

**BOARD OF CLINICAL SOCIAL WORK, MARRIAGE & FAMILY THERAPY, AND
MENTAL HEALTH COUNSELING
MEETING AGENDA**

**OCTOBER 22, 2020
8:00 A.M. EST**

GoTo Meeting ID

<https://global.gotomeeting.com/join/264451013>

United States (Toll Free): 1 866 899 4679

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Access Code: 264-451-013

Participants in this public meeting should be aware that these proceedings are being recorded and that an audio file of the meeting will be posted to the board's website.

I. CALL TO ORDER

The meeting was called to order on Thursday, October 22, 2020 at 8:02 a.m. by Lisa Bolhouse, Chair.

A. Roll Call

Roll call was conducted by Janet Hartman, Executive Director. Those present for all or part of the meeting included the following:

MEMBERS PRESENT

Lisa Bolhouse, LCSW, Chair
Jamie Buller, LCSW, Vice-Chair
Denny Cecil-Van Den Heuvel, PhD, LMFT, LMHC
William Day, PhD, LMHC

STAFF PRESENT

Janet Hartman, Executive Director
Ashleigh Irving, Program Operations Admin.
Rebecca Lawrence, Regulatory Supervisor

COURT REPORTER

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BOARD COUNSEL

Timothy Frizzell, Esq.

Ms. Bolhouse welcomed everyone to the meeting. She reminded the audience that the proceedings were being recorded and would later be posted on the Board's website. Ms. Bolhouse asked everyone who was not a board member to keep their phones on mute to reduce audio interference.

II. RULES DISCUSSION

- A. 64B4-3.001, Application for Licensure for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling Applicants**
- B. 64B4-3.0075, Provisional Licensure**
- C. 64B4-3.0085, Intern Registration**



D. 64B4-3.009, Limited Licenses

E. 64B4-3.010, Marriage and Family Therapy Dual Licensure

Mr. Frizzell presented the board each of the above listed rules with amended language and a letter from the Joint Administrative Procedures Committee (JAPC). JAPC reviewed the rules which were advertised in the Florida Administrative Register on August 20, 2020 and determined rules 64B4-3.001, 64B4-3.0075, 64B4-3.0085(1), 64B4-3.0085(6), 64B4-3.0085(8), 64B4-3.0085(9), 64B4-3.009(2), F.A.C. all listed citation errors that needed to be updated with the correct information as a technical change.

JAPC also asked that the title of the application be changed to “Application for Registration as a Registered Intern” in rule 64B4-3.0085, F.A.C. Dr. Cecil-Van Den Heuvel asked for clarity regarding interns being licensed. She emphasized that she did not agree with the title of the application being changed to Registration as a Registered Intern because there seems to be no distinction between students and clinicians with a master’s degree. She also expressed that the wording used causes issues with insurance for clinicians.

After discussion, the following action was taken:

- Motion: by Ms. Buller to accept the changes.
- Second: by Dr. Day.
- Vote: 3/1-Dr. Cecil-Van Den Heuvel opposed.

The Board considered the economic impact and determined that a Statement of Estimated Regulatory Costs (SERC) for the above listed rules was not necessary and the rules will not need legislative ratification. The Board determined that no part of these rules or a violation of these rule should be designated a minor violation and took the following action:

- Motion:** by Ms. Buller that a Statement of Estimated Regulatory Costs is not required as the proposed rule amendment has no impact on small business.
- Second:** by Dr. Day
- Vote:** unanimous.

- Motion:** by Ms. Buller that the proposed rule amendments would cause no impact over \$200,000 in the aggregate in Florida within one year of these rules being filed.
- Second:** by Dr. Day.
- Vote:** unanimous.

- Motion:** by Ms. Buller that no part of these rules or a violation of these rules should be designated as a minor violation.
- Second:** by Dr. Day.
- Vote:** unanimous.

- Motion:** by Ms. Buller that it is not appropriate to sunset or provide a given time for any of these rules.
- Second:** by Dr. Day.



