



# LOUISIANA

## Licensed Professional Counselors Board of Examiners

---

April 3<sup>rd</sup>, 2015

**Sent Via Email and Via Certified Mail: Receipt Requested**  
**7014 2870 0000 5192 7643**

**TO:** Catherine Brindley, Editor  
Louisiana Office of the State Register  
[Reg.Submission@la.gov](mailto:Reg.Submission@la.gov)

**FROM:** The LPC Board of Examiners

**RE:** Insertion Order for April 20<sup>th</sup>, 2015 LA Register

Dear Ms. Brindley,

The Louisiana Licensed Professional Counselors Board of Examiners is submitting the enclosed Insertion Order and other materials for your review. We would like to publish the enclosed Rule in the April 20<sup>th</sup> LA Register. The rule text is unchanged from that published as a Notice of Intent in the January 20<sup>th</sup> LA Register on pages 207-258. If you have any questions, please do not hesitate to contact me. Thank you!

Sincerely,

Mary Alice Olsan  
Executive Director  
225.765.2515  
[lpcboard@eatel.net](mailto:lpcboard@eatel.net)

OFFICE OF THE STATE REGISTER INSERTION ORDER (eff.08/02)
Claiborne Building 1201 North Third Street Suite 3-220 Post Office Box 94095
Baton Rouge, LA 70804-9095 (225)342-5015 FAX (225)342-0284

(SUBMIT A SEPARATE INSERTION ORDER PER DOCUMENT)

[ ] EMERGENCY RULE [ ] NOTICE OF INTENT [x] RULE [ ] POTPOURRI

REFER TO INSTRUCTIONS ON REVERSE SIDE

This is your authority to publish in the (month) April, 20 15 Louisiana Register the document indicated above.

LA LPC Board of Examiners
Office/Board/Commission promulgating this document

Health and Hospitals
Department under which office/board/commission is classified

Mary Alice Olsan Executive Director

Mary Alice Olsan 225.765.2515 225.765.2514

(name) (title)
Name and title of person whose signature will appear in the publication (at the end of the document)

(name) (phone) (fax)
Name, phone number, and FAX number of person to contact regarding this document

lpcboard@eatel.net

E-mail address of contact person

Provide a short descriptive listing for this document to be used in the Louisiana Register's TABLE OF CONTENTS/INDEX (note: this description should match the fiscal statement title, if sending a Notice of Intent:

\*If sending a diskette, indicate the name of the file on diskette:

PLPC AND PLMFT REGULATIONS

[Handwritten Signature]

Signature of Agency Head or Designee

Mary Alice Olsan, Executive Director

Print Name and Title of Agency Head or Designee

Important: If submitting both an Emergency Rule (ER) and a Notice of Intent (NOI) to be published this month, AND if the rule text in the ER is identical to the rule text in the NOI, check here: [ ]

CERTIFICATION OF AVAILABLE FUNDS

DOCUMENT # \_\_\_\_\_

[ ] ISIS AGENCY: I certify the availability of fiscal year \_\_\_\_\_ appropriated funds for the payment of the above referenced publication and authorize the processing of an Interagency Billing with the following coding on the 30th of the month of the publication. Attach supplemental sheet for additional lines of coding.

AGENCY ORGANIZATION # OBJECT SUB-OBJECT REPORTING CATEGORY

[x] NON-ISIS AGENCY: I certify the availability of fiscal year 14/15 appropriated funds for the payment of the above referenced publication and agree to place corresponding invoice in line for payment upon receipt.

Billing Address for Agencies:

LA LPC BOARD OF EXAMINERS

Agency Name

8631 SUMMA AVENUE

Street Address or Post Office Box

BATON ROUGE LA 70809

City State Zip Code

Signature of Agency Head or Designee - Phone #

Lines/Other Charges \_\_\_\_\_ Typesetting \$ \_\_\_\_\_ TOTAL \$ \_\_\_\_\_



# LOUISIANA

## Licensed Professional Counselors Board of Examiners

---

Sent via Email to: [apa.senatepresident@legis.la.gov](mailto:apa.senatepresident@legis.la.gov)

March 10th, 2015

Office of the President of the Senate  
Attention: The Honorable John A. Alario, Jr.  
P.O. Box 94183  
Baton Rouge, LA 70804

Dear Senator Alario,

Pursuant to R.S. 49:968(D)(1)(b), the Licensed Professional Counselors Board of Examiners (LPC Board) hereby announces our plan to proceed with rule-making by finalizing the January 20<sup>th</sup>, 2015 Notice of Intent that was promulgated on pages 207-258 of the *Louisiana Register*.

This rule-making was necessary to adopt and amend existing rules to implement Act 484 of the 2014 Regular Session of the Louisiana Legislature and changes associated with Act 173 of the 2013 Regular Session of the Louisiana Legislature and Act 736 of the 2014 Regular Session of the Louisiana Legislature.

The Board has received no comments and therefore has not conducted a hearing pursuant to R.S. 49:953(A)(2).

Subject to legislative oversight by either the House or Senate Health and Welfare Committee, the Board intends to submit a Rule to the Office of the State Register for publication. Please contact me if the Board may be of any assistance to you concerning this rule. Thank you for your time and service to the state of Louisiana.

Respectfully,

  
Mary Alice Olsan  
Executive Director  
Louisiana LPC Board of Examiners  
8631 Summa Avenue  
Baton Rouge, LA 70809  
225.765.2515

cc: House Speaker  
Via Email: [apa.housespeaker@legis.la.gov](mailto:apa.housespeaker@legis.la.gov)  
Chair, Senate Health & Welfare Committee  
Via Email: [apa.s-h&w@legis.la.gov](mailto:apa.s-h&w@legis.la.gov)  
Chair, House Health & Welfare Committee  
Via Email: [apa.h-hw@legis.la.gov](mailto:apa.h-hw@legis.la.gov)  
Editor, Louisiana Register  
Vie Email: [catherine.brindley@la.gov](mailto:catherine.brindley@la.gov)

(no changes)

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT  
(Summary)

It is anticipated that the implementation of this proposed rule will not have an effect on competition and employment.

J. Ruth Kennedy  
Medicaid Director  
1501#060

Evan Brasseaux  
Staff Director  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health and Hospitals  
Licensed Professional Counselors Board of Examiners**

PLPC and PLMFT Regulations; Fee Structure  
Adjustments/Changes (LAC 46:LX.Chapters 1-47)

In accordance with the Louisiana Administrative Procedures Act (R.S. 49:950 et seq.) and through the authority of the Mental Health Counselor Licensing Act (R.S. 37:1101 et seq.), the Louisiana Licensed Professional Counselors Board of Examiners hereby gives notice of its intent to adopt rules and to amend existing rules to implement Act 484 of the 2014 Regular Session of the Louisiana Legislature and changes associated with Act 173 if the 2013 Regular Session of the Louisiana Legislature and Act 736 of the 2014 Regular Session of the Louisiana Legislature.

**Title 46  
PROFESSIONAL AND OCCUPATIONAL  
STANDARDS**

**Part LX. Licensed Professional Counselors Board of Examiners**

**Subpart 1. Licensed Professional Counselors**

**Chapter 1. General Provisions**

**§101. Statutory Authority**

A. The Louisiana Licensed Professional Counselors Board of Examiners was initially created and empowered by Act 892 of the 1987 Legislature to provide regulation of the practice of mental health counseling and provide for the regulation of the use of the title "Licensed Professional Counselor" (R.S. 37:1102). Subsequently Act 1195 of 2001 empowered the board to provide regulation of marriage and family therapy and the use of the title "Licensed Marriage and Family Therapist" [R.S.37:1102(B)]. Act 484 of the 2014 Legislative Session empowered the board to provide regulation of the practice and use of the titles "Provisional Licensed Professional Counselor" and "Provisional Licensed Marriage and Family Therapist". Therefore, the Louisiana Licensed Professional Counselors Board of Examiners establishes the rules and regulations herein pursuant to the authority granted to, and imposed upon said board under the provisions of the Louisiana Revised Statutes, Title 37, Chapter 13, R.S. 37:1101-1123.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:128 (February 2003), amended LR 29:2782 (December 2003), LR 41:

**§103. Description of Organization**

A. ...

1. The licensed professional counselor board shall establish a marriage and family therapy advisory committee,

which shall consist of the four board members appointed by the governor from the list of names submitted by the executive board of the Louisiana Association for Marriage and Family Therapy.

A.2. - A.3.a. ...

b. examine and qualify all applicants for licensure or provisional licensure as marriage and family therapists and recommend to the board each successful applicant for licensure or provisional licensure, attesting to the applicant's professional qualifications to be a licensed or a provisionally licensed marriage and family therapist;

c. develop for the board application forms for licensure and provisional licensure pursuant to this Chapter; and

d. maintain complete records of all meetings, proceedings, and hearings conducted by the advisory committee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:128 (February 2003), amended LR 29:2782 (December 2003), LR 39:1782 (July 2013), LR 41:

**§111. Notification of Change**

A. Every licensed or provisional licensed professional counselor and every licensed or provisional licensed marriage and family therapist shall immediately notify in writing the Licensed Professional Counselors Board of Examiners of any and all changes in name, address, and phone number. Failure to comply with this rule within 30 days of change will result in a fine as set forth in §901.C.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 26:493 (March 2000), amended LR 29:129 (February 2003), LR 41:

**Chapter 3. Board Meetings, Procedures, Records, Powers and Duties**

**§307. Meetings**

A. The board shall be domiciled in Baton Rouge and shall hold its meetings in places to be designated by the board. The chair will call meetings after consultation with board members or by a majority of members voting at a regular meeting. Reasonable notice of all board meetings will be given by posting the meeting place and time, seven days before the meeting, on the door of the office of the board and in two places in the building housing the office of the board. The board may examine, approve, revoke, suspend, and renew the license or provisional license of applicants and shall review applications at least once a year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Professional Counselors, LR 14:82 (February 1988), amended by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:129 (February 2003), 39:1782 (July 2013), LR 41:

**§309. Quorum**

A. Six members of the board shall constitute a quorum of the board at any meeting or hearing for the transaction of business and may examine, approve, and renew the license or provisional license of applicants.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:129 (February 2003), amended LR 29:2783 (December 2003), LR 41:

### §313. Code of Ethics

A. The board has adopted the Code of Ethics of the American Counseling Association for Licensed and Provisional Licensed Professional Counselors as specified in R.S. 37:1105(D) and may adopt any revisions or additions deemed appropriate or necessary by the board. Applicable ethics requirements for Licensed Marriage and Family Therapists and Provisional Licensed Marriage and Family Therapists are addressed at §4301 of these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Professional Counselors, LR 14:83 (February 1988), amended by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 22:101 (February 1996), LR 29:130 (February 2003), LR 41:

### §315. Records of Proceedings

A. The board shall keep a record of its proceedings including applicant examinations, a register of applicants for licenses, and a register of licensed and provisionally licensed professional counselors which shall be made available to the public.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Professional Counselors, LR 14:83 (February 1988), amended by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:130 (February 2003), LR 41:

## Chapter 5. License and Practice of Counseling

### §501. License of Title and Practice

A. As stated in R.S. 37:1111(A), no person shall assume or use the title or designation "licensed professional counselor" or "provisional licensed professional counselor" or engage in the practice of mental health counseling unless the person possesses a valid license issued by the board under the authority of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Professional Counselors, LR 14:83 (February 1988), amended by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:130 (February 2003), LR 39:1782 (July 2013), LR 41:

### §503. Definitions for Licensed Professional Counselors and Provisional Licensed Professional Counselors

A. For purposes of this rule, the following definitions will apply.

*Active Supervision*—the process by which a supervisee receives one hour of face-to-face supervision with his/her board-approved supervisor for every 20 hours of direct client contact or at least once every three-month period.

