

SUBCHAPTER 30. PROFESSIONAL COUNSELORS, ASSOCIATE COUNSELORS AND REHABILITATION COUNSELORS: BUSINESS PRACTICES; PROFESSIONAL CONDUCT

- 13:34-30.1 Financial arrangements with clients
13:34-30.2 Clients served by others
13:34-30.3 Multiple clients
13:34-30.4 Conflicts of interest; dual relationships
13:34-30.5 Termination of services
13:34-30.6 Prohibition on solicitation; unethical referrals and kick-backs

SUBCHAPTER 31. PROFESSIONAL COUNSELORS: CUSTODY/PARENTING TIME EVALUATIONS AND/OR TERMINATION OF PARENTAL RIGHTS EVALUATIONS

- 13:34-31.1 Purpose and scope
13:34-31.2 Definitions
13:34-31.3 Qualifications
13:34-31.4 Dual relationships
13:34-31.5 Communications
13:34-31.6 Required disclosures
13:34-31.7 Fees
13:34-31.8 Reports and recommendations

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. Certification 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.

See: 33 N.J.R. 4199(a), 34 N.J.R. 1551(b).

In (a), decreased fees in 2 and 6.

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)3, substituted "Certification" for "Verification".

### 13:34-1.2 Scope of practice

Marriage and family therapy is a specialized field of psychotherapy, which includes premarital counseling and therapy, pre- and post-divorce counseling and therapy and family therapy that may be with couples, families or individuals. The practice of marriage and family therapy consists of the application of principles, methods and techniques of counseling and psychotherapy for the purpose of resolving psychological conflict, modifying perception and behavior, altering old attitudes and establishing new ones in the area of individual, marriage and family life. In its concern with the antecedents of marriage, with the vicissitudes of marriage and with the consequences of the failure of marriage, marriage and family therapy keeps in sight its objective of enabling clients to achieve the optimal adjustment consistent with their welfare as individuals, as members of a family and as citizens in society.

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

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

Repealed by R.2004 d.158, effective April 19, 2004.

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

Section was "Examination review procedure".

New Rule, R.2008 d.56, effective March 17, 2008.

See: 39 N.J.R. 840(a), 40 N.J.R. 1674(a).

Section was "Reserved".

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

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

Substituted "psychotherapy," for the second occurrence of "therapy", deleted a comma following "counseling and therapy", "vicissitudes of marriage" and "members of a family".

### 13:34-1.3 Office location

The offices of the Board shall be at 124 Halsey Street, Newark, New Jersey 07101. The mailing address of the Board is PO Box 45007, Newark, New Jersey 07101. The website of the Board is [www.state.nj.us/lps/ca/medical/familytherapy.htm](http://www.state.nj.us/lps/ca/medical/familytherapy.htm).

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.2009 d.301, effective October 5, 2009.

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

Inserted the second sentence.

### 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 and on the Board's website at [www.state.nj.us/lps/ca/medical/familytherapy.htm](http://www.state.nj.us/lps/ca/medical/familytherapy.htm).

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".

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

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

Inserted "and on the Board's website at [www.state.nj.us/lps/ca/medical/familytherapy.htm](http://www.state.nj.us/lps/ca/medical/familytherapy.htm)".

### 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, PO Box 45007, 124 Halsey Street, Newark, New Jersey 07101 and on the Board's website at [www.state.nj.us/lps/ca/medical/familytherapy.htm](http://www.state.nj.us/lps/ca/medical/familytherapy.htm).

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.

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

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

Substituted "PO" for "Post Office" and inserted "and on the Board's website at [www.state.nj.us/lps/ca/medical/familytherapy.htm](http://www.state.nj.us/lps/ca/medical/familytherapy.htm)".

### 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, PO Box 45007, 124 Halsey Street, Newark, New Jersey 07101, [www.state.nj.us/lps/ca/medical/familytherapy.htm](http://www.state.nj.us/lps/ca/medical/familytherapy.htm), or the New Jersey Division of Consumer Affairs, PO Box 45027, 124 Halsey Street, Newark, New Jersey 07101, [www.state.nj.us/lps/ca/comp.htm](http://www.state.nj.us/lps/ca/comp.htm).

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.

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

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

Substituted "PO" for "Post Office" twice and inserted "[www.state.nj.us/lps/ca/medical/familytherapy.htm](http://www.state.nj.us/lps/ca/medical/familytherapy.htm)" and "[www.state.nj.us/lps/ca/comp.htm](http://www.state.nj.us/lps/ca/comp.htm)".