Vote: unanimous

F. 64B4-2.002, Definition of "Experience" for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

Mr. Frizzell presented the board with a memorandum of two options for language changes based on previous discussions. Board members indicated that they wanted interns to meet for a minimum of one hour every two weeks not to exceed a two-hour block. Ms. Bolhouse opened the floor for public comment. There were no comments. Board members suggested Mr. Frizzell bring language to the November 5, 2020 meeting.

I. Option 1:

Supervision is the relationship between the qualified supervisor and intern that promotes the development of responsibility, skills, knowledge, attitudes and adherence to ethical, legal and regulatory standards in the practice of clinical social work, marriage and family therapy and mental health counseling. Supervision is contact between an intern and a supervisor during which the intern apprises the supervisor of the diagnosis and treatment of each client, client cases are discussed, the supervisor provides the intern with oversight and guidance in diagnosing, treating and dealing with clients, and the supervisor evaluates the intern's performance.

(1) An intern shall be credited for the time of supervision required by Section 491.005, F.S., if the intern:

- (a) Received at least 100 hours of supervision in no less than 100 weeks; and,
- (b) Provided at least 1500 hours of face-to-face psychotherapy with clients; and,
- (c) Received at least no more than 1 2 hours of supervision every two weeks.

(2) through (8) No change.

Rulemaking Authority 491.004(5), 491.0045, 491.005(1)(c), (3)(c), (4)(c) FS. Law Implemented 491.005(1)(c), (3)(c), (4)(c) FS. History—New 7-6-88, Amended 3-21-90, Formerly 21CC-2.002, 61F4-2.002, Amended 1-7-96, 12-16-96, Formerly 59P-2.002, Amended 11-13-97, 10-28-98, 1-1-07, 3-14-07, 2-9-16, 1-2-20, _____.

II. Option 2:

Supervision is the relationship between the qualified supervisor and intern that promotes the development of responsibility, skills, knowledge, attitudes and adherence to ethical, legal and regulatory standards in the practice of clinical social work, marriage and family therapy and mental health counseling. Supervision is contact between an intern and a supervisor during which the intern apprises the supervisor of the diagnosis and treatment of each client, client cases are discussed, the supervisor provides the intern with oversight and guidance in diagnosing, treating and dealing with clients, and the supervisor evaluates the intern's performance.

(1) An intern shall be credited for the time of supervision required by Section 491.005, F.S., if the intern:

- (a) Received at least 100 hours of supervision in no less than 100 weeks; and,
- (b) Provided at least 1500 hours of face-to-face psychotherapy with clients; and,
- (c) Received at least no more than 1 hour of supervision every two weeks week with at least 1 hour of supervision every 2 weeks.

(2) through (8) No change.

Rulemaking Authority 491.004(5), 491.0045, 491.005(1)(c), (3)(c), (4)(c) FS. Law Implemented 491.005(1)(c), (3)(c), (4)(c) FS. History—New 7-6-88, Amended 3-21-90, Formerly 21CC-2.002, 61F4-



2.002, Amended 1-7-96, 12-16-96, Formerly 59P-2.002, Amended 11-13-97, 10-28-98, 1-1-07, 3-14-07, 2-9-16, 1-2-20, _____.

G. 64B4-2.0025, Duties of a Qualified Supervisor

Mr. Frizzell presented the board with draft language below compiled from previous comments and concerns of the board as well as supervisor/intern contracts and expert opinions. The National Association of Social Workers (NASW) also sent suggested language that was reviewed by the board. Ms. Bolhouse opened the floor for public comment. Jim Aikin from the Florida Chapter of NASW spoke on consumer protection and the importance of continuity. Nancy Gordon asked the board to clarify the definition of clinical supervision. She expressed that she constantly receives questions regarding what counts as clinical work. After discussion, the board decided to ask Mr. Frizzell to bring language back for discussion at the February meeting.

64B4-2.0025 Definition of “Qualified Supervisor” and Affirmation Form Definitions and Duties.