*Board*—the Louisiana Licensed Professional Counselors Board of Examiners.

*Licensed Professional Counselor*—any fully licensed person (i.e. one who may practice independently as specified in R.S. 37: 1107(A)) who holds oneself out to the public for a fee or other personal gain, by any title or description of services incorporating the words "licensed professional counselor" or any similar term, and who offers to render professional mental health counseling/psychotherapy services denoting a client-counselor relationship in which the counselor assumes the responsibility for knowledge, skill, and ethical consideration needed to assist individuals, groups, organizations, or the general public, and who implies that he/she is licensed to practice mental health counseling.

*Licensee*—an individual holding either a full or provisional license issued by the Louisiana Licensed Professional Counselors Board of Examiners. All licensees must accurately identify themselves as fully licensed (i.e., licensed) or provisionally licensed.

*Provisional Licensed Professional Counselor*—any person by title or description of services incorporating the words "provisional licensed professional counselor" and who, under board-approved supervision (i.e. may not practice independently), renders professional mental health counseling/psychotherapy services denoting a client-counselor relationship in which the licensee assumes the responsibility for knowledge, skill, and ethical consideration needed to assist individuals, groups, organizations, or the general public, and who implies that he/she is provisionally licensed to practice mental health counseling.

*Supervisee*—a provisional licensed professional counselor under the active supervision of his/her board-approved supervisor.

*Mental Health Counseling/Psychotherapy Services*—rendering or offering prevention, assessment, diagnosis, and treatment, which includes psychotherapy of mental, emotional, behavioral, and addiction disorders to individuals, groups, organizations, or the general public by a licensed or provisional licensed professional counselor which is consistent with his/her professional training as prescribed by R.S. 37:1107(A)(8), and code of ethics/behavior involving the application of principles, methods, or procedures of the mental health counseling profession. However, nothing in this Chapter shall be construed to authorize any person licensed or provisionally licensed hereunder to administer or interpret tests in accordance with the provision of R.S.37:2352(5), except as provided by LAC 46:LXIII.1702.E, or engage in the practice of psychology or to prescribe, either orally or in writing, distribute, dispense, or administer any medications.

*Practice of Mental Health Counseling/Psychotherapy*—rendering or offering prevention, assessment, diagnosis, and treatment, which includes psychotherapy of mental, emotional, behavioral, and addiction disorders to individuals, groups, organizations, or the general public by a licensed or provisional licensed professional counselor, which is consistent with his/her professional training as prescribed by R.S. 37:1107(A)(8), and code of ethics/behavior involving the application of principles, methods, or procedures of the mental health counseling profession which includes but is not limited to:

a. - e.ii. ...

iii. Appraisals done within the practice of mental health counseling must be performed in accordance with the

requirements of the *Louisiana Administrative Code*, Title 46, Part LX, Chapter 21, Code of Conduct for Licensed Professional Counselors and Provisional Licensed Professional Counselors. A licensed professional counselor must be privileged by this board to utilize formal appraisal instruments and shall limit such use to those areas heretofore mentioned in this Chapter. A licensed professional counselor who wishes to be board privileged to utilize formal appraisal instruments in the appraisal of individuals shall additionally furnish this board satisfactory evidence of formal graduate training in statistics, sampling theory, test construction, test and measurements and individual differences and must renew this privileging designation every two years (as defined in Chapter 7). Formal training shall include a practicum and supervised practice with appraisal instruments.

f. - g. ...

h. *Supervision*—the process as defined in Chapter 7, §705 whereby a board-approved supervisor assists a provisional licensed professional counselor in developing expertise in the use of mental health counseling/psychotherapeutic practices.

i. ...

j. Repealed.

k. *Internet Counseling*—mental health services delivered over the internet are rendered where the patient/client is situated. All counselors/therapists serving Louisiana residents via internet counseling must be fully licensed in Louisiana and must adhere to all applicable state laws relative to the practice of mental health counseling. R.S. 37:1111 prohibits any person from engaging in the practice of mental health counseling in Louisiana unless he/she possesses a full and valid license issued by the Louisiana LPC Board. No individuals holding a provisional license may engage in internet counseling.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Professional Counselors, LR 14:83 (February 1988), amended by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 16:302 (April 1990), LR 18:51 (January, 1992), LR 22:101 (February 1996), LR 24:437 (March 1998), LR 24:2124 (November 1998), LR 26:493 (March 2000), LR 29:130 (February 2003), LR 33:2654 (December 2007), LR 39:1783 (July 2013), LR 41:

### §505. Serious Mental Illnesses

A. ...

1. *Mental Health Counseling/Psychotherapy Services*—rendering or offering prevention, assessment, diagnosis, and treatment, which include psychotherapy, of mental, emotional, behavioral, and addiction disorders to individuals, groups, organizations, or the general public by a licensee, which is consistent with his/her professional training as prescribed by R.S. 37:1107(A)(8), and code of ethics/behavior involving the application of principles, methods, or procedures of the mental health counseling profession.

2. However, a licensee may not assess, diagnose, or provide treatment to any individual suffering from a serious mental illness when medication may be indicated, unless the licensee 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 licensed by the Louisiana state Board of Nursing who is certified as a psychiatric nurse practitioner.

B. Applicability. The requirement for collaboration and consultation set forth above shall apply only if any of the following conditions are assessed, diagnosed, or treated by the licensee:

1. - 12. ...

C. Definitions

1. - 2.i ...

ii. when the licensee, client, or legal guardian believes that the use of prescribed psychiatric medication may facilitate treatment goals and improve client functioning.

3. As used herein, *Consultation and Collaboration*—may be specific or general in nature.

i. Specific Consultation and Collaboration. When medication is indicated for clients who have been diagnosed with a serious mental illness 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.

(a). If the licensee's attempts to consult directly with the practitioner are not successful, the licensee must notify the practitioner within a reasonable time that he or she is providing services to the client. Also, the licensee must document in the client's file the date of client consent, the date of consultation, or, if attempts to consult did not succeed, the date and manner of notification to the practitioner. The licensee will inform the client of the inability to consult directly with the practitioner and will discuss and document additional options with the client, including that of general *consultation and collaboration*. The licensee will provide information to the practitioner regarding client progress as conditions warrant. *Consultation and collaboration*, for purposes of these rules and otherwise, shall not be construed as supervision. Further, *consultation and collaboration* does not include the transfer between the consulting professionals of responsibility for the client's care or the ongoing management of the client's presenting problem(s).

(b). If attempts to consult directly with a practitioner for a specific consultation are successful, the licensee must document in the client's file the information obtained in the specific consultation. The licensee will provide information to the practitioner regarding client progress as conditions warrant.

ii. General *Consultation and Collaboration*. 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 identifying information about the client.

(a). If the licensee's attempts to consult directly with a practitioner are not successful, the licensee must document in the client's file the date of client refusal for consent to consult, the date of general consultation, or if attempts to consult did not succeed, the date and manner of notification to a practitioner.

(b). If attempts to consult directly with a practitioner for a general consultation are successful, the licensee must document in the client's file the information obtained in the general consultation. The licensee will provide general information to the practitioner regarding client progress as conditions warrant.

iii. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1105(D).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 39:1784 (July 2013), LR 41:

## **Chapter 6. Application, Practice, and Renewal Requirements for Provisional Licensed Professional Counselors**

### **§601. General Provisions**

A. Pursuant to Act 484 of the 2014 Regular Legislative Session and effective May 1, 2015, an individual previously registered as a counselor intern with the Louisiana Licensed Professional Counselors Board of Examiners and under active board-approved supervision will be issued a provisional license as a provisional licensed professional counselor and subject to R.S. 37:1101-1123 and board rules herein.

1. Any counselor intern who has surpassed their seven-year registration period, with the exception of those granted an extension by the board, must reapply to the board as a provisional licensed professional counselor under current law and board rules in order to practice mental health counseling.

2. Counselor interns granted an extension beyond May 1, 2015 will be issued a provisional license. Such provisional license will become invalid upon expiration of the board granted extension. The individual must then apply under current law and board rules for provisional licensure as a provisional licensed professional counselor or for licensure as a licensed professional counselor in order to practice mental health counseling.

