

Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists

Board/Commission Members:

- Dennis M. Baughman, M.A., LCPC, Fruitland – Chair
- Dr. Judith Crews, Ph.D., LCPC, LMFT, Meridian
- Piper Field, M.A., LMFT, Boise
- Sandra Sweesy, Boise – Public Member
- Steven I. Lanzet, M.Ed., LCPC, LMFT, Boise
- Tami S. Kammer, M.A., LMFT, LCPC, Hailey

Board/Commission Composition: The Board consists of six (6) members: two (2) members who are licensed as clinical professional counselors or professional counselors and who are engaged primarily in rendering counseling service; one (1) member who is engaged or has been engaged primarily in teaching, training or research in higher education in counseling or marriage and family therapy; one (1) member who is licensed or is eligible for licensure as both a professional counselor and a marriage and family therapist and who is engaged primarily in rendering marriage and family therapy or marriage and family counseling; one (1) member who is licensed as a marriage and family therapist and who is engaged primarily in rendering marriage and family therapy; and one (1) public member. Board members serve a term of four (4) years. [Idaho Code § 54-3403](#).

Operating costs per licensee: \$105.33. This number represents the dollar amount required annually to serve each applicant or licensee based on the average number of licensees and the average expenditures since Fiscal Year 2014. This includes all administrative, fiscal, legal and investigative services.

Total number of current licensees in Idaho on May 19, 2018: **2,337**.

For the Licensing Board of Professional Counselors and Marriage and Family Therapists, the **shortest time** from complete application to issuing a license was the **same day**. The **longest time** from complete application to issuing a license was **59 days**. The **average time** to licensure was **7.7 days**. Of all licenses issued, **52.3 percent** were issued the **same day**. The Board issued **277 licenses** between May 19, 2017 and May 19, 2018.

Note: All Board meetings are subject to Idaho's Open Meeting Law. The law requires a minimum of five (5) calendar days' notice for regular meetings, and a forty-eight (48) hour notice for the agenda. Special meetings require twenty-four (24) hour meeting and agenda notice. [Idaho Code § 74-204](#).

Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists

A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal

		Statute I.C. Title 54, Chapter 34	Rule IDAPA 24.15.01	*Policy	Application	Basis to Deny Issuance or Renewal	Fees
Marriage and Family Therapists	Issuance for Initial License	I.C. § 54-3405C I.C. § 54-3406	24.15.01.149 24.15.01.238	*	Examination: Application Endorsement: Application	I.C. § 54-3405C I.C. § 54-3406 I.C. § 54-3407 I.C. § 54-3408	Application: \$75 License: \$75
	Renewal Requirements	I.C. § 54-3415	24.15.01.400 24.15.01.425	*		I.C. § 54-3415 I.C. § 54-3407 I.C. § 54-3408 I.C. § 67-2614	\$100
	Inactive License		24.15.01.360	*		I.C. § 54-3407 I.C. § 54-3408	Renewal: \$50
Marriage and Family Therapist Senior	Issuance for Initial License	N/A	24.15.01.375	*	N/A	I.C. § 54-3407 I.C. § 54-3408	N/A
	Renewal Requirements	N/A	24.15.01.425	*		I.C. § 54-3407 I.C. § 54-3408 I.C. § 67-2614	\$60

**All of the Board's requirements for licensure and renewal are in statute or rule. The Board does not have any requirements in policy.*

Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists

		Statute I.C. Title 54, Chapter 34	Rule IDAPA 24.15.01	*Policy	Application	Basis to Deny Issuance or Renewal	Fees
Associate Marriage and Family Therapists	Issuance for Initial License	I.C. § 54-3405B I.C. § 54-3406	24.15.01.149 24.15.01.230	*	Examination: Application Endorsement: Application	I.C. § 54-3405B I.C. § 54-3406 I.C. § 54-3407 I.C. § 54-3408	Application: \$75 License: \$75
	Renewal Requirements	I.C. § 54-3415	24.15.01.400 24.15.01.425	*		I.C. § 54-3415 I.C. § 54-3407 I.C. § 54-3408 I.C. § 67-2614	\$100
	Inactive License		24.15.01.360	*		I.C. § 54-3407 I.C. § 54-3408	Renewal: \$50
Professional Counselor	Issuance for Initial License	I.C. § 54-3405 I.C. § 54-3406	24.15.01.149 24.15.01.150	*	Examination: Application Endorsement: Application	I.C. § 54-3405 I.C. § 54-3406 I.C. § 54-3407 I.C. § 54-3408	Application: \$75 License: \$75
	Renewal Requirements	I.C. § 54-3415	24.15.01.400 24.15.01.425	*		I.C. § 54-3415 I.C. § 54-3407 I.C. § 54-3408 I.C. § 67-2614	\$100
	Inactive License		24.15.01.360	*		I.C. § 54-3407 I.C. § 54-3408	Renewal: \$50