**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).

**13:34-1.8 Notification of address; service of process**

(a) A licensee shall notify the Board in writing within 30 days of any change in the address on file with the Board and

shall specify whether the address is a residence or an employment address.

(b) Service of an administrative complaint or other process initiated by the Board, the Attorney General, or the Division of Consumer Affairs at the address on file with the Board shall be deemed adequate notice for the commencement of any inquiry or disciplinary proceeding.

(c) A licensee shall, within 30 days of receiving a notice of disciplinary action taken against the licensee in another juris-

(d) An applicant for licensure with a post-master's or doctoral degree shall complete one calendar year of marriage and family therapy experience after the applicant has earned the post-master's or doctoral degree.

New Rule, R.2008 d.56, effective March 17, 2008.

See: 39 N.J.R. 840(a), 40 N.J.R. 1674(a).

Former N.J.A.C. 13:34-4.3, Educational requirements, recodified to N.J.A.C. 13:34-4.2.

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

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

In the introductory paragraph of (b), substituted "An" for "In addition to the requirements listed in N.J.A.C. 13:34-4.2, an".

Amended by R.2013 d.134, effective November 18, 2013.

See: 44 N.J.R. 2352(a), 45 N.J.R. 2433(a).

In (a), added definition "Group supervision"; in the introductory paragraph of (b), inserted "establishing"; rewrote (b)1i and (b)1ii; in (b)1iii, substituted "maximum of 300 hours of" for "minimum of six hours per week in", and inserted a comma following "activities"; and rewrote (b)2.

#### 13:34-4.4 Licensure by credentials

The Board shall issue a license as a marriage and family therapist to an applicant who holds a current, active license or certification as a marriage and family therapist in another state, provided the licensing requirements in that state are substantially equivalent to the requirements set forth in this chapter.

New Rule, R.2009 d.301, effective October 5, 2009.

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

### SUBCHAPTER 5. TEMPORARY PERMIT HOLDERS AND QUALIFIED SUPERVISORS

#### 13:34-5.1 Definitions

Definitions of words and terms as used in this subchapter are set forth at N.J.A.C. 13:34-4.3(a).

New Rule, R.2008 d.56, effective March 17, 2008.

See: 39 N.J.R. 840(a), 40 N.J.R. 1674(a).

Former N.J.A.C. 13:34-5.1, Financial arrangements with clients, recodified to N.J.A.C. 13:34-6.1.

#### 13:34-5.2 Temporary permit application procedure

(a) Pursuant to N.J.S.A. 45:8B-6(e) and 18(a), prior to the Board's approval of a three-year temporary permit, the applicant shall satisfy the following requirements:

1. The applicant shall submit a completed permit application;
2. The applicant shall have satisfied the educational requirements set forth in N.J.A.C. 13:34-4.2. An official transcript documenting satisfaction of the educational requirements shall be sent to the Board directly from the accredited institution and shall indicate the degree awarded, the applicant's field of study and the specific courses completed toward the degree;

3. The applicant shall submit a clinical marriage and family therapy supervision plan, which shall include a detailed job description and the location(s) where client contact and supervision will occur;

4. The applicant shall submit the supervisor's resume or curriculum vitae, which shall document that the supervisor has no less than five full-time years of professional marriage and family therapy practice experience or the equivalent and holds either a current, active New Jersey license to practice as a marriage and family therapist or has satisfied the educational requirements set forth in N.J.A.C. 13:34-4.3;

5. The applicant shall submit his or her fingerprints and written consent for a criminal history record background check to be performed pursuant to N.J.S.A. 49:3-56(p) to determine whether criminal history record information exists, which may be considered by the Board in determining whether the applicant shall be licensed in the State; and

6. The applicant submits the permit application fee set forth in N.J.A.C. 13:34-1.1.

New Rule, R.2008 d.56, effective March 17, 2008.

See: 39 N.J.R. 840(a), 40 N.J.R. 1674(a).

Former N.J.A.C. 13:34-5.2, Conflicts of interest, recodified to N.J.A.C. 13:34-6.2.

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 section.

#### 13:34-5.3 Responsibilities of qualified supervisors

(a) A qualified supervisor shall not supervise more than six permit holders at one time.

(b) A qualified 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 permit holder under the supervision of a qualified supervisor.