B. The board shall provisionally license to practice all persons who present satisfactory evidence of qualifications as specified in these rules and regulations of the board. No provisional license shall be denied any applicant based upon the applicant's:

1. age;
2. culture;
3. disability;
4. ethnicity;
5. race;
6. religion/spirituality;
7. gender;
8. gender identity;
9. sexual orientation;
10. marital status/partnership;
11. language preference;
12. socioeconomic status; or
13. any basis proscribed by law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Licensed Professional Counselors Board of Examiners, LR 41:

### **§603. Provisional Licensed Professional Counselors Licensing Requirements**

A. The board shall issue a provisional license to each provisional licensed professional counselor applicant who files an application upon a form designated by the board and in such a manner as the board prescribes, accompanied by such fee required by R.S. 37:1106 and who furnishes satisfactory evidence to the board that he/she:

1. is at least 21 years of age;
2. is of good moral character;
3. is not in violation of any of the provisions of R.S. 37:1101-1123 and the rules and regulations adopted herein;
4. has received a graduate degree, as defined in Chapter 5, the substance of which is professional mental health counseling in content from a regionally-accredited institution of higher education offering a master's and/or doctoral program in counseling that is approved by the board and has accumulated at least 48 graduate credit hours as part of the graduate degree plan containing the eight required areas, the supervised mental health practicum and supervised internship in mental health counseling (as defined in Chapter 5). Applicants may apply post-masters counseling courses towards licensure if their degree program consisted of less than 48 hours. All post-masters counseling courses must be completed with a grade no lower than C. All field experience courses must be completed with a grade of A, B, or P as specified in Chapter 5, Section 503(A)(a)(i)(ii). Beginning September 1, 2015, all applicants whose academic background has not been previously approved by the board, must have accumulated at least 60 graduate credit hours as part of the graduate degree plan containing the eight required areas, the supervised mental health practicum and supervised internship in mental health counseling (as defined in Chapter 5). Applicants may apply post-masters counseling courses towards licensure if their degree program consisted of less than 60 hours;

a. To be eligible for supervision as a provisional licensed professional counselor, the applicant must provide proof of completion of a supervised practicum and internship as listed in §503 (Definitions) and at least one three-credit hour course in each of the following eight content areas. In order for a course to fulfill a content area requirement, it must include in a substantial manner the area in the description for the content areas.

i. Counseling/Psychotherapy Theories of Personality—description:

(a). counseling/psychotherapy theories, including both individual and systems perspectives;

(b). research and factors considered in applications of counseling/psychotherapy theories; or

(c). theories of personality including major theories of personality.

ii. Human Growth and Development—description:

(a). the nature and needs of individuals at developmental levels;

(b). theories of individual and family development and transitions across the life-span;

(c). theories of learning and personality development;

(d). human behavior, including an understanding of developmental crises, disability, addictive behavior, psychopathology, and environmental factors as they affect both normal and abnormal behavior;

(e). strategies for facilitating development over the lifespan.

iii. Abnormal Behavior—description:

(a). emotional and mental disorders experienced by persons of all ages;

(b). characteristics of disorders;

(c). common nosologies of emotional and mental disorders utilized within the U.S. health care system;

(d). the most recent edition of the *Diagnostic and Statistical Manual of Mental Disorders*, as published by the American Psychiatric Association;

(e). preferred treatment approaches for disorders based on research;

(f). common medications used by psychiatrists to treat disorders;

(g). working with other health care and mental health care professionals in treating individuals with emotional and mental disorders.

iv. Techniques of Counseling/ Psychotherapy—description:

(a). basic interviewing, assessment, and counseling/psychotherapeutic skills;

(b). counselor characteristics and behaviors that influence helping processes, including:

(i). age;

(ii). gender and ethnic differences;

(iii). verbal and nonverbal behaviors and personal characteristics;

(iv). orientations; and

(v). skills;

(c). client characteristics and behaviors that influence helping processes, including:

(i). age;

(ii). gender and ethnic differences;

(iii). verbal and nonverbal behaviors and personal characteristics;

(iv). traits;

(v). capabilities; and

(vi). life circumstances.

v. Group Dynamics, Processes, and Counseling/Psychotherapy—description:

(a). principles of group dynamics, including:

(i). group process components;

(ii). developmental stage theories; and

(iii). group members' roles and behaviors;

(b). group leadership styles and approaches, including characteristics of various types of group leaders and leadership styles;

(c). theories of group counseling/psychotherapy, including:

(i). commonalities;

(ii). distinguishing characteristics; and

(iii). pertinent research and literature;

(d). group counseling/psychotherapeutic methods, including:

(i). group counselor orientations and behaviors;

(ii). ethical standards;

(iii). appropriate selection criteria and methods; and

(iv). methods of evaluation of effectiveness;

(e). approaches used for other types of group work, including:

(i). task groups;

(ii). prevention groups;

(iii). support group; and

(iv). therapy groups.

vi. Lifestyle and Career

Development—description:

(a). career development theories and decision-making models;

(b). career, a vocational, educational, and labor market information resources, visual and print media, and computer-based career information systems;

(c). career development program planning, organization, implementation, administration, and evaluation;

(d). interrelationships among work, family, and other life roles and factors including multicultural and gender issues as related to career development;

(e). career and educational placement, follow-up and evaluation;

(f). assessment instruments and techniques relevant to career planning and decision-making;

(g). computer-based career development applications and strategies, including computer-assisted guidance systems;

(h). career counseling processes, techniques, and resources, including those applicable to specific populations.

vii. Appraisal of Individuals—description:

(a). theoretical and historical bases for assessment techniques;

(b). validity, including evidence for establishing:

(i). content;

(ii). construct; and

(iii). empirical validity;

(c). reliability, including methods of establishing:

(i). stability;

(ii). internal and equivalence reliability;

(d). appraisal methods, including:

(i). environmental assessment;

(ii). performance assessment;

(iii).[a]. individual and group test and inventory methods;

[b]. behavioral observations; and

[c]. computer-managed and computer-assisted methods;

(e). psychometric statistics, including:

(i). types of assessment scores;

(ii). measures of central tendency;

(iii). indices of variability;

(iv). standard errors; and

(v). correlations;

(f). age, gender, ethnicity, language, disability, and culture factors related to the assessment and evaluation of individuals and groups;

(g). strategies for selecting, administering, interpreting, and using assessment and evaluation instruments and techniques in counseling.

viii. Ethics and Professional Orientation—description:

(a). ethical standards of the American Counseling Association, state counselor licensure boards, and national counselor certifying agencies;

(b). ethical and legal issues and their applications to various professional activities;

(c). history of the helping professions, including significant factors and events;

(d). professional roles and functions of counselors, including similarities and differences with other mental health professionals;

(e). professional organizations, primarily the American Counseling Association, its divisions, branches, and affiliates, including membership benefits, activities, services to members, and current emphases, professional preparation standards, their evolution, and current applications;

(f). professional credentialing, including certification, licensure, and accreditation practices and standards, and the effects of public policy on these issues;

(g). public policy processes, including the role of the professional counselor in advocating on behalf of the profession and its clientele.

5. has obtained a Board-Approved Supervisor

a. The provisional licensed professional counselor will identify an individual who agrees to serve as his/her board-approved supervisor. This individual must hold the licensed professional counselor-supervisor designation as issued by the Louisiana LPC Board of Examiners.

b. The provisional licensed professional counselor, along with his/her desired board-approved supervisor, will:

i. provide the board with a written proposal outlining with as much specificity as possible the nature of the counseling duties to be performed by the provisional licensed professional counselor and the nature of the board-approved supervision;

ii. submit this written proposal on forms provided by the board prior to the proposed starting date of the board-approved supervision;

iii. submit, along with the written proposal, the appropriate fee determined by the board.

c. Following the board's review, the provisional licensed professional counselor will be informed by letter either that the proposed supervision arrangement has been approved or that it has been rejected. Any rejection letter will outline, with as much specificity as practical, the reasons for rejection.

d. All proposed supervision arrangements must be approved by the board prior to the starting date of the supervised experience. An applicant may not accrue any supervised experience hours, including face-to-face supervision hours, until the applicant is approved as a provisional licensed professional counselor.

i. Should the provisional licensed professional counselor add a board-approved supervisor, face-to-face supervision hours may not be accrued with the added supervisor until the application for supervision has been filed and approved by the LPC Board.

ii. Should the provisional licensed professional counselor change board-approved supervisors, supervised experience hours, including face-to-face supervision hours,

may not be accrued with the new supervisor until the application for supervision has been filed and approved by the LPC Board. If the provisional licensed professional counselor remains under active supervision with his/her current board-approved supervisor, he/she may continue to practice mental health counseling and accrue supervised experience hours until the change is approved by the LPC Board.

iii. A provisional licensed professional counselor may not be directly or indirectly employed or supervised (administrative supervision or board-approved supervision) by a relative of the provisional licensed professional counselor. For example, the licensee's board-approved supervisor cannot be supervised or employed by a relative of the licensee. Relative of the provisional licensed professional counselor is defined as spouse, parent, child, sibling of the whole- or half-blood, grandparent, grandchild, aunt, uncle, one who is or has been related by marriage or has any other dual relationship. Any exception must be approved by the board.

6. has obtained a board-approved practice setting

a. The provisional licensed professional counselor will identify a practice setting wherein he/she may accrue direct and/or indirect supervised experience hours. To obtain approval of a practice setting for accrual of direct client contact hours, the supervisee must engage in the practice of mental health counseling as defined in Chapter 5.

b. The practice setting must be approved by the supervisee's desired and/or designated board-approved supervisor prior to submission of the practice setting on forms provided by the board.

c. Board-approval of the supervisee's practice setting is required in order to begin accruing supervised experience hours at such practice setting.

d. No supervised experience hours (direct, indirect, or face to face supervision) may be accrued at a practice setting that is not approved by the board. Furthermore, should a provisional licensed professional counselor fail to inform the board of a practice setting by submitting appropriate documentation within 30 days of the date of hire at such setting, the provisional licensed professional counselor will forfeit all supervised experience hours accrued and be subject to a fine as defined in Chapter 9 whether or not the setting is approved by the board.

e. The professional practice setting cannot include any practice setting in which the provisional licensed professional counselor operates, manages, or has an ownership interest (e.g., private practice, for-profit, non-profit, etc.).

f. The licensee must be supervised by an administrative supervisor (in addition to receiving active, board-approved supervision) in order to volunteer counseling services or receive a wage for services rendered as an employee or private contractor. The control, oversight, and professional responsibility for provisional licensed professional counselors rests with the licensee's administrative supervisor in the setting in which they are employed, contracted or volunteering.

g. Provisional licensed professional counselors must notify their administrative supervisor of the identity of their board-approved supervisor and the nature of the supervisory activities, including any observations or taping that occurs

with clients, after obtaining the client's permission, in the setting.

h. A licensed mental health professional (e.g. LPC, LMFT, LCSW) must be employed in the professional setting in which the provisional licensed professional counselor is rendering counseling services and be available for case consultation and processing. The provisional licensed professional counselor must have obtained the administrative supervisor's approval of the licensed mental health professional prior to submitting the practice setting for board review. The licensed mental health professional may be the board-approved supervisor or the administrative supervisor if he/she meets each of the aforementioned requirements.

i. Supervised experience accrued by the provisional licensed professional counselor in an exempt setting needs to meet the requirements in this rule if that supervised experience is to meet the requirements for licensure as set forth by R.S. 37:1107(A).

7. has provided to the board a declaration of practices and procedures, with the content being subject to board review and approval.