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Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists

		Statute I.C. Title 54, Chapter 34	Rule IDAPA 24.15.01	*Policy	Application	Basis to Deny Issuance or Renewal	Fees
Professional Counselor Senior	Issuance for Initial License	N/A	24.15.01.375	*	N/A	I.C. § 54-3407 I.C. § 54-3408	N/A
	Renewal Requirements	I.C. § 54-3415	24.15.01.425	*		I.C. § 54-3415 I.C. § 54-3407 I.C. § 54-3408 I.C. § 67-2614	\$60
Clinical Professional Counselor	Issuance for Initial License	I.C. § 54-3405A I.C. § 54-3406	24.15.01.149 24.15.01.225	*	Examination: Application Endorsement: Application	I.C. § 54-3405A I.C. § 54-3406 I.C. § 54-3407 I.C. § 54-3408	Application: \$75 License: \$75
	Renewal Requirements	I.C. § 54-3415	24.15.01.400 24.15.01.425	*		I.C. § 54-3415 I.C. § 54-3407 I.C. § 54-3408 I.C. § 67-2614	\$100
	Inactive License		24.15.01.360	*		I.C. § 54-3407 I.C. § 54-3408	Renewal: \$50
Clinical Professional Counselor Senior	Issuance for Initial License	N/A	24.15.01.375	*	N/A	I.C. § 54-3407 I.C. § 54-3408	N/A
	Renewal Requirements	I.C. § 54-3415	24.15.01.425	*		I.C. § 54-3415 I.C. § 54-3407 I.C. § 54-3408 I.C. § 67-2614	\$60

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		Statute I.C. Title 54, Chapter 34	Rule IDAPA 24.15.01	*Policy	Application	Basis to Deny Issuance or Renewal	Fees
Counselor Intern	Issuance for Initial License	I.C. § 54-3402	24.15.01.245	*	Application		\$25
	Renewal Requirements	N/A	N/A	*			N/A
Marriage and Family Therapist Intern	Issuance for Initial License	N/A	24.15.01.245	*	Application		\$25
	Renewal Requirements	N/A	N/A	*			N/A
Supervisor	Issuance for Initial License		Counselor Supervisor: 24.15.01.200 MFT Supervisor: 24.15.01.239	*	Supervisor: Application Intern(1): Application Intern(2): Application		No Fee
	Renewal Requirements	I.C. §54-3415	Counselor Supervisor: 24.15.01.200 (04) MFT Supervisor: 24.15.01.239 (04)	*	Application	I.C. § 54-3415 I.C. § 54-3407 I.C. § 54-3408	No Fee

**All of the Board's requirements for licensure and renewal are in statute or rule. The Board does not have any requirements in policy.*

B. Applications and Renewals Denied, May 19, 2017 – May 19, 2018

Refusal to Issue Initial License [Total Number: 7]

	Basis in Statute and/or Rule	Summary of Factual Basis
1	I.C. § 54-3405 I.C. § 54-3407(2)	Felony conviction and failure to show rehabilitation.
2	IDAPA 24.15.01.300	Failed to meet endorsement requirements.
3	IDAPA 24.15.01.150	Failed to meet supervised experience requirements.
4	IDAPA 24.15.01.150	Failed to meet the education and supervised experience requirements.
5	IDAPA 24.15.01.150	Failed to meet the education and supervised experience requirements.
6	IDAPA 24.15.01.150	Failed to meet the education and supervised experience requirements.
7	IDAPA 24.15.01.150	Failed to meet education requirements.

Refusal to Renew License [Total Number: 0]

	Basis in Statute and/or Rule	Summary of Factual Basis
	None	

Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists

C. Disciplinary Actions in the Last Five (5) Years**

The Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists received **247 complaints** from Fiscal Year 2013 through May 19, 2018. During this time frame, **145 complaints were closed** by the Board with no disciplinary action; **71 resulted in disciplinary action**; **22 remained under investigation**; and **9 were pending legal review**.