(1) A “qualified supervisor” for clinical social work as specified in Section 491.005(1)(c), F.S., means a licensed clinical social worker or the equivalent who meets the qualifications specified in Rule 64B4-11.007, F.A.C.

(2) A “qualified supervisor” for marriage and family therapy as specified in Section 491.005(3)(c), F.S., means a licensed marriage and family therapist ~~with at least five of experience~~ or the equivalent who meets the qualifications specified in Rule 64B4-21.007, F.A.C.

(3) A “qualified supervisor” for mental health counseling as specified in Section 491.005(4)(c), F.S., means a licensed mental health counselor or the equivalent who meets the qualifications specified in Rule 64B4-31.007, F.A.C.

(4) Form DH-MQA _____, Qualified Supervisor Affirmation Statement Instructions and Form (Revised 07/20), hereby adopted and incorporated by reference, which can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-> _____, or on the web www.floridasmantalhealthprofessions.gov/resources, must be submitted by all qualified supervisors prior to initiation of any supervision in Florida for registered interns.

(5) A qualified supervisor shall:

(a) Provide the Board with a signed and dated letter which may be submitted electronically and which states the supervisor has agreed to provide the intern or applicant with supervision while a registered intern;

(b) Not commence supervision until the qualified supervisor confirms Board approval, licensure status, and receipt of an approval letter from the Board office for each intern under supervision;

(c) Ensure that at all times the qualified supervisor and the intern act within their established scopes of practice providing the appropriate standard of care for each client of the intern;

(d) Report any violations of the scope of practice, standard of care, or any laws or rules directly to the Board within seven (7) days of the knowledge of such violation;

(e) Document a minimum of date, duration, and participants of all supervision sessions which shall be completed and signed, or otherwise verified, by the qualified supervisor no later than twenty-four (24) hours after each session;

(f) Ensure compliance with all continuing education requirements for both the qualified supervisor and the intern and provide updates to the intern on all changes to applicable laws and rules;

(g) Submit supervision hours to the Board within seven (7) days after the conclusion of supervision using form DH-MQA 1181, “Verification of Clinical Experience” which is incorporated in rule 64B4-3.0015, F.A.C.;

(h) Be available upon request of the Board to appear, to submit additional documentation, or to submit additional information regarding the intern’s performance during supervision;

(i) Terminate the supervision relationship if the qualified supervisor is unable to adequately provide supervision;
and

(j) Notify the Board within seven (7) days of the termination of the supervision relationship for any reason.



(6) Failure to comply with any of the requirements or duties by a qualified supervisor shall be considered a violation of section 456.072(1)(k), F.S., for discipline purposes.

Rulemaking Authority 491.004(5), 491.005(1)(c), (3)(c), (4)(c) FS. Law Implemented 456.072(1), 491.005(1)(c), (3)(c), (4)(c) FS. History—New 12-16-96, Formerly 59P-2.0025, Amended

H. 64B4-3.003, Examination for Licensure

Mr. Frizzell provided the following rule draft with proposed amended language for the Board's consideration based on a review from JAPC. The proposed rule, which was advertised in the Florida Administrative Register on August 13, 2020 used the word "may" which implies that someone may or may not be allowed to take the examination. Mr. Frizzell suggested changing the word from may to shall.

After discussion, the following action was taken:

Motion: by Ms. Buller to approve proposed language changes.
Second: by Dr. Day.
Vote: unanimous.

The Board considered the economic impact and determined that a Statement of Estimated Regulatory Costs (SERC) for the above listed rule was not necessary and the rule will not need legislative ratification. The Board determined that no part of these rules or a violation of these rule should be designated a minor violation and took the following action:

Motion: by Dr. Day that the changes made would not have any impact on the economic impact questions previously voted upon.
Second: by Dr. Cecil Van Dan Heuvel.
Vote: unanimous.

64B4-3.003 Examination for Licensure.

(1) An applicant who has completed all requirements for the examination and has been certified eligible by the board will be admitted to the examination for licensure.

(2) Theory and practice examinations.