8. has received a letter from the board certifying that all the requirements for *provisional licensed professional counselor*, as defined in this Chapter, were met before accruing supervised experience hours.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Licensed Professional Counselors Board of Examiners, LR 41:

#### **§605. Board-Approved Supervised Practice Requirements for Provisional Licensed Professional Counselors**

##### **A. Board-Approved Supervision Requirements**

1. Supervision is defined as assisting the provisional licensed professional counselor (supervisee) in developing expertise in methods of the professional mental health counseling practice and in developing self-appraisal and professional development strategies. Supervision must comply with standards as set by the board.

2. Pursuant to R.S. 37:1107(A), a supervisee must document a minimum of 3,000 hours of post-master's experience in professional mental health counseling under the clinical supervision of a board-approved supervisor, with said supervision occurring over a period of no less than two years and not more than six years from the original date such supervision was approved. A supervisee must remain under supervision of a board-approved supervisor until receiving written notification of approval for licensure.

a.i. Based on the above, the required 3,000 hours of counseling/psychotherapeutic experience shall be accrued in the following manner:

(a). a minimum of 1,900 hours (up to 2,900) in direct counseling/psychotherapeutic services involving individuals, couples, families, or groups;

i. An applicant may utilize supervised direct hours earned in post-master's degree practicum and internship courses in counseling (from a regionally accredited university) toward the required 1900 hours of direct counseling/psychotherapeutic services. In order to be counted, the direct hours earned in practicum and internship

courses must have occurred after the applicant has been approved for provisional licensure and is under the supervision of the applicant's board approved supervisor. An applicant may not count hours spent supervising others (i.e., supervision courses, doctoral students supervising master's level students) as direct hours.

(b). a maximum of 1,000 hours in additional client contact, counseling related activities (i.e., case notes, staffing, case consultation, or testing/assessment of clients) or education at the graduate level in the field of mental health as defined above;

i. Five hundred indirect hours of supervised experience may be gained for each 30 graduate semester hours earned beyond the required master's degree provided that such hours are clearly related to the field of mental health counseling, are earned from a regionally accredited institution, and are acceptable to the board. Practicum and internship courses may not be included in the 30 graduate semester hours that are used to substitute for 500 hours of supervised experience if they are used to count toward an applicant's direct hours.

(c). a minimum of 100 hours of face-to-face supervision by a board-approved supervisor. Up to 25 of the 100 face-to-face hours may be conducted by synchronous videoconferencing.

i. The board recommends one hour of supervision for every 20 hours of direct client contact as outlined in Subclause A.2.a.i.(a). Supervision may not take place via mail, email, or telephone. Telephone, mail, or email contacts with supervisor may be counted under Subclause A.2.a.i.(b) (i.e., consultation), however, it cannot be counted as face to face supervision as defined in Subclause A.2.a.i.(c).

ii. Acceptable modes for supervision of direct clinical contact are the following.

(a). Individual Supervision. The supervisory session is conducted by the board-approved supervisor(s) with one provisional licensed professional counselor present.

(b). Group Supervision. The supervisory session is conducted by the board-approved supervisor(s) with no more than 10 provisional licensed professional counselors present.

iii. At least 100 hours of the provisional licensed professional counselor's direct clinical contact with clients must be supervised by the board-approved supervisor(s), as defined below.

(a). At least 50 of these 100 hours must be individual supervision as defined above.

(b). The remaining 50 hours of these 100 hours may be either individual supervision or group supervision as defined above.

##### **B. Responsibility of Supervisee under Board-Approved Supervision**

1. During the period of supervised counseling/psychotherapy experience, the only proper identification title is provisional licensed professional counselor or PLPC. Provisional licensed professional counselors shall not identify or represent themselves by any other term or title, including "licensed", "fully licensed", "Licensed Professional Counselor", "LPC", or "counselor".

2. Each provisional licensed professional counselor must provide his/her clients with a disclosure statement (as

outlined in the Appendix of the Code of Conduct) that includes:

- a. his/her training status; and
- b. the name of his/her supervisor for licensure purposes.

3. Provisional licensed professional counselors must comply with all laws and regulations relating to the practice of mental health counseling (R.S. 37:1101-1123).

4. The provisional licensed professional counselor must maintain contact with his/her board-approved supervisor to ensure that active supervision requirements (as defined in Chapter 5) are met.

5. Provide updates to the board and board-approved supervisor regarding changes in status on forms provided by the board within 30 days of said change. Failure to comply may result in a fine, loss of supervised experience hours, and/or disciplinary action. Changes in status include changes in:

- a. relevant personal information, including contact information, physical address, name;
- b. relevant practice setting information, including job title/duties, employment status;
- c. status with the justice system, including notification of arrest, charges, convictions,
- d. status with another licensure/credentialing body, including notification of suspension, revocation, or other disciplinary proceedings/actions.
- e. the use of any narcotics, controlled substances, or any alcoholic beverages in a manner that is dangerous to the public or in a manner that impairs the supervisee's ability to provide mental health services to the public.

f. any medical condition which may in any way impair or limit the supervisee's ability to provide mental health services to the public with reasonable skill or safety.

6. The supervisee must maintain documentation of all supervised experience hours by employment location and type of hour (indirect, direct, and face to face supervision). It is recommended that a supervisee obtain the signature of the board-approved supervisor indicating review and approval of documentation at regular intervals.

7. The supervisee must renew his/her provisional license in accordance with Chapter 6, Section 611 and maintain a valid provisional license in order to practice mental health counseling.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Licensed Professional Counselors Board of Examiners, LR 41:

#### **§607. Out-of-State Applicants for Provisional Licensed Professional Counselor**

A. The decision to approve transfer of any supervised experience hours and board-equivalent supervisors from out-of-state shall be made at the discretion of the board. An out-of-state applicant may transfer up to 2500 supervised experience hours if such hours meet the requirements as stated in Section 605. Out of state supervised experience hours may be endorsed according to the following limits:

1. a maximum of 1600 direct client contact hours;
2. a maximum of 815 indirect hours;
3. a maximum of 85 hours of face-to-face supervision.

a. All face to face supervision hours must have been accrued under the clinical supervision of an approved supervisor within their state who meets the qualifications of a supervisor of provisional licensed professional counselors set forth by the Licensed Professional Counselor Board of Examiners.

B. An applicant must also be in good standing in all jurisdictions in which they are licensed or credentialed and must not have been disciplined in any jurisdiction for an act that would have constituted grounds for refusal, suspension, or revocation of a license or credential to practice mental health counseling in the state of Louisiana at the time the act was committed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Licensed Professional Counselors Board of Examiners, LR 41:

#### **§609. Renewal Requirements for Provisional Licensed Professional Counselors**

A. A provisional licensed professional counselor shall renew his/her provisional license every two years in the month of October by meeting the following requirements each renewal period:

1. 20 clock hours of continuing education in accordance with Section 611.

2. Submit a renewal fee as prescribed in Chapter 9.

3. Submit supervised experience hours accrued (direct, indirect, face to face supervision) since approval/renewal as a provisional licensed professional counselor.

4. Take National Counselors Examination (NCE) or National Clinical Mental Health Counselors Examination (NCMHCE) and request the National Board of Certified Counselors (NBCC) submission of score report to the board until a passing score is achieved. If a passing score is not achieved, the NCE or NCMHCE must be taken at least once per renewal period. At the discretion of the board, an oral examination may be required as well.

5. Submit an updated declaration statement if there has been a change in the area of focus or area of expertise, with the content being subject to board review and approval. The board, at its discretion, may require the licensee to present satisfactory evidence supporting any changes in area of focus or expertise noted in the declaration statement. All other changes as defined in Chapter 6, Section 605(B)(5) should be submitted to the board within thirty days of said change.

B. The chair shall issue a document renewing the provisional license for a term of two years. The provisional license of any licensee who fails to have his/her provisional license renewed every two years during the month of October shall lapse. An individual with a lapsed license may not practice mental health counseling, identify his/herself as a provisional licensed professional counselor or accrue any supervised experience hours. A lapsed provisional license may be renewed within a period of 90 days or postmarked by January 31 upon payment of all fees and arrears and presentation of all required documentation. After ninety days, the licensee will forfeit all supervised experience hours accrued during that renewal period and must reapply for provisional licensure under current requirements and submit

recent continuing education hours (CEHs) as part of reapplication.

C. The provisional licensee must apply and be approved for licensure within six years from date of approval as a provisional licensed professional counselor. After six years, the licensee will forfeit all supervised experience hours accrued and must reapply for provisional licensure under current requirements and submit recent continuing education hours (CEHs) as part of reapplication.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Licensed Professional Counselors Board of Examiners, LR 41:

### **§611. Continuing Education Requirements for Provisional Licensed Professional Counselors**

A. A provisional licensee must accrue 20 clock hours of continuing education by every renewal period every two years. Of the 20 clock hours of continuing education, one and a half clock hours must be accrued in ethics and one and a half clock hours must be accrued in diagnosis (assessment, diagnosis, and treatment under the *Diagnostic and Statistical Manual of Mental Disorders 5*, as published by the American Psychiatric Association).

1. One continuing education hour (CEH) is equivalent to one clock hour.

2. Accrual of continuing education begins only after the date the license was issued.

3. CEHs accrued beyond the required 20 hours may not be applied toward the next renewal period. A provisional licensee renewal period runs November 1 to October 31, every two years.

4. The licensee is responsible for keeping a personal record of his/her CEHs until official notification of renewal is received. Licensees should not forward documentation of CEHs to the board office as they are accrued.

5. At the time of renewal, 10 percent of the licensees will be audited to ensure that the continuing education requirement is being met. Audited licensees will be notified to submit documentation of accrued CEHs.

B. Approved Continuing Education for Provisional Licensed Professional Counselors

1. Continuing education requirements are meant to encourage personal and professional development throughout the licensee's career. For this reason, a wide range of options are offered to accommodate the diversity of licensees' training, experience, and geographic locations.