***The detail provided below is only for disciplinary actions closed between May 19, 2017 and May 19, 2018. Cases are not always closed within the same fiscal year they are opened, and sometimes multiple complaints are included in one disciplinary action. The Board's full [disciplinary action information](#) is available online.*

Case No.	Date of Final Action	Action Taken	Statutory Basis	Summary of Factual Basis
COU-2018-9	5/10/2018	Final Board Order	I.C. § 54-3407(5) ; IDAPA 24.15.01.350	Respondent had an intimate relationship with a client shortly after providing services to the client.
COU-2018-5	5/10/2018	Consent Order	I.C. §54-3407(5) ; IDAPA 24.15.01.004.01 and 24.15.01.350	Respondent accepted personal gifts from a minor client's mother who was involved in the minor's counseling, and after Respondent moved to another area of the state Respondent and the minor's mother began an electronic sexual relationship, including hundreds of voice and text messages and Facebook messages.
COU-2018-12	5/10/2018	Final Board Order	I.C. § 54-3407(5) ; IDAPA 24.15.01.350	Respondent admitted he was experiencing short-term memory loss and it was hampering his ability to provide professional counseling.
COU-2018-1	5/10/2018	Consent Order	I.C. § 54-3407(5) ; IDAPA 24.15.01.004.01 and 24.15.01.350	Respondent stayed past regular office hours to provide counseling services to drug-addicted clients but failed to immediately notify her supervisor or fully document the session.

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Case No.	Date of Final Action	Action Taken	Statutory Basis	Summary of Factual Basis
COU-2017-20 COU-2017-21	5/10/2018	Consent Order	I.C. § 54-3407(5) ; IDAPA 24.15.01.004.01 , 24.15.01.350 , and 24.15.01.525	Respondent used outdated psychological tests when doing assessments, used inappropriate tests to make diagnoses and failed to individualize assessments, made conflicting diagnoses and assessments inconsistent with the DSM-IV, and allowed individuals to take psychological tests at home in an uncontrolled environment and relied upon those tests in assessments. In addition, Respondent was not adequately trained to administer the psychological tests he was using in assessments.
COU-2017-6	3/26/2018	Final Board Order	I.C. §§ 54-3402(1) and (2) , and 54-3407(5) ; IDAPA 24.15.01.004.01 and 24.15.01.350	Respondent used improper credentials.
COU-2017-5	2/8/2018	Final Board Order	I.C. §§ 54-3407(5) and (6) ; IDAPA 24.15.01.004.01 and 24.15.01.350	Respondent practiced for 18 months without required supervision and failed to inform her employer of Board discipline and the supervision requirement, and Respondent failed to maintain adequate paperwork and billed for services which had not been appropriately documented.
COU-2017-18	2/8/2018	Consent Order	I.C. §§ 54-3407(5) and 54-3410A ; IDAPA 24.15.01.004.01 , 24.15.01.350 , and 24.15.01.525	Respondent provided weekly therapeutic visitation in a child custody case without being licensed as a counselor or counselor intern, and failed to disclose his licensure status to obtain the required informed consent.
COU-2017-13	2/8/2018	Consent Order	I.C. §§ 54-3407(5) and 54-3410A ; IDAPA 24.15.01.004.01 , 24.15.01.350 and 24.15.01.525	Respondent advertised and utilized a therapy he created on his own when there was no scientific basis to support the therapy, and Respondent falsely advertised that he could cure PTSD in one two-hour session with the therapy he created. In addition, Respondent provided individual and joint counseling to a wife and husband without the required informed consents.