(c) A qualified supervisor shall retain full professional responsibility for determining how fees are assessed and collected from clients.

(d) A qualified supervisor shall be ultimately responsible for the welfare of the client with respect to the treatment being rendered by the permit holder.

(e) A qualified supervisor is required to attest to compliance with supervision requirements by using forms provided by the Board. Documentation of supervision shall be filed with the Board by the qualified supervisor(s) every six months for evaluation of the permit holder's progress.

(f) A qualified supervisor shall not supervise a permit holder with whom the qualified supervisor has a relationship that may compromise the objectivity of or impair the professional judgment of, the qualified supervisor. Examples of inappropriate supervisory relationships include, but are not

limited to, current and former clients, relatives, current students, or close friends.

(g) A qualified supervisor who wishes to terminate or is unable to provide supervision during the training period shall give the permit holder and the Board two weeks written notice to enable the permit holder to obtain another qualified supervisor. A qualified supervisor may not terminate supervision when termination would result in abandonment of the permit holder or permit holder's clients.

(h) A qualified supervisor whose license has been actively suspended or revoked by any licensing board shall immediately notify this Board.

(i) If, during the period of supervision, the qualified supervisor's license is suspended or revoked, the qualified supervisor shall immediately notify the permit holder and immediately cease supervision. The applicant may be granted credit for hours completed prior to the disciplinary action.

New Rule, R.2008 d.56, effective March 17, 2008.

See: 39 N.J.R. 840(a), 40 N.J.R. 1674(a).

Former N.J.A.C. 13:34-5.3, Termination of service, recodified to N.J.A.C. 13:34-6.3.

#### 13:34-5.4 Responsibilities of permit holders

(a) Documentation of supervision shall be filed with the Board by the permit holder every six months for evaluation of the permit holder's progress.

(b) A permit holder shall not engage in unsupervised or independent practice. A permit holder's clients shall include only those who have been approved, in advance, by the qualified supervisor(s).

(c) A permit holder may be compensated only through the qualified supervisor or the employing entity.

(d) A permit holder shall ensure that his or her qualified supervisor files the evaluations required by the Board every six months.

New Rule, R.2008 d.56, effective March 17, 2008.

See: 39 N.J.R. 840(a), 40 N.J.R. 1674(a).

Former N.J.A.C. 13:34-5.4, Sexual conduct and harassment, recodified to N.J.A.C. 13:34-6.4.

#### 13:34-5.5 (Reserved)

Recodified to N.J.A.C. 13:34-6.5 by R.2008 d.56, effective March 17, 2008.

See: 39 N.J.R. 840(a), 40 N.J.R. 1674(a).

Section was "Reporting of violations by other licensees".

#### 13:34-5.6 (Reserved)

Recodified to N.J.A.C. 13:34-6.6 by R.2008 d.56, effective March 17, 2008.

See: 39 N.J.R. 840(a), 40 N.J.R. 1674(a).

Section was "Prohibition on solicitation; unethical referrals and kick-backs".

#### 13:34-5.7 (Reserved)

Recodified to N.J.A.C. 13:34-6.7 by R.2008 d.56, effective March 17, 2008.

See: 39 N.J.R. 840(a), 40 N.J.R. 1674(a).

Section was "Prohibition on excessive fees".

### SUBCHAPTER 6. GENERAL OBLIGATIONS OF A LICENSEE

#### 13:34-6.1 Financial arrangements with clients

(a) Fees for marriage and family therapy services shall be reasonable and commensurate with the status and experience of a licensee consistent with the provisions of N.J.A.C. 13:34-6.7 prohibiting excessive fees.

(b) When an appropriate fee schedule cannot be arranged, or the payment of the usual fee would be a hardship, a licensee shall refer the client to other sources for the provision of needed services.

(c) A licensee providing marriage and family therapy services shall provide and maintain a written list of current fees for standard services and shall provide the list to a client prior to the commencement of services.

(d) Before engaging in a clinical relationship, a licensee shall assist a client to understand financial arrangements. The information provided to the client shall include at least the following:

1. The fee for services or the basis for determining the fee to be charged;
2. Whether the licensee will accept installment payments or assignments from a third party payor;
3. That insurance coverage may not be available in all circumstances; and
4. The financial consequences, if any, of missed appointments.

Recodified from N.J.A.C. 13:34-5.1 and amended by R.2008 d.56, effective March 17, 2008.

See: 39 N.J.R. 840(a), 40 N.J.R. 1674(a).