2. A licensee may obtain the 20 CEHs through one or more of the options listed below. A maximum of 10 CEHs may be obtained through an online format, with the exception of coursework obtained through a regionally accredited institution of higher education.

a. Continuing Education Approved by Other Organizations. Continuing education that is approved by either the American Counseling Association (ACA), its divisions, regions and state branches, Louisiana Counseling Association (LCA), or the National Board of Certified Counselors (NBCC) will be accepted by the board of examiners. One may contact these associations to find out which organizations, groups or individuals are approved providers. One may receive one clock hour of continuing education for each hour of direct participation in a structured

educational format as a learner. Credit cannot be granted for: business/governance meetings; breaks; social activities including meal functions, except for actual time of a content speaker. Credit cannot be given for an approved session to persons who leave early from that session. Verification can consist of copies of certificates of attendance.

b. Continuing Education Not Preapproved. For those organizations, groups or individuals that do not carry provider status by one of the associations listed in Subparagraph a of this Paragraph, the continuing education hours will be subject to approval by the Licensed Professional Counselors Board of Examiners at the time of renewal. The board will not pre-approve any type of continuing education. The continuing education must be in one of the 14 approved content areas listed in §611.C, and be given by a qualified presenter. A qualified presenter is considered to be someone at the master's level or above and trained in the mental health field or related services. One may receive one clock hour of continuing education for each hour of direct participation in a structured educational format as a learner. Credit cannot be granted for business/governance meetings, breaks, social activities, including meal functions, except for actual time of a content speaker. Credit cannot be given for an approved session to persons who leave early from that session. Verification for workshops, seminars, or conventions can consist of copies of certificates of attendance. Typically one continuing education unit (CEU) is equivalent to 10 clock hours (CEH).

c. Coursework. CEHs may also be gained by taking coursework (undergraduate or graduate) from a regionally accredited institution in one of the 12 approved content areas for continuing education listed in §611.C. One may take a course for credit or audit a course. In a college or university program, one semester hour is equivalent to 15 clock hours and one quarter hour is equivalent to 10 clock hours. Therefore, 45 CEHs will be given for a three hour university course completed at a regionally accredited university. Verification for coursework can consist of either copies of transcripts for coursework taken for credit or letter of attendance from instructor for courses audited.

d. Home Study (5 hours maximum per renewal period). Journals published by ACA, LCA, professional refereed journals, video presentations, and webinars are all approved home study options. Each option must carry a provider number from either NBCC, ACA, LCA, or other board-approved mental health organizations. Each activity will specify the number of CEHs that will be granted upon completion. Verification consists of a certificate issued by NBCC, ACA, LCA, or certificates from other professional mental health organizations that will be reviewed by the board.

e. Presentations (5 hours maximum per renewal period). Presenters may get credit for original presentations at a rate of five clock hours per one hour presentation. Presenters must meet the qualifications stated in Subparagraph B.2.b above. The presentation must be to the professional community, not to the lay public or a classroom presentation. The presentation must also be in one of the 14 approved content areas listed in §611.C. Verification of the presentation consists of obtaining a letter from the workshop/convention coordinator stating the topic, date, and number of hours of presentation.

f. Publishing (5 hours maximum per renewal period). Authors may receive five clock hours per article or chapter in a book. The article must be published in a professional refereed journal. Both articles and chapters must be in one of the 14 approved content areas listed in §611.C. Verification will consist of either a reprint of the article/chapter, or a copy of the article/chapter, cover of the book/journal and page listing the editor or publisher.

g. Counseling (5 hours maximum per renewal period). One may receive one clock hour of continuing education per counseling hour as a client. To qualify, one must be a client receiving services from a licensed mental health professional having qualifications equal to, or exceeding, those currently required of counselors. Consultation and supervision hours do not qualify. Verification will consist of a letter from the counseling mental health professional verifying client therapy hours.

h. Research (5 hours maximum per renewal period). One may receive one clock hour of continuing education per hour of planning or conduct of, or participation in, counseling or counseling-related research. To qualify, this activity must constitute an original and substantive educational experience for the learner. Verification will consist of a letter from the faculty member or researcher.

C. Approved Content Areas. Continuing education hours must be in one of the following 14 content areas.

1. Counseling Theory—includes a study of basic theories, principles and techniques of counseling and their application in professional settings.

2. Human Growth and Development—includes studies that provide a broad understanding of the nature and needs of individuals at all developmental levels, normal and abnormal human behavior, personality theory and learning theory within appropriate cultural contexts.

3. Social and Cultural Foundations—includes studies that provide a broad understanding of societal changes and trends, human roles, societal subgroups, social mores and interaction patterns, and differing lifestyles.

4. The Helping Relationship—includes studies that provide a broad understanding of philosophic bases of helping processes, counseling theories and their applications, basic and advanced helping skills, consultation theories and their applications, client and helper self-understanding and self-development, and facilitation of client or consultee change.

5. Group Dynamics, Processing and Counseling—includes studies that provide a broad understanding of group development, dynamics, and counseling theories, group leadership styles, basic and advanced group counseling methods and skills, and other group approaches.

6. Lifestyle and career development includes:

a. studies that provide a broad understanding of career development theories, occupational and educational information sources and systems, career and leisure counseling, guidance, and education;

b. lifestyle and career decision-making, career development program planning and resources, and effectiveness evaluation.

7. Appraisal of Individuals—includes studies that provide a broad understanding of group and individual educational and psychometric theories and approaches to

appraisal, data and information gathering methods, validity and reliability, psychometric statistics, factors influencing appraisals, and use of appraisal results in helping processes.

8. Research and Evaluation—includes studies that provide a broad understanding of types of research, basic statistics, research report development, research implementation, program evaluation, needs assessment, publication of research information, and ethical and legal considerations associated with the conduct of research.

9. Professional Orientation—includes studies that provide a broad understanding of professional roles and functions, professional goals and objectives, professional organizations and associations, professional history and trends, ethical and legal standards, professional preparation standards, professional credentialing and management of private practice and agency settings.

10. Marriage and Family—includes studies that provide a broad understanding of marriage and family theories and approaches to counseling with families and couples. This includes appraisal of family and couples systems and the application of these to counseling families and/or couples.

11. Chemical Dependency—includes studies that provide a broad understanding of chemical dependency issues, theories, and strategies to be applied in the helping relationship for chemical dependency counseling.

12. Supervision—includes studies in theory and techniques of supervision as well as ethical and legal issues, case management, and topics relative to the specific supervised setting.

13. Abnormal includes studies of emotional and mental disorders experienced by persons of all ages, characteristics of disorders, common nosologies of emotional and mental disorders utilized within the U.S. health care system, and the *Diagnostic and Statistical Manual of Mental Disorders 5*, as published by the American Psychiatric Association. This includes:

a. studies of preferred treatment approaches for disorders based on research;

b. common medications used by psychiatrists to treat disorders, and

c. working with other health care and mental health care professionals in treating individuals with emotional and mental disorders.

14. Psychopharmacology includes the scientific study of the effects of drugs on mood, sensation, thinking, and behavior. This also includes a range of substances with various types of psychoactive properties, which involves drugs used in the treatment of psychopathological disorders and drugs of abuse, and focuses on the chemical interactions with the brain.

D. Types of Documentation Needed for Verification

1. Copy of certificate of attendance for workshops, seminars, or conventions.

2. Copy of transcript for coursework taken for credit/letter of attendance from instructor for courses audited.

3. Home study verification form or certificate issued by NBCC/ACA/LCA.

4. Letter from workshop/convention coordinator verifying presentations.

5. Copy of article, cover and editorial board page for publications.

6. Letter from counseling mental health professional verifying number of hours in counseling as a client.

7. Letter from the faculty member or researcher verifying number of hours in research.

8. Letter or certificate from the LPC Board of Examiners, or from the board-approved counseling service organization, verifying number of hours of service.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Professional Counselors, LR 41:

## **Chapter 7. Application and Renewal Requirements for Licensed Professional Counselors**

### **§703. Licensed Professional Counselors Licensing Requirements**

A. - A.3. ...

4. can document a minimum of 3,000 hours of post-master's experience in professional mental health counseling under the clinical supervision of a board-approved supervisor, with said supervision occurring over a period of no less than two years and not more than six years from the original date such supervision was approved. Five hundred indirect hours of supervised experience may be gained for each 30 graduate semester hours earned beyond the required master's degree, provided that such hours are clearly related to the field of mental health counseling, are earned from a regionally accredited institution, and are acceptable to the board provided that in no case the applicant has less than 2,000 hours of board-approved supervised experience within the aforementioned time limits.

5. has declared special competencies and demonstrated professional competence therein by passing a written exam (NCE or NCMHCE) and, at the discretion of the board, an oral examination as shall be prescribed by the board.

6. has received a graduate degree, as defined in Chapter 5, the substance of which is professional mental health counseling in content from a regionally-accredited institution of higher education offering a master's and/or doctoral program in counseling that is approved by the board in accordance with the requirements listed in Chapter 6, Section 603.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Professional Counselors, LR 14:83 (February 1988), amended by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 18:269 (March 1992), LR 22:102 (February 1996), LR 24:1294 (July 1998), LR 24:2124 (November 1998), LR 29:131 (February 2003), LR 39:1785 (July 2013), LR 41:

### **§705. Renewal**

A. A licensed professional counselor shall renew his/her license and privileging designation(s) every two years in the month of June by meeting the requirement that 40 clock hours of continuing education be obtained prior to each renewal date every two years in an area of professional mental health counseling as approved by the board and by paying a renewal fee.

B. The licensee should submit a declaration statement with any changes not reviewed and approved by the board, including a change in area of expertise or area of focus, with

the content being subject to board review and approval. The board, at its discretion, may require the licensee to present satisfactory evidence supporting any changes in areas of expertise or focus noted in the declaration statement.

C. The chair shall issue a document renewing the license for a term of two years.

D. The license or privileging designation of any mental health counselor who fails to have this license or privileging designation renewed every two years during the month of June shall lapse; however, the failure to renew said license or privileging designation shall not deprive said counselor the right of renewal thereafter.

1. A lapsed license or privileging designation may be renewed within a period of two years after the date of licensure lapse upon payment of all fees in arrears and presentation of evidence of completion of the continuing education requirement.

2. Application for renewal after two years from the date of licensure lapse will not be considered for renewal; the individual must apply under the current licensure and/or privileging guidelines and submit recent continuing education hours (CEHs) as part of application for licensure or privileging designation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 41:

### **§707. Renewal Requirements for Licensed Professional Counselors and Board Approved Supervisors**

A. General Guidelines

1. A licensee must accrue 40 clock hours of continuing education by every renewal period every two years. Of the 40 clock hours of continuing education, 3 clock hours must be accrued in ethics and 6 clock hours must be accrued in diagnosis (assessment, diagnosis, and treatment under the *Diagnostic and Statistical Manual of Mental Disorders 5*, as published by the American Psychiatric Association). A board-approved supervisor must accrue 3 clock hours (of the required 40 clock hours of continuing education) in supervision.

2. One continuing education hour (CEH) is equivalent to one clock hour.

3. Accrual of continuing education begins only after the date the license was issued.

4. CEHs accrued beyond the required 40 hours may not be applied toward the next renewal period. Renewal periods run from July 1 to June 30, every two years.