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Case No.	Date of Final Action	Action Taken	Statutory Basis	Summary of Factual Basis
COU-2017-4 COU-2017-3	10/12/2017	Consent Order	I.C. §§ 54-3407(5) and 54-2410A ; IDAPA 24.15.01.004.01 and .02 ; 24.15.01.350 ; and 24.15.01.525	Respondent provided individual counseling to a wife, then joint counseling to both husband and wife and then individual counseling to the husband, which created dual relationships and conflicting roles; the written informed consents Respondent used were not compliant with statutory and legal requirements and no informed consent was given when Respondent changed roles; and Respondent provided testimony in a protection order case and a written declaration in a divorce case on behalf of the husband and against the wife without the wife’s consent.
COU-2017-16	10/12/2017	Consent Order	I.C. § 54-3407(5) ; IDAPA 24.15.01.004.01 and 24.15.01.350	Respondent kissed, hugged and “made out” with a client at the end of the client’s last session.
COU-2017-11	10/12/2017	Consent Order	I.C. § 54-3407(5) ; IDAPA 24.15.01.004.01 and 24.15.01.350	Respondent provided reunification counseling services to parties in a highly contested custody case, and prior to accepting appointment as the reunification counselor Respondent prepared a Comprehensive Diagnostic Assessment that was critical of the father without involving the father in the assessment; and the reunification plan developed by Respondent moved the reunification too quickly and Respondent was biased against the father.
COU-2016-8	7/21/2017	Final Board Order	I.C. § 54-3407(5) ; IDAPA 24.15.01.004.02 and 24.15.01.350	Respondent conducted joint counseling sessions with minor children after the father notified Respondent that he objected to such joint sessions and that no further sessions should be conducted. In addition, Respondent admitted to suffering from mental and emotional conditions which impacted Respondent’s ability to practice marriage and family therapy.

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Case No.	Date of Final Action	Action Taken	Statutory Basis	Summary of Factual Basis
COU-2017-8	7/20/2017	Consent Order	I.C. § 54-3407(5) ; IDAPA 24.15.01.004.01 and 24.15.01.350	Respondent had at least 276 delinquent or missing progress reports related to clients while employed by an agency. Respondent also engaged in multiple boundary violations by buying gifts for clients and providing money to clients for housing and living expenses.
COU-2017-12	7/20/2017	Consent Order	I.C. § 54-3407(5) ; IDAPA 24.15.01.004.01 and 24.15.01.350	Respondent's client gave Respondent the client's computer to repair and \$75 to cover the cost of computer parts, but Respondent never performed the repairs and did not timely return either the computer or the money until after a complaint was filed with the Board.

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D. Changes or Attempted Changes in the Last Five (5) Years to Eliminate Barriers to Entry

Law and Rule

Session	Legislation or Rule	Summary
2013	Docket No. 24-1501-1201	<p>These rule changes accomplish the following:</p> <ul style="list-style-type: none"> • Deletes unnecessary language in Section 004.01. • Adopts the 2012 Code of Ethics for marriage and family therapists in the incorporation by reference of Section 004.02. The Board’s current rule references the 2001 edition. • Clarifies supervised experience for marriage and family therapists, Sections 238.03.a and 238.03.b. • Clarifies continuing education in Sections 425.01 and 425.03.e. • Adds Rule 525 specifying the documentation necessary for informed consent between the licensee and client.
2014	House Bill 354	<p>This bill allows the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists to establish by rule the standards and requirements for the use of communication technology and the practice of marriage and family therapy and counseling. The Board started working on the issue of Telehealth in 2012. In 2013, the Board put together a subcommittee that included the professional associations. As part of that effort, the Board worked with the Board of Social Work Examiners and the Board of Psychologist Examiners on Telehealth.</p> <p>Impact: The work of these Boards was later folded into the Council convened pursuant to House Concurrent Resolution 46, which passed during the 2015 Legislative Session. That Council proposed the Idaho Telehealth Access Act.</p>
2015	Docket No. 24-1501-1401	<p>The American Counseling Association (ACA) Code of Ethics was amended effective 2014. The current rule that was in effect dated back to 2005. This rule adopts the 2014 version of the ACA Code of Ethics. The new edition modernizes counselor ethics and incorporates Telehealth.</p>

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Law and Rule (continued)

Session	Legislation or Rule	Summary
2016	Docket No. 24-1501-1501	<p>These rule changes accomplish the following:</p> <ul style="list-style-type: none"> • Updates the rule to reflect that the American Association for Marriage and Family Therapy (AAMFT) Code of Ethics was updated January 1, 2015. The Board’s current rule references the 2012 edition. The new edition modernizes ethics and incorporates Telehealth. • Counselor supervisor registration requirements are amended to increase consistency and continue allowance for inter-professional supervision. • Clarified that applicants can receive their supervision from a licensed practitioner in another state. • To increase access, supervision requirements were modified so applicants could obtain supervision via live electronic media.
2018	House Bill 350	<p>This allows the Board to be more responsive to changes in curriculum standards of accrediting bodies for the educational institutions in Idaho and would facilitate the portability of licenses between Idaho and other states. It moves educational curricula requirements for licensed marriage and family therapists and associate therapists from statute, and allows the Board to establish these requirements in rule. This is consistent with the approach for licensed counselors in the rest of the act. (See temporary and proposed rules that eliminate barriers in section F.)</p>

Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists

Policy

Date	Policy	Summary
2018	Testing Contract	The Board's new contract for testing allows for more flexibility to grant applicants to sit for national counselor's exam by retaining local control as opposed to giving it to the National Board of Certified Counselors.
2017	Board Business	In 2017, the Board moved to a secure web server for dissemination of meeting materials. This allows Board members to review materials, including those related to applications and disciplinary matters, prior to the meeting which provides for more efficiency.
2016	Uniformity in Sanctions	The Board is working with the Board of Social Work Examiners and the Board of Psychologist Examiners to examine uniformity in sanctions.
2016	Telehealth Guidelines	The Board approved guidelines to assist all licensees who are using telehealth in their practice. The guidelines help licensees understand their rights and responsibilities in using this important tool, which is in ever-increasing demand by the public. The guidelines were worked on by a subcommittee of the Board which included the professional associations.
2015	Application Review	In 2015, the Board approved a process by which a completed and uncomplicated application can be approved by one Board member between meetings. This was a major improvement in the expediency of the process for applicants to get licensed.
2014	Meeting Dates	Allows the chair to approve coursework when the application was tabled pending chair's approval. This decreases the time that applicants have for approval for coursework.
2014	Law, Rule and Policy Development Framework	Prior to proposing any law, rule or policy changes, the Board relies on a framework it developed. The framework addresses four (4) main questions: 1) what is the problem; 2) what is the relevant information; 3) what are the options; and 4) what is the final decision or solution? The process not only involves stakeholders, but it requires the Board to look at all relevant policies, rules and statutes to ensure the Board is operating within its authority.

Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists

Policy (continued)

Date	Policy	Summary
2010	Approval Process	Since at least 2010, in order to expedite the approval process, the Board implemented a conference call procedure to review applications that do not clearly meet the criteria for licensure.

Additional Barriers Eliminated/Opportunities Provided

Date	Barriers/Opportunities	Summary
2017	Implemented Idaho Code for military service and added it to the Board's website	<p>I.C. § 67-2620 For military service members and veterans, the Board added to its website a link to a law that says the Board may accept military training and experience toward qualification for licensure. The law states that professional and occupational licensing boards may accept military education, training, and experience toward meeting the qualifications for a license, certification or registration. Boards may also expedite applications, including military spouse applications.</p> <p>I.C. § 67-2602A Additionally, if a licensee already holds an active Idaho license and are on active duty in the United States Armed Forces, that license will remain active without renewing it for six (6) months following discharge from active duty. The license shall remain in good standing without the necessity of renewal and during said period the same shall not be cancelled, suspended or revoked.</p>
2015	I.C. § 67-2614	Sets the reinstatement fee to \$35 and eliminates the requirement that, in addition to the reinstatement fee, the licensee has to include payment of the license fees for all of the years the license has been expired. It also clarifies the continuing education required to reinstate.

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Additional Barriers Eliminated/Opportunities Provided (continued)

Date	Barriers/Opportunities	Summary
	I.C. § 67-2614 (continued)	Impact: Those whose licenses expired within the last five (5) years had to pay licensure fees for each year they were expired. Anyone whose license had been expired for more than five (5) years would have to apply as a new applicant. This law change reduces barriers to reentry in two ways. For those whose licenses have been expired for less than five (5) years, it eliminates the requirement to pay licensure fees for each year the license was expired. For those whose licenses have been expired for more than five (5) years, it allows the Board to consider education, supervised practice, examination or practice in another jurisdiction in determining the person’s competency.
2015	Telehealth Access Act	Allows practitioners to offer telehealth services. (I.C. Title 54, Chapter 57)
2012	House Bill 501	This legislation is the result of the Board subcommittee of both counselors and marriage and family therapists. The bill is supported by the counselor and marriage and family therapy state associations. The main purpose is to clarify the Act after numerous amendments over the past 12 years. The substantive changes include: <ul style="list-style-type: none"> • Clarifying in the definitions that both therapist and counselors can treat addictive disorders. • Adding a definition of supervised experience. • Adding an exemption for the limited practice of out-of-state counselors and therapists in Idaho in response to a disaster. • Adding a new section for Licensed Clinical Professional Counselors. • Adding additional standard grounds in the discipline section for consistency and in response to an Idaho Supreme Court decision. • Updating the informed consent disclosure section to allow the requirements to be set by rule.
1996	I.C. § 59-509	Legislation passed during the 1996 legislative session removes members of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists from the Public Employee Retirement System of Idaho (PERSI) by changing the payment they receive from compensation to an honorarium under I.C. § 59-509 .

