



Red River  
2015 Summer Symposium

law & rule update for  
Supervisors &  
Provisional Licensees

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1. New Laws

2. Recent Rules for LPC-S/LMFT-S

3. Board Policy Statements

# New Laws

Act 484

Act 381

Act 736

# Provisional Licensees

## Act 484

- \* Effective May 1, 2015, Counselor Interns are now called Provisional Licensed Professional Counselors (PLPCs) and MFT Interns are now called Provisional Licensed Marriage and Family Therapist (PLMFTs). The titles, CI, Counselor Intern, MFTI, and MFT Intern may not be used.

## Act 381

**Exempts certain providers from licensure as behavioral health services providers to certain specialty courts**

- \* This was signed by the Governor on May 29 and becomes Act 23.
- \* Specialty courts are considered facilities or services operated for the sole purpose of providing substance abuse or mental health services that are recognized and certified by the Louisiana Supreme Court.

# Provisional Licensee Renewals

1. PLPCs/PLMFTs are now required to **renew their provisional license by October 31 every 2 years.** The first renewal deadline is **October 31, 2017.** Any PLPCs/PLMFTs who are approved for licensure before October 31, 2017 will **NOT** have to renew their provisional license.
2. A PLPC/PLMFT must apply and be approved for licensure within 6 years from the date of approval or issuance of the provisional license.
3. If after 6 years the PLPC/PLMFT has not been approved as a LPC/LMFT, then he/she will forfeit all supervised experience hours and must reapply for provisional licensure under current provisional licensure requirements.
4. A PLPC/PLMFT must accrue 20 clock hours of CEHS every 2 years. 10 of these CEHs may be obtained online.

# PLPC/PLMFT Renewal Procedure

In order to renew, a PLPC/PLMFT needs to:

1. Submit a PLPC/PLMFT Renewal Application and Renewal Fee of \$85. The renewal application will require the direct, indirect, and face-to-face supervision hours accrued since the provisional licensure/last renewal date.
2. Complete 20 Continuing Education Clock Hours (CEHs): Only 10 of the 20 CEHs may be completed via an online format. 1 CEH equals 1 clock hour.
3. Request a score report be sent directly from NBCC/AAMFTRB indicating a passing score or a failed attempt to pass the NCE/MFT exam.
4. Submit an updated Statement of Practices and Procedures.

# Act 736

## (specific to LMFTs)

- As of January 1, 2018, a licensee (LMFT) must accrue 6 hours of training in diagnosis every renewal period that specifically addresses the assessment, diagnosis, and treatment of clinical conditions under the DSM-5.
- This required training may be specific to the diagnosis, assessment, and treatment of a particular condition and/or may be general training in diagnosis, assessment, and treatment.
- Individuals desiring to apply to become a PLMFT will be required (as of January 1, 2018) to have 2 courses in psychopathology pursuant to 736.



# Recent Rules

Online CEHs

60-Hour Degree Programs

LMFT Supervisor Candidate

Out of State Applicants

Serious Mental Illness

PAP Program

# Online CEHs

It is now possible to obtain 20 of the required 40 CEH's from an online source.

# Degree Program Requirements

- \* As of September 2015, individuals applying for PLPC status must have completed a 60 hour graduate program.
- \* Applicants may apply post-master's counseling courses towards licensure if the degree program consisted of less than 60 hours.

# LMFT Supervisor Candidate

- \* This is a required experience in order to become a Board approved LMFT Supervisor.
- \* Requires 36 hours of supervision of supervision from a LMFT-S over a 2 y
- \* Must take the LMFT Supervisor Orientation within 1 year of the date of certification.
- \* Requires a minimum of 2 PLMFTs supervised for a minimum of 9 months each.
- \* Requires at least 90 hours of Supervision with 2 PLMFTs in no less than 1 year and no more than 3 years.

# Out of State Applicants

## Out of State Applicants

- \* An out of state applicant may transfer up to 2500 supervised experience hours if these hours meet the requirements.
- \* These hours may be endorsed according to the following limits:
  - a. a maximum of 1600 direct client contact hours
  - b. a maximum of 815 indirect hours
  - c. a maximum of 85 supervision hours

# Serious Mental Illnesses

\* I. A PLPC/PLMFT may not assess, diagnose, or provide treatment to any individual suffering from a serious mental illness when medication may be indicated, unless the PLPC/PLMFT consults and collaborates with a practitioner who is licensed or holds a permit with the Louisiana State Board of Medical Examiners or an advanced practice registered nurse license by the Louisiana State Board of Nursing who is certified who is certified as a psychiatric nurse practitioner.

\* Serious Mental Illnesses include the following diagnoses:

Schizophrenia or schizo affective disorder

Bipolar Disorder

Panic Disorder

Obsessive-Compulsive Disorder

Major Depressive Disorder, moderate to severe

Anorexia/Bulimia

Intermittent Explosive Disorder

Psychosis NOS when diagnosed in a child under 17 years of age

Rett's disorder

Tourette's disorder

Dementia

# **Serious Mental Illness - Specific and General Collaboration**

## **A. Specific Consultation and Collaboration**

1. When medication is indicated for clients who have been diagnosed with a SMI and if the client assents to consultation, the licensee must attempt to consult with the client's practitioner within a reasonable time after receiving the consent for the purpose of communicating the diagnosis and plan of care.
2. If the licensee's attempts to consult directly with the practitioner are not successful and additional notification is sent without response, then the licensee documents this information in the client file.
3. If the client does not assent to the practitioner's consultation and collaboration, then this client refusal for consent to consult must be documented in the client file.