5. The licensee is responsible for keeping a personal record of his/her CEHs until official notification of renewal is received. Licensees should not forward documentation of CEHs to the board office as they are accrued.

6. At the time of renewal, 10 percent of the licensees will be audited to ensure that the continuing education requirement is being met. Audited licensees will be notified to submit documentation of accrued CEHs.

B. Approved Continuing Education for Licensed Professional Counselors and Board Approved Supervisors

1. Continuing education requirements are meant to encourage personal and professional development throughout the counselor's career. For this reason, a wide

range of options are offered to accommodate the diversity of counselors' training, experience, and geographic locations.

2. A licensee may obtain the 40 CEHs through one or more of the options listed below. Effective July 1, 2014 a maximum of 20 CEHs may be obtained through an online format, with the exception of coursework obtained through a regionally accredited institution of higher education.

a. Continuing Education Approved by Other Organizations. Continuing education that is approved by either the American Counseling Association (ACA), its divisions, regions and state branches, Louisiana Counseling Association (LCA), or the National Board of Certified Counselors (NBCC) will be accepted by the Board of Examiners. One may contact these associations to find out which organizations, groups or individuals are approved providers. One may receive one clock hour of continuing education for each hour of direct participation in a structured educational format as a learner. Credit cannot be granted for: business/governance meetings; breaks; social activities including meal functions, except for actual time of a content speaker. Credit cannot be given for an approved session to persons who leave early from that session. Verification can consist of copies of certificates of attendance.

b. Continuing Education Not Preapproved. For those organizations, groups or individuals that do not carry provider status by one of the associations listed in Subparagraph a of this Paragraph, the continuing education hours will be subject to approval by the Licensed Professional Counselors Board of Examiners at the time of renewal. The board will not pre-approve any type of continuing education. The continuing education must be in one of the 14 approved content areas listed in §707.C, and be given by a qualified presenter. A qualified presenter is considered to be someone at the master's level or above and trained in the mental health field or related services. One may receive one clock hour of continuing education for each hour of direct participation in a structured educational format as a learner. Credit cannot be granted for business/governance meetings, breaks, social activities, including meal functions, except for actual time of a content speaker. Credit cannot be given for an approved session to persons who leave early from that session. Verification for workshops, seminars, or conventions can consist of copies of certificates of attendance. Typically one continuing education unit (CEU) is equivalent to 10 clock hours (CEH).

c. Coursework. CEHs may also be gained by taking coursework (undergraduate or graduate) from a regionally accredited institution in one of the 14 approved content areas for continuing education listed in §707.C. One may take a course for credit or audit a course. In a college or university program, one semester hour is equivalent to 15 clock hours and one quarter hour is equivalent to 10 clock hours. Therefore, 45 CEHs will be given for a three hour university course completed at a regionally accredited university. Verification for coursework can consist of either copies of transcripts for coursework taken for credit or letter of attendance from instructor for courses audited.

d. Home Study (10 hours maximum per renewal period, effective July 1, 2014). Journals published by ACA, LCA, professional refereed journals, video presentations, and webinars are all approved home study options. Each option must carry a provider number from either NBCC,

ACA, LCA, or other board-approved mental health organizations. Each activity will specify the number of CEHs that will be granted upon completion. Verification consists of a certificate issued by NBCC, ACA, LCA, or certificates from other professional mental health organizations that will be reviewed by the board.

e. Presentations (10 hours maximum per renewal period, effective July 1, 2014). Presenters may get credit for original presentations at a rate of five clock hours per one hour presentation. Presenters must meet the qualifications stated in Subparagraph B.2.b above. The presentation must be to the professional community, not to the lay public or a classroom presentation. The presentation must also be in one of the 14 approved content areas listed in §707.C. Verification of the presentation consists of obtaining a letter from the workshop/convention coordinator stating the topic, date, and number of hours of presentation.

f. Publishing (10 hours maximum per renewal period, effective July 1, 2014). Authors may receive five clock hours per article or chapter in a book. The article must be published in a professional refereed journal. Both articles and chapters must be in one of the 14 approved content areas listed in §707.C. Verification will consist of either a reprint of the article/chapter, or a copy of the article/chapter, cover of the book/journal and page listing the editor or publisher.

g. Counseling (10 hours maximum per renewal period). One may receive one clock hour of continuing education per counseling hour as a client. To qualify, one must be a client receiving services from a licensed mental health professional having qualifications equal to, or exceeding, those currently required of counselors. Consultation and supervision hours do not qualify. Verification will consist of a letter from the counseling mental health professional verifying client therapy hours.

h. Research (10 hours maximum per renewal period, effective July 1, 2014). One may receive one clock hour of continuing education per hour of planning or conduct of, or participation in, counseling or counseling-related research. To qualify, this activity must constitute an original and substantive educational experience for the learner. Verification will consist of a letter from the faculty member or researcher.

i. Peer Supervision (10 hour maximum per renewal period). One may receive one clock hour of continuing education per hours of performing peer supervision activities. For example, case work consultation.

C. Approved Content Areas. Continuing education hours must be in one of the following 14 content areas.

1. Counseling Theory—includes a study of basic theories, principles and techniques of counseling and their application in professional settings.

2. Human Growth and Development—includes studies that provide a broad understanding of the nature and needs of individuals at all developmental levels, normal and abnormal human behavior, personality theory and learning theory within appropriate cultural contexts.

3. Social and Cultural Foundations—includes studies that provide a broad understanding of societal changes and trends, human roles, societal subgroups, social mores and interaction patterns, and differing lifestyles.

4. The Helping Relationship—includes studies that provide a broad understanding of philosophic bases of

helping processes, counseling theories and their applications, basic and advanced helping skills, consultation theories and their applications, client and helper self-understanding and self-development, and facilitation of client or consultee change.

5. Group Dynamics, Processing and Counseling—includes studies that provide a broad understanding of group development, dynamics, and counseling theories, group leadership styles, basic and advanced group counseling methods and skills, and other group approaches.

6. Lifestyle and career development includes:

a. studies that provide a broad understanding of career development theories, occupational and educational information sources and systems, career and leisure counseling, guidance, and education;

b. lifestyle and career decision-making, career development program planning and resources, and effectiveness evaluation.

7. Appraisal of Individuals—includes studies that provide a broad understanding of group and individual educational and psychometric theories and approaches to appraisal, data and information gathering methods, validity and reliability, psychometric statistics, factors influencing appraisals, and use of appraisal results in helping processes.

8. Research and Evaluation—includes studies that provide a broad understanding of types of research, basic statistics, research report development, research implementation, program evaluation, needs assessment, publication of research information, and ethical and legal considerations associated with the conduct of research.

9. Professional Orientation—includes studies that provide a broad understanding of professional roles and functions, professional goals and objectives, professional organizations and associations, professional history and trends, ethical and legal standards, professional preparation standards, professional credentialing and management of private practice and agency settings.

10. Marriage and Family—includes studies that provide a broad understanding of marriage and family theories and approaches to counseling with families and couples. This includes appraisal of family and couples systems and the application of these to counseling families and/or couples.

11. Chemical Dependency—includes studies that provide a broad understanding of chemical dependency issues, theories, and strategies to be applied in the helping relationship for chemical dependency counseling.

12. Supervision—includes studies in theory and techniques of supervision as well as ethical and legal issues, case management, and topics relative to the specific supervised setting.

13. Abnormal includes studies of emotional and mental disorders experienced by persons of all ages, characteristics of disorders, common nosologies of emotional and mental disorders utilized within the U.S. health care system, and the most recent edition of the *Diagnostic and Statistical Manual of Mental Disorders*, as published by the American Psychiatric Association. This includes:

a. studies of preferred treatment approaches for disorders based on research;

b. common medications used by psychiatrists to treat disorders, and

c. working with other health care and mental health care professionals in treating individuals with emotional and mental disorders.

14. Psychopharmacology includes the scientific study of the effects of drugs on mood, sensation, thinking, and behavior. This also includes a range of substances with various types of psychoactive properties, which involves drugs used in the treatment of psychopathological disorders and drugs of abuse, and focuses on the chemical interactions with the brain.

D. Types of Documentation Needed for Verification

1. Copy of certificate of attendance for workshops, seminars, or conventions.

2. Copy of transcript for coursework taken for credit/letter of attendance from instructor for courses audited.

3. Home study verification form or certificate issued by NBCC/ACA/LCA.

4. Letter from workshop/convention coordinator verifying presentations.

5. Copy of article, cover and editorial board page for publications.

6. Letter from counseling mental health professional verifying number of hours in counseling as a client.

7. Letter from the faculty member or researcher verifying number of hours in research.

8. Letter or certificate from the LPC Board of Examiners, or from the board-approved counseling service organization, verifying number of hours of service.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 41:

## **Chapter 8. Licensed Professional Counselor Supervisors**

### **§801. Licensed Professional Counselor Supervisor Requirements**

A. Qualifications of a Supervisor of Provisional Licensed Professional Counselors

1. Supervision of provisional licensed professional counselors is a specialty area and requires privileging review. Those individuals who may provide supervision to provisional licensed professional counselors must meet the following requirements.

a. Licensure Requirements. The supervisor must hold a Louisiana license as a licensed professional counselor.

b. Counseling Practice. The supervisor must have been practicing mental health counseling in their setting (i.e., school, agency, private practice) for at least five years. Two of the five years experience must be post licensing experience.

c. Training in Supervision. Supervisors must have successfully completed either Clause i or ii below.

i. Graduate-Level Academic Training. At least one graduate-level academic course in counseling supervision. The course must have included at least 45 clock hours (equivalent to a three credit hour semester course) of supervision training.

ii. Professional Training. A board-approved professional training program in supervision. The training program must be a minimum of 25 direct clock hours with

the trainers and meet presentation standards established by the board.

2. A supervisor may not be a relative of nor be employed by a relative of the provisional licensed professional counselor. Relative of the provisional licensed professional counselor is defined as spouse, parent, child, sibling of the whole- or half-blood, grandparent, grandchild, aunt, uncle, one who is or has been related by marriage or has any other dual relationship.

3. No person shall serve as a supervisor if his/her license is lapsed, expired, or subject to terms of probation, suspension, or revocation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 41:

### **§803. Supervised Experience of Provisional Licensed Professional Counselors**

#### **A. Supervision Requirements**

1. Supervision is defined as assisting the provisional licensed professional counselor in developing expertise in methods of the professional mental health counseling practice and in developing self-appraisal and professional development strategies. Supervision must comply with standards as set by the board.