E. Assessment of Public Interest

The Idaho public has a vested interest in the licensure of counselors and marriage and family therapists due to the fact that counselors and marriage and family therapists work with vulnerable children, adolescents and adults. Counselors and therapists assist individuals in recovering from depression, suicidal thinking, trauma, divorce, domestic violence, addiction, and many other issues. These professionals are often the first point of contact for dealing with serious mental health issues that have the potential to present harm to the public. The public needs to know that these professionals are trained and qualified so that when they, or their family, are in severe distress they can trust the quality of the services they are getting. The licensure process ensures that minimum education and practical experience standards are met. It increases the likelihood that Idahoans accessing care will receive treatment that is helpful and effective, and reduces the likelihood that treatment will harm or damage people when they are most vulnerable.

As is the case for all medical/healthcare professionals, licensure creates a mechanism whereby counselors and therapists have to adhere to professional ethics and a standard of care. Once licensed, professional codes of ethics and licensure statutes and rules continue to guide counselors and therapists in their work. As new treatment issues surface or become more pervasive (e.g. cyberbullying, online gaming addiction, pornography addiction, physical and psychological effects of combat on military personnel and their families), the public is protected by the requirement that licensees train and gain experience in those new areas and only practice within the scope of their competence. Continuing education requirements are meant to ensure that professionals not only stay current on standards of care but also develop skills in these new areas so they are competent to treat suffering people in a changing world.

One example of licensure protecting the public is in the new and growing area of telemental health. As a largely rural state, Idahoans face barriers when needing mental health services. All 44 Idaho counties are currently designated as having shortages of mental health professionals by the Health Resources and Services Administration of the U.S. Department of Health and Human Services. Telemental health promises to bring services to many of those who cannot currently access them. This modality, while making services more available, requires specialized training to ensure vulnerable people are not harmed. When a member of the public does an online search for help, they can get a completely untrained person who not only may know nothing about mental health, but can access a person's financial data to get payment.

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Assessment of Public Interest (continued)

The psychological and/or financial harm is already occurring to members of the public across the country. A licensed professional will be registered with a board and a consumer can check to see whether an advertised professional is legitimate. In addition, the licensure law prohibits counselors and marriage and family therapists from doing harm to clients, including practicing outside the scope of their training. The licensing board's website reminds practitioners and the public that appropriate training is required to provide telemental health service.

Idaho Code [§ 54-3401](#) Definitions:

"Marriage and family therapy" means the evaluation and treatment of mental and emotional disorders, whether cognitive, affective or behavioral, within the context of marriage and family systems. Marriage and family therapy includes the professional application of psychotherapeutic and family systems theories and techniques in the delivery of services to individuals, couples and families for the purpose of treating nervous and mental disorders including, but not limited to, addictive disorders.

"Practice of professional counseling" means the application of mental health, psychological, and human development principles in order to facilitate human development and adjustment throughout the life span; prevent, assess, and treat mental, emotional or behavioral disorders and associated distresses which interfere with mental health; conduct assessments for the purpose of establishing treatment goals and objectives; and plan, implement and evaluate treatment plans using counseling treatment interventions.

Counseling and marriage and family therapy for the general public are regulated practices in Idaho. Practitioners are required to hold an Idaho license.