(a) The examination for Clinical Social Workers. The theory and practice examination for clinical social workers shall be the Clinical Level objective multiple choice examination developed by the Association of Social Work Boards (ASWB). Beginning June 1, 2021, applicants may be deemed eligible to take the examination after completion of 18 months of documented experience in clinical settings, not including the applicant's practicum or other experience received in the applicant's graduate program. The minimum passing score is the recommended cut-off score provided by the national vendor established according to a standard setting method.

(b) The examination for Mental Health Counselors shall be the National Clinical Mental Health Counseling Examination (NCMHCE), shall be a clinical simulation examination developed by the National Board for Certified Counselors (NBCC). All options are given a weight based upon the level of appropriateness for good client care. The minimum pass level shall be the recommended cut-off score provided by the NBCC and established according to a content-based modified Angoff procedure. Applicants for licensure by endorsement may use the National Counselor Examination for Licensure and Certification (NCE) if the exam was taken prior to the year 2000.



(c) ~~The examination for Marriage and Family Therapists. The marital and family therapy examination shall be the an objective multiple choice examination developed by the Examination Advisory Committee of the Association of Marital and Family Therapy Regulatory Board (AMFTRB). All items will be weighted equally in scoring the examination.~~

(3) ~~The minimum passing score is the recommended cut-off score provided by the national vendor and shall be established by the respective test providers according to the Angoff procedure.~~

Rulemaking Authority 456.017, 491.004(5) FS. Law Implemented 456.017, 491.005 FS. History—New 3-21-90, Amended 7-31-91, 3-10-92, 6-1-92, 1-27-93, Formerly 21CC-3.003, Amended 3-14-94, 7-20-94, Formerly 61F4-3.003, Amended 12-22-94, 9-18-95, 11-13-96, 6-1-97, Formerly 59P-3.003, Amended 8-8-99, 1-11-00, 7-2-00, 8-24-00, 10-15-02, 7-8-03, 6-7-10, 8-30-15, 7-10-19, _____.

I. 64B4-6.007, Reapproval of Continuing Education Providers

This rule was added for the board's review of approved continuing education courses. Ms. Hartman and Ms. Irving provided an overview of the rule and asked the board if they wanted to consider the way courses were being approved to avoid continuing to add nonclinical courses to the agenda. One concern is the volume of courses for review.

Dr. Day asked the board to consider defining Life Coaching to avoid those practicing without a license. Ms. Bolhouse asked that Unlicensed Activity (ULA) be placed on the agenda and an open discussion of counseling and clinical work. Ms. Buller stated that the rule is written specifically for meeting requirements to become a provider and applicants may not consider that future programs need to meet the same requirements. She also stated that providers may be thinking differently on what meets the requirements and there is a difference of opinion. Ms. Bolhouse asked that the Department explore other options and present them at a future meeting.

J. 64B4-22.110, MFT Course Content

Mr. Frizzell presented the below rule draft with proposed amended language for the Board's consideration and provided an overview of the amendments to the Board.

64B4-22.110 Course Content.

The course requirements set forth in Section 491.005(3), F.S., shall contain the following content:

(1) Dynamics of Marriage and Family Systems. This course introduces the student to systemic knowledge and thought, focusing on the development of marriage and family therapy (MFT) as a profession and on the interactive dynamics of the living social systems of marriage and family as explained by a number of the tenets of General Systems Theory.

(2)(a) Marriage Therapy and Counseling Theory and Techniques,

(b) Family Therapy and Counseling Theory and Techniques. Content in these two areas may be taught separately as stated or they may be taught as a course in theories and a course in techniques. A course in theories will compare and contrast the major theoretical models in systemic marriage and family therapy which seek to explain both normal and abnormal, or dysfunctional marriage and family functioning. A course in techniques will use the different theoretical understandings to develop interventive skills useful in the diagnosis and treatment of symptomatic families, couples and individuals.

(3) Individual Human Development Theories Throughout the Life Cycle. This course covers theories of human development in all stages of life both for the individual and for the systems in which the individual lives.