2. A supervisor may not supervise more than 10 provisional licensed professional counselors at any given time.

3. Supervisors of provisional licensed professional counselors, as defined in these rules, have the responsibility of assisting provisional licensed professional counselors in increasing their skills as a mental health professional. Supervisors, as defined in these rules, have no control, oversight, or professional responsibility for the services of provisional licensed professional counselors whom they are supervising, unless a supervisor also serves as the administrative supervisor of a provisional licensed professional counselors in the setting in which the provisional licensed professional counselor is employed or contracted or is rendering counseling services on a volunteer basis. The control, oversight, and professional responsibility for provisional licensed professional counselors rests with the provisional licensed professional counselor's administrative supervisor in the setting in which they are employed or contracted or are rendering counseling services on a volunteer basis. A licensed mental health professional (e.g. LPC, LMFT, LCSW), not necessarily the board-approved supervisor, must be employed in the professional setting in which the provisional licensed professional counselor is rendering counseling services and be available for case consultation and processing. In obtaining permission for outside supervision, provisional licensed professional counselors must notify their administrative supervisor of the identity of their supervisor for the purpose of gaining the supervised experience for licensure and the nature of the supervisory activities, including any observations or taping that occurs with clients, after obtaining the client's permission, in the setting.

4. The process of supervision must encompass multiple modes of supervision, including regularly scheduled live observation of counseling sessions (where possible) and review of audiotapes and/or videotapes of counseling sessions. The process may also include discussion of the provisional licensed professional counselor's self-reports, microtraining, interpersonal process recall, modeling, role-playing, and other supervisory techniques. (Supervision as defined in these rules does not require the approved supervisor to be in the same room with the provisional licensed professional counselor during the provisional licensed professional counselor's provision of services to clients.)

5. The supervisor must provide nurturance and support to the provisional licensed professional counselor, explaining the relationship of theory to practice, suggesting specific actions, assisting the provisional licensed professional counselor in exploring various models for practice, and challenging discrepancies in the provisional licensed professional counselor's practice.

6. The supervisor must ensure the provisional licensed professional counselor's familiarity with important literature in the field of counseling, LPC Board rules, regulations, guidelines, policies, and position statements as well as state law.

7. The supervisor must provide training appropriate to the provisional licensed professional counselor's intended area of expertise and practice.

8. The supervisor must model effective professional counseling practice.

9. The supervisor must ensure that the mental health counseling and the supervision of the mental health counseling is completed in an appropriate professional setting.

10. The provisional licensed professional counselor must have received a letter from the board certifying that all the requirements for provisional licensed professional counselor, as defined in this Chapter, were met.

11. The professional setting cannot include private practice in which the provisional licensed professional counselor operates, manages, or has an ownership interest in the private practice.

12. Supervisors may employ provisional licensed professional counselors in their private practice setting. The supervisor may bill clients for services rendered by the provisional licensed professional counselor, however, under no circumstances can the provisional licensed professional counselor bill clients directly for services rendered by him/herself.

13. The supervisor must certify to the board that the provisional licensed professional counselor has successfully complied with all requirements for supervised counseling experience.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 41:

## Chapter 9. Fees

### §901. General

- A. The board shall collect the following fees.
1. Licensure Application, License and Seal—\$200
  2. Out of State Licensure Application, License, and Seal—\$300
  3. Provisional Licensure Application and License—\$100
  4. Out of State Provisional Licensure Application and License—\$150
  5. Application for Appraisal, Board-Approved Supervisor, and Other Specialty Areas—\$100
  6. Application for Change/Additional Board-Approved Supervisor—\$50
  7. Application for Expedited Review—\$55
  8. Renewal of License—\$170
  9. Renewal of Provisional License—\$85
  10. Renewal of Appraisal, Board-Approved Supervisor, and Other Specialty Areas—\$50
  11. Late Fee for Renewal of License—\$55
  12. Late Fee for Renewal of Provisional License—\$55
  13. Late Fee for Renewal of Appraisal, Board-Approved Supervisor, and Other Specialty Areas—\$25
  14. Reissue of License Duplicate—\$25
  15. Name Change on Records—\$25
  16. Copy of File—\$25
  17. Copy of Any Documents—Cost Incurred

B. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:136 (February 2003), amended LR 29:2783 (December 2003), LR 39:1790 (July 2013), LR 41:

### §903. Deposit and Use of Fees and Funds

A. All fees collected and all gifts or grants shall be deposited and credited to the account of the board in a licensed financial institution of the board's choosing. The funds of the board may be used for printing, travel expenses of the board, and for other necessary expenses as are essential to carrying out of the provisions of R.S. 37:1101-1123. Expenses shall be paid under the written direction of the chair of the board in accordance with procedures established by the Division of Administration. Any surplus at the end of the fiscal year shall be retained by the board for future expenditures.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Professional Counselors, LR 14:84 (February 1988), amended by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:137 (February 2003), LR 39:1790 (July 2013), LR 41:

## Chapter 11. Endorsement and Expedited Processing

### §1101. Endorsement

A. Upon recommendation of the board, the board shall issue a license to any person who has been licensed as a licensed professional counselor and has actively practiced mental health counseling for at least five years in another jurisdiction. The applicant must submit an application on forms prescribed by the board in the prescribed manner and

pay the required licensure fee. Applicants must also provide proof of having passed the National Counselor Examination (NCE) or the National Clinical Mental Health Counseling Examination (NCMHCE) or successfully complete an oral exam administered by the board. An applicant must submit documentation of at least 40 CEHs, in accordance with the requirements listed in Chapter 7, within two years of the date of application for licensure endorsement in Louisiana. An applicant must also be in good standing in all jurisdictions in which they are licensed and must not have been disciplined in any jurisdiction for an act that would have constituted grounds for refusal, suspension, or revocation of a license to practice mental health counseling in the state of Louisiana at the time the act was committed.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 39:1790 (July 2013), LR 41:

## Chapter 13. Disciplinary Proceedings for Licensed Professional Counselors

### §1301. Causes for Administrative Action

A. The board, after due notice and hearing as set forth herein and the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., may withhold, deny, revoke or suspend any license issued or applied for or otherwise discipline a Licensed Professional Counselor on a finding that the person has violated the Louisiana Mental Health Counselor Licensing Act, any of the rules and regulations promulgated by the board, the Code of Ethics of the American Counseling Association, or prior final decisions and/or consent orders involving the Licensed Professional Counselor, Provisional Licensed Professional Counselor, or applicant for licensure or provisional licensure. Sometimes hereinafter in this Chapter, where the context allows a Licensed Professional Counselor, Provisional Licensed Professional Counselor, or applicant for licensure or provisional licensure may be referred to as "person."

B. The board shall also deny, revoke or suspend any license or provisional license issued or applied for, or otherwise discipline a Licensed Professional Counselor or Provisional Licensed Professional Counselor on a finding that such person has violated any other applicable state law which themselves requires denial, revocation, or suspension of the license of such Licensed Professional Counselor, Provisional Licensed Professional Counselor, or applicant. Such statutes include, but are not limited to R.S. 37:2951 et seq. (nonpayment of certain student loans), and R.S. 37:2952 et seq. (nonpayment of child support).

C. In addition to the Code of Conduct adopted by the LPC Board as Chapter 21, §2101-2117, the following actions or inactions by a licensed professional counselor or provisional licensed professional counselor shall also be considered ethical violations by a licensed professional counselor or provisional licensed professional counselor which may allow denial revocation, or suspension of license or provisional license.

1. - 3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1122.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Professional

Counselors, LR 14:84 (February 1988), amended by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 15:837 (October 1989), LR 17:778 (August 1991), LR 18:52 (January 1992), LR 25:259 (February 1999), LR 29:137 (February 2003), LR 41:

### **§1303. Disciplinary Process and Procedures**

A. - B. ...

C. The purpose of a disciplinary proceeding is to determine contested issues of law and fact; whether the person did certain acts or omissions and, if he/she did, whether those acts or omissions violated the Louisiana Mental Health Counselor Licensing Act, the rules and regulations of the board, the code of ethics of the American Counseling Association, or prior final decisions and/or consent orders involving the licensed professional counselor, provisional licensed professional counselor, or applicant for licensure or provisional licensure and to determine the appropriate disciplinary action.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 25:259 (February 1999), amended by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:137 (February 2003), LR 39:1791 (July 2013), LR 41:

### **§1305. Initiation of Complaints**

A. - B. ...

C. Pursuant to its authority to regulate this industry, the board through its Ad Hoc Committee on Disciplinary Affairs, may conduct investigations into alleged violations by a licensed professional counselor, provisional licensed professional counselor, or applicant of this Chapter or rules and regulations promulgated pursuant thereto, may issue subpoenas to secure evidence of alleged violations of the Louisiana Mental Health Counselor Licensing Act, any of the rules and regulations promulgated by the board, the Code of Ethics of the American Counseling Association, or prior final decisions and/or consent orders involving the licensed professional counselor, provisional licensed professional counselor, or applicant for licensure. The confidential or privileged records of a patient or client which are subpoenaed are to be sanitized by the custodian of such records so as to maintain the anonymity of the patient or client.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 25:260 (February 1999), amended LR 26:496 (March 2000), LR 29:138 (February 2003), LR 39:1791 (July 2013), LR 41:

### **§1309. Formal Hearing**

A. The board has the authority, granted by R.S. 37:1101 et seq., to bring administrative proceedings against persons to whom it has issued a license to practice as a licensed professional counselor, or provisional license as a provisional licensed professional counselor, or any applicant requesting a license or provisional license. The person has the right to:

A.1. - C.12.a.iii. ...

b. Deliberation

i. - ii. ...

iii. after considering and voting on each charge, the board will vote on a resolution to dismiss the charges, withhold, deny, revoke or suspend any license or provisional license issued or applied for or otherwise discipline a licensed professional counselor, provisional licensed professional counselor, or applicant for licensure or provisional licensure; and

iv. the board by affirmative vote of a majority of those members voting, shall be needed to withhold, deny, revoke, or suspend any license or provisional license issued or applied for in accordance with the provisions of this Chapter or otherwise discipline a licensed professional counselor, provisional licensed professional counselor, or applicant.

c. ...

13. Every order of the board shall take effect immediately on its being rendered unless the board in such order fixes a probationary period for an applicant, or licensee, or provisional licensee. Such order shall continue in effect until expiration of any specified time period or termination by a court of competent jurisdiction. The board shall notify all licensees and provisional licensees of any action taken against a licensee or provisional licensees and may make public its orders and judgment in such manner and form as it deems proper if such orders and judgments are not consent orders or compromise judgments.