F. Recommendations for Improvement, Modification, or Elimination of Requirements

1. The 2018 Legislature passed [House Bill 350](#), which will allow the Board to be more responsive when accredited graduate schools change their curricula and will facilitate portability. The Board is proposing the following rules to the 2019 Legislature. The rules accomplish the following:
 - a) Applicants from graduate programs accredited by the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE) will have met all education and graduate experience requirements. Currently, most applicants have to take additional coursework to meet requirements that are based on outdated standards from 2001, which delays licensure for years and incurs tuition and supervision costs. This is consistent with the majority of states and will eliminate a significant barrier to licensure for those coming to Idaho.
 - b) Reduce the number of core course requirements for non-COAMFTE graduates to get the entry-level license (LAMFT) so they can begin practicing under licensure. This enables them to obtain work while they are completing coursework required for the independent practice license (LMFT) and obtaining supervised hours for that license.
 - c) Expand accepted qualifications to include post-graduate supervised practice when there is a deficit of hours in the graduate practicum or internship. Often an applicant does not have the required practicum or internship direct client hours. Currently, they have to find a graduate practicum which is extremely difficult because most institutions will not allow a person who is not matriculated in their program to enroll in a course. Expansion of this rule would allow individuals to complete the required hours expeditiously and without additional tuition costs.
 - d) Allow excess graduate school practicum or internship hours to be counted towards supervised experience hours. This shortens the amount of time spent accumulating hours post graduate degree (thereby also reducing supervision costs).
 - e) Accept doctoral students' client contact hours towards supervised experience hours as long as they have a master's degree. This shortens the amount of time spent accumulating hours postdoctoral degree (thereby also reducing supervision costs).
2. Review counselor licensure rules with regard to portability and still maintain public protection.
3. Allow for experience to be post-graduate not post-licensure.
4. Review the laws and rules related to military members and spouses (portability and residents).
5. Review the laws and rules to consider allowing work experience in lieu of classes.
6. In response to public comment, allow continuing education (CE) to be documented over two (2) years rather than annually.

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Recommendations for Improvement, Modification, or Elimination of Requirements (continued)

7. Remove the limit on the number of online, interactive courses that qualify for CE – current rules limit online training to 10 hours. This would reduce the barriers and costs of obtaining continuing education units, and allow licensees in rural and remote Idaho to reduce their training and travel costs. This would also allow all Idahoans to take advantage of expert-level training that is offered via online formats.
8. Review the intern registration process to see if improvements can be made.
9. The recent work on LMFT/LAMFT statutes has removed archaic language that prevented people from getting licensed. The Board will now be going through the same effort for the LCPC and LPC laws and rules.
10. Online videos to assist with application completion. Applicants commonly have questions that do not appear to be sufficiently answered by the FAQs. A number of short videos would allow for applicants to see an individual complete an application and would make the process easier.
11. Delete Rule 550, which is no longer required.
12. Develop rule related to Telehealth.

Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists

Summary of Objectives

The Licensing Freedom Act asked that all of Idaho's professional licensing entities critically look at their processes, laws and rules. The goal is to document the elimination of barriers and make recommendations for future changes that improve, modify or eliminate laws and rules governing professional licensure. In response, the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists respectfully submits the above report and summarizes with a checklist to ensure all of the objectives were met:

Objectives of Executive Order

- ✓ Protect the public. (*I.C. [§ 54-3400](#)*)
- ✓ Portability of licensure. (*see Section D and recommendations in Section F*)
- ✓ Eliminate barriers to entry to work. (*see Section D and recommendations in Section F*)
- ✓ Do away with unnecessary regulation. (*see Section D and recommendations in Section F*)
- ✓ Modernize licensure and regulatory requirements. (*see Section D and recommendations in Section F*)

Comprehensive Review - consider some of the issues raised in the background material, such as,

- ✓ Telework – Idaho has recently passed laws related to telehealth but other occupations may be facing similar issues regarding telework. (*I.C. [Title 54, Chapter 57](#); see recommendations in Section F*)
- ✓ Distance/Online Learning/Testing – distance/online education and testing are increasingly available and may influence the resources that applicants or licensees can access to obtain education, continuing education or to test. (*online continuing education, IDAPA [24.15.01.425.03](#); see recommendations in Section F*)
- ✓ Criminal History – What barriers or additional obstacles do applicants/licensees face who have a criminal conviction? Do our laws consider the relevance or proximity in time of a conviction to the individuals applying for licensure or for those currently in practice? (*I.C. [§ 54-3407](#)*)
- ✓ Early Examination – What can be addressed in the timing of processes to eliminate unnecessary delays? (*Counselor applicants schedule directly for the national exam and may take it prior to graduation. Marriage and Family Therapist applicants take the national exam after graduation.*)
- ✓ CE Hardship – Is there an allowance for extenuating circumstances? (*carryover hours, IDAPA [24.15.01.425.04](#); hardship exemption, [24.15.01.425.06](#)*)
- ✓ Temporary Permits – Are there opportunities to work while minimum requirements are being met? (*see recommendations in Section F*)