In (a), updated the N.J.A.C. reference. Former N.J.A.C. 13:34-6.1, Definitions, recodified to N.J.A.C. 13:34-7.1.

#### 13:34-6.2 Conflicts of interest

(a) A licensee providing marriage and family therapy services shall not enter into any relationship that would be expected to limit objectivity and impair professional judgment or increase the risk of exploitation. Examples of such relationships include, but are not limited to, the following: professional treatment of employees, tenants, students, supervisees, close friends, spouses, or relatives.

(b) A licensee who has identified a conflict of interest shall notify the parties involved and shall take action to eliminate the conflict.

**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).

---

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

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); and added (b).

### 13:34-21.5 Payment of licensing fee; abandonment of application

(a) An applicant for licensure shall submit the licensing fee set forth in N.J.A.C. 13:34-26.1 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).

---

## SUBCHAPTER 22. (RESERVED)

---

## SUBCHAPTER 23. REHABILITATION COUNSELORS: SUPERVISION

### 13:34-23.1 Supervisor qualifications; supervisor responsibilities

(a) A qualified supervisor, as defined in N.J.A.C. 13:34-21.1, 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. 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.

(b) A qualified supervisor shall be responsible for creating a written supervision plan with the supervisee. The supervision plan shall outline the work setting, the supervisee'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 supervisee.

(d) A qualified supervisor shall perform and document the following activities with the supervisee:

1. The supervisor shall perform at least one of the following activities with the supervisee:

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

2. The supervisor shall perform at least one of the following activities with the supervisee:

- i. React to case presentations given by the supervisee; or
- ii. Conduct role-playing sessions with the supervisee.

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

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

(e) A qualified supervisor shall maintain all documentation with respect to the supervision provided to supervisees 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 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.

(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 diagnosis of each client being treated by a supervisee. A supervisor shall be ultimately responsible for the welfare of the client with respect to the treatment being rendered by the supervisee.

(j) A qualified 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 this section and shall indicate the hours and dates during which the supervisee has been under supervision, the nature of the cases being assigned, and the proficiency rating earned by the supervisee.

(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. 13:34-23.2 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. 13:34-23.1, Definitions; supervised experience required for licensure, repealed. Deleted (a) and (b); recodified former (c) through (h) as (a) through (f); in (d), deleted the second sentence; in (f), deleted "current and former employees" preceding "or close friends" at the end.

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.

### 13:34-23.2 Responsibilities of supervisee

(a) The supervisee shall maintain documentation of supervised experience for each 52-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.

Recodified from N.J.A.C. 13:34-23.3 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. 13:34-23.2, Responsibilities of supervisor, recodified to N.J.A.C. 13:34-23.1.

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), substituted "52" for "50".

### 13:34-23.3 Supervised rehabilitation counseling experience acquired prior to application

(a) An applicant may be granted up to one calendar year of supervised rehabilitation counseling experience credit towards fulfillment of the supervised rehabilitation counseling experience requirements for licensure as a rehabilitation counselor if the supervised experience hours occurred before the granting of the master's degree as part of college or university graduate courses which are practicums or internships, provided the courses labeled practicums or internships are not also used to satisfy the educational requirements.

(b) An applicant may be granted supervised rehabilitation counseling experience credit towards the fulfillment of experience requirements for licensure as a rehabilitation counselor if the supervised experience occurred after the granting of the master's degree, in a rehabilitation counseling setting which is considered exempt as set forth in N.J.S.A. 45:8B-48(b) or (f), and the experience was supervised by a qualified supervisor as set forth in N.J.A.C. 13:34-21.1.

(c) An applicant may be granted credit towards the fulfillment of the supervised rehabilitation counseling experience requirement for licensure as a rehabilitation counselor if the experience hours occur as part of a planned post-master's degree program in counseling in an accredited college or university designed to meet the requirements for licensure as a rehabilitation counselor.

(d) An applicant may purchase the services of a permissible supervisor if the supervision occurs in a rehabilitation counseling setting and the supervisor fulfills the activities and responsibilities of a supervisor as set forth in N.J.A.C. 13:34-23.1.

New Rule, 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. 13:34-23.3, Responsibilities of supervisee, recodified to N.J.A.C. 13:34-23.2.

### 13:34-23.4 (Reserved)

Repealed by R.2004 d.158, effective April 19, 2004.

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

Section was "Permissible supervisor".