(5) Psychopathology. This course prepares the student in the evaluation and classification of abnormal human



behavior and psychiatric disorders in individuals according to current diagnostic standards (DSM IVTR and ICD-9 or ICD-10).

(6) Human Sexuality Theory and Counseling Techniques. This course provides a broad understanding of human sexual development, both normal and abnormal sexual functioning and appropriate counseling techniques for sexual dysfunctions.

(7) General Counseling Theories and Counseling Techniques. This course content teaches those theories and fundamentals of counseling which are applicable to all counseling processes whether they are individually or systemically oriented.

(8) Psychosocial Theories. Course content in this area explores the interrelationship of psychology and sociology in understanding the growth and development of living human systems within their larger, social systems context. Courses in family sociology, gender, anthropology or culture and ethnicity in counseling offer psychosocial awareness.

(9) Legal, Ethical and Professional Standards. This course presents standards of law and ethics as it relates to the practice of all counseling professions. Particular issues of law and ethics which uniquely impact the practice of MFT should also be addressed.

(10) Diagnosis, Appraisal, Assessment and Testing. This course content teaches a working knowledge of inferential statistics and the use and application of tests and measurements used in the diagnosis and appraisal of intra- and inter-personal disorders and dysfunctions.

(11) Behavioral Research. This course content teaches the student to be an informed consumer of professional research. The focus is on interpretation of research data and their appropriate application to professional practice. Knowledge of inferential statistics is necessary in this interpretative process.

(12) A minimum of 400 hours university-sponsored Supervised Clinical Practicum, internship, or field experience completed within a minimum of 12 months within a Marriage and Family Setting. The experience shall include at least 300 hours of direct client services of which a minimum of 200 hours must be relational. It is important to emphasize that the student practicum must be supervised by a licensed MFT or equivalent as defined in Rule 64B4-21.007, F.A.C. and must be certified complete by an official of the college or university granting the degree.

(13) Substance Abuse. This course includes research and theories of substance use and abuse; principles and practices for the treatment of substance abuse and addiction; and the promotion of responsible behavior.

Rulemaking Authority 491.004(5) FS. Law Implemented 491.005(3) FS. History—New 8-20-92, Amended 1-27-93, Formerly 21CC-22.110, Amended 2-22-94, Formerly 61F4-22.110, 59P-22.110, Amended 10-15-02, 1-24-08.

After discussion, the following action was taken:

Motion: by Ms. Buller to approve proposed language.

Second: by Dr. Cecil-Van den Heuvel.

Vote: unanimous

The Board considered the economic impact and determined that a Statement of Estimated Regulatory Costs (SERC) for the above listed rules was not necessary and the rules will not need legislative ratification. The Board determined that no part of these rules or a violation of these rule should be designated a minor violation and took the following action:

Motion: by Buller that a Statement of Estimated Regulatory Costs is not required as the proposed rule amendment has no impact on small business.



Second: by Dr. Cecil Van den Heuvel.
Vote: unanimous.

Motion: by Ms. Buller that the proposed rule amendments would cause no impact over \$200,000 in the aggregate in Florida within one year of these rules being filed.

Second: by Dr. Cecil Van den Heuvel.
Vote: unanimous.

Motion: by Ms. Buller that no part of these rules or a violation of these rules should be designated as a minor violation.

Second: by Dr. Day.
Vote: unanimous.

Motion: by Ms. Buller that it is not appropriate to sunset or provide a given time for any of these rules.

Second: by Dr. Day.
Vote: unanimous

III. OTHER BUSINESS

A. Annual Regulatory Plan

Mr. Frizzell presented the Annual Regulatory Plan signed by the Board Chair.

Motion: by Dr. Day to ratify the Annual Regulatory Plan.
Second: by Ms. Buller.
Vote: unanimous.

IV. PUBLIC COMMENT

There was no public comment.

V. ADJOURNMENT

The meeting was adjourned at 9:36 am by Ms. Bolhouse.