## **B. General Consultation and Collaboration**

1. When medication is indicated for clients who have been diagnosed with a serious mental illness and when the client does not assent to a specific consultation, the licensee must attempt to consult with a practitioner within a reasonable time for a general consultation without releasing any client identification.

# Professional Assistance Program (Chapter 23)

- A. Referrals to PAP: Licensee/Provisional Licensee, Colleague, Public, or Discipline Committee
- B. May involved Inpatient or Outpatient Treatment, Evaluations, Drug Screens, Therapy, Supervision of Therapy, or Suspension of Practice
- C. Participation from 1 to 5 years
- D. The Professional is responsible for fees involved in their participation in the PAP program
- E. Currently 14 active cases. 17 since PAP's inception in 2011.



# Board Policy Statements

Dissemination of Statements of Practice

Practice Setting Changes

Registration of PLPCs and Supervision

# Board Policy Statements

## 1. Dissemination of Statements of Practice

As of July 18, 2014, LPCs, PLPCs, LMFTs, and PLMFTs are required to provide clients with a Declaration of Practice or a Statement of Practice. In the instance wherein this requirement restricts client care and/or conflicts with agency or employer policies, the licensee or provisional licensee may submit an official, employer document which includes all required information for Board review (Ch. 21). Additionally, this document may be signed by the Intern's site supervisor (Administrative Supervisor - LPC, LMFT, LCSW) **OR** by the PLPC's Board approved Supervisor (LPC-S).

## 2. PLPC Practice Setting changes

A PLPC/PLMFT has a 30 days to submit a new Part III of the ROS application and an updated Statement of Practice upon any change in practice settings (change of address, job title, job duties, number of work hours).

Failure to submit this form within the 30 days will result in a \$50 fine and forfeiture of supervised experience hours.

# Policy regarding Registration and Supervision of Interns (now PLPCs/PLMFTs)

## Part 1

- A. In order to supervise PLPCs/PLMFTs, one must be an approved LPC-S/LMFT-S **and** approved by the LPC Board as the designated Supervisor for that PLPC/PLMFT. This Board approved Supervisor is responsible for ensuring that the PLPC/PLMFT is properly registered by the LPC Board.
- B. Individuals practicing mental health counseling without registering as a PLPC/PLMFT will be issued a formal Cease and Desist order. Employers who hire such individuals to conduct mental health counseling will receive a Cease and Desist letter.
- C. If an individual who registers and is approved as an PLPC/PLMFT is found to have practiced mental health counseling for a period of time prior to receiving a Provisional License, then that individual will be subject to disciplinary action by the LPC Board, specifically a Consent Order.

# Policy regarding Registration and Supervision of Interns (now PLPCs/PLMFTs)

## Part 2

- A. The Consent Agreement will be based upon the time that the PLPC/PLMFT was engaged in the unlawful practice of counseling.
- B. The sanctions are as follows:
  - 1. Tier One (3-6mos.) \$200 fine 3 CEHs in Ethics
  - 2. Tier Two (7-12 mos.) \$300 fine 3 CEHs in Ethics
  - 3. Tier Three (12-24 mos.) \$500 fine 3 CEHs in Ethics
  - 4. Tier Four (> 24 mos.) \$500 6 CEHs in Ethics
- C. This will be a public reprimand.
- D. Failure to agree or comply with the Consent Order will result in suspension of the applicant's status and denial of the PLPC/PLMFT credential until such time as the Board receives and approves documentation that all Board requirements have been completed.

# Policy regarding Registration and Supervision of Interns (now PLPCs/PLMFTs) Part 3

- A. LPC/LMFT Supervisors are also held accountable for their Supervision of PLPCs/PLMFTs.
- B. It is important that LPC/LMFT Supervisors receive official notification from the LPC Board regarding the approval of their Supervision of the PLPC/PLMFT.
- C. Make sure that LPC-S/LMFT-S helps that PLPC/PLMFT maintain adequate records of their supervised experience.
- D. If a PLPC/PLMFT received supervision from a LPC-S/LMFT-S who is NOT approved by the LPC Board, then they will not be able to count their accrued supervision hours and will receive a Letter of Reprimand which is a classified, informal Disciplinary action.
- E. Supervisors who supervise PLPCs/PLMFTs that have NOT received written Board approval designating them as the PLPC's/PLMFT's supervisor will receive a formal sanction. This will be at a minimum a \$200 fine and a public reprimand.

# Policy regarding Registration and Supervision of Interns (now PLPCs/PLMFTs)

## Part 4

- A. Supervisors who supervise PLPCs/PLMFTs who are not registered with the Board will receive a formal sanction via Consent Agreement. This will include a minimum of a public reprimand and a \$200 fine.
- B. PLPCs/PLMFTs who receive supervision from any one other than a LPC-S/LMFT-S may not count any of their accumulated supervision hours accrued under this licensed mental health professional and will receive a formal sanction.
- C. This sanction will include Tiers according to the length of time of supervision has occurred.
- D. PLPCs/PLMFTs must remain in active supervision until they are formally approved for licensure and even if they have completed the 3000 hours of supervised experience.