14.a. - 14.c.iv. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 25:260 (February 1999), amended LR 26:496 (March 2000), LR 29:138 (February 2003), LR 39:1791 (July 2013), LR 41:

### **§1315. Refusal to Respond or Cooperate with the Board**

A. ...

B. If the person refuses to reply to the board's inquiry or otherwise cooperate with the board, the board shall continue its investigation. The board shall record the circumstances of the person's failure to cooperate and shall inform the person that the lack of cooperation may result in action which could eventually lead to the withholding, denial, revocation or suspension of his/her license, provisional license, or application for licensure or provisional licensure, or otherwise issue appropriate disciplinary sanction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 25:262 (February 1999), amended LR 29:140 (February 2003), LR 41:

### **§1317. Judicial Review of Adjudication**

A. Any person whose license, provisional license, or application for licensure or provisional licensure, has been withheld, denied, revoked or suspended or otherwise disciplined by the board shall have the right to have the proceedings of the board reviewed by the state district court for the parish of East Baton Rouge, provided that such petition for judicial review is made within 30 days after the notice of the decision of the board. If judicial review is granted, the board's decision is enforceable in the interim unless the court orders a stay.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 25:263 (February 1999), amended LR 29:141 (February 2003), LR 41:

**§1321. Reinstatement of Suspended or Revoked License or Provisional License**

A. The board is authorized to suspend the license of a licensed professional counselor and the provisional license of a provisional licensed professional counselor for a period not exceeding two years. At the end of this period, the board shall re-evaluate the suspension and may recommend to the chair the reinstatement or revocation of the license or provisional license. A person whose license or provisional license has been revoked may apply for reinstatement after a period of not less than two years from the date such denial or revocation is legally effective. The board may, upon favorable action by a majority of the board members present and voting, recommend such reinstatement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 25:263 (February 1999), amended LR 29:141 (February 2003), LR 39:1792 (July 2013), LR 41:

**§1327. Disciplinary Costs and Fines**

A. The board may assess and collect fines not to exceed five thousand dollars for violation of any causes for administrative action as specified in Section 1301.

B. The board may assess all costs incurred in connection with disciplinary proceedings including but limited to the costs of an investigator, stenographer, legal fees, or witness fees, and any costs and fees incurred by the board on any judicial review or appeal, for any licensee who has been found in violation of any causes for administrative action as specified in 1301.

C. After the decision of the board becomes final and delays for judicial review have expired, all costs and fees must be paid no later than ninety days or within a time period specified by board.

D. The board may withhold any issuance or reissuance of any license or certificate until all costs and fees are paid.

E. A person aggrieved by a final decision of the board who prevails upon judicial review may recover reasonable costs as defined in R.S. 37:1106(D)(2).

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 41:

**Chapter 15. Privileged Communication for Licensed Professional Counselors and Provisional Licensed Professional Counselors**

**§1501. Privileged Communications with Clients**

A. The confidential relations and communications between a licensee and client are placed upon the same basis as those provided by statute between an attorney and client. Nothing in these rules shall be construed to require that any such privileged communication be disclosed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Professional

Counselors, LR 14:85 (February 1988), amended by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:141 (February 2003), LR 41:

**Chapter 17. Exclusions for Licensed Professional Counselors**

**§1703. Exemptions**

A. - C. ...

D. Any persons licensed, certified, or registered under any other provision of the state law, as long as the services rendered are consistent with their laws, professional training, and code of ethics, provided they do not represent themselves as licensed professional counselors, provisional licensed professional counselors, or mental health counselors, unless they have also been licensed under the provisions of R.S. 37:1107.

E. Any priest, rabbi, Christian Science practitioner, or minister of the gospel of any religious denomination, provided they are practicing within the employment of their church or religious affiliated institution and they do not represent themselves as licensed professional counselors, provisional licensed professional counselors, or mental health counselors unless they have also been licensed under the provisions of R.S. 37:1107.

F. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Professional Counselors, LR 14:85 (February 1988), amended by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 15:545 (July 1989), LR 22:103 (February 1996), LR 29:142 (February 2003), LR 39:1792 (July 2013), LR 41:

**Chapter 21. Code of Conduct for Licensed Professional Counselors**

**§2101. Preamble**

A. ...

B. Specification of a code of conduct enables the board to clarify to present and future licensees and to those served by licensees the responsibilities held in common by persons practicing mental health counseling.

C. ...

D. The existence of this code of conduct serves to govern the practice of mental health counseling and the professional functioning of licensed professional counselors and provisional licensed professional counselors in the state of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 15:622 (August 1989), amended LR 24:438 (March 1998), LR 29:142 (February 2003), LR 39:1792 (July 2013), LR 41:

**§2103. Counseling Relationship**

A. Licensees encourage client growth and development in ways that foster the interest and welfare of clients and promote formation of healthy relationships. Licensees actively attempt to understand the diverse cultural backgrounds of the clients they serve. Licensees also explore their own cultural identities and how these affect their values and beliefs about the counseling process. Licensees are encouraged to contribute to society by devoting a portion of

their professional activity to services for which there is little or no financial return (pro bono publico).

1. Welfare of Those Served by Licensees

a. Primary Responsibility. The primary responsibility of licensees is to respect the dignity and to promote the welfare of clients.

b. Records. Licensees maintain records necessary for rendering professional services to their clients and as required by laws (see Chapter 15, §1505.A.), regulations, or agency or institution procedures. Licensees include sufficient and timely documentation in their client records to facilitate the delivery and continuity of needed services. Licensees take reasonable steps to ensure that documentation in records accurately reflects client progress and services provided. If errors are made in client records, licensees take steps to properly note the correction of such errors according to agency or institutional policies.

c. Counseling Plans. Licensees and their clients work jointly in devising integrated, counseling plans that offer reasonable promise of success and are consistent with abilities and circumstances of clients. Licensees and clients regularly review counseling plans to ensure their continued viability and effectiveness, respecting the freedom of choice of clients.

d. Support Network Involvement. Licensees recognize that support networks hold various meanings in the lives of clients and consider enlisting the support, understanding, and involvement of others (e.g., religious/spiritual/community leaders, family members, friends) as positive resources, when appropriate, with client consent.

e. Employment Needs. Licensees work with their clients considering employment in jobs that are consistent with the overall abilities, vocational limitations, physical restrictions, general temperament, interest and aptitude patterns, social skills, education, general qualifications, and other relevant characteristics and needs of clients. When appropriate, licensees appropriately trained in career development will assist in the placement of clients in positions that are consistent with the interest, culture, and the welfare of clients, employers, and/or the public.

2. Informed Consent in the Counseling Relationship

a. Informed Consent. Clients have the freedom to choose whether to enter into or remain in a counseling relationship and need adequate information about the counseling process, and the counselor. Licensees have an obligation to review, in writing and verbally with clients, the rights and responsibilities of both the licensee and the client. Informed consent is an ongoing part of the counseling process, and licensees appropriately document discussions of informed consent throughout the counseling relationship.

b. Types of Information Needed

i. Licensees explicitly explain to clients the nature of all services provided. They inform clients about issues such as, but not limited to, the following:

(a) the purposes, goals, techniques, procedures, limitations, potential risks, and benefits of services;

(b) the licensee's qualifications, credentials, and relevant experience;

(c) continuation of services upon the incapacitation or death of a counselor; and

(d) other pertinent information.

ii. Licensees take steps to ensure that clients understand the implications of diagnosis, the intended use of tests and reports, fees, and billing arrangements.

iii. - iii.(d). ...

c. Development and Cultural Sensitivity. Licensees communicate information in ways that are both developmentally and culturally appropriate. Licensees use clear and understandable language when discussing issues related to informed consent. When clients have difficulty understanding the language used by licensees, they provide necessary services (e.g., arranging for a qualified interpreter or translator) to ensure comprehension by clients. In collaboration with clients, licensees consider cultural implications of informed consent procedures and, where possible, licensees adjust their practices accordingly.

d. Inability to Give Consent. When counseling minors or persons unable to give voluntary consent, licensees seek the assent of clients to services, and include them in decision making as appropriate. Licensees recognize the need to balance the ethical rights of clients to make choices, their capacity to give consent or assent to receive services, and parental or familial legal rights and responsibilities to protect these clients and make decisions on their behalf.

3. Clients Served by Others. When licensees learn that their clients are in a professional relationship with another mental health professional, they request written release of information that the clients sign in order to communicate with other professionals and strive to establish positive and collaborative professional relationships.

4. Avoiding Harm and Imposing Values

a. Avoiding Harm. Licensees act to avoid harming their clients, trainees, and research participants and to minimize or to remedy unavoidable or unanticipated harm.

b. Personal Values. Licensees are aware of their own values, attitudes, beliefs, and behaviors and avoid imposing values that are inconsistent with counseling goals. Licensees respect the diversity of clients, trainers, and research participants.

5. Roles and Relationships with Clients

a. Current Clients. Sexual or romantic licensee-client interaction or relationships with current clients, their romantic partners, or their family members are prohibited.

b. Former Clients. Sexual or romantic client interactions or relationships with former clients, their romantic partners, or their family members are prohibited for a period of five years following the last professional contact. Licensees, before engaging in sexual or romantic interactions or relationships with clients their romantic partners, or client family members after five years following the last professional contact, demonstrate forethought and document (in written form) whether the interactions or relationships can be viewed as exploitive in some way and/or whether there is still potential to harm the former client; in cases of potential exploitation and/or harm, the counselor avoids entering such an interaction or relationship.

c. Nonprofessional Interactions or Relationships (other than sexual or romantic interactions or relationships). Licensee-client nonprofessional relationships with clients, former clients, their romantic partners, or their family members should be avoided, except when the interaction is potentially beneficial to the client.

d. Potentially Beneficial Interactions. When a licensee-client nonprofessional interaction with a client or former client may be potentially beneficial to the client or former client, the licensee must document in case records, prior to the interaction (when feasible), the rationale for such an interaction, the potential benefit, and anticipated consequences for the client or former client and other individuals significantly involved with the client or former client. Such interactions should be initiated with appropriate client consent. Where unintentional harm occurs to the client or former client, or to an individual significantly involved with the client or former client, due to the non professional interaction, the licensee must show evidence of an attempt to remedy such harm. Examples of potentially beneficial interactions include, but are not limited to:

i. - iii. ...

e. Role Changes in the Professional Relationship. When a licensee changes a role from the original or most recent contracted relationship, he or she obtains informed consent from the client and explains the right of the client to refuse services related to the change. Examples of role changes include:

i. - ii. ...

iii. changing from a licensee to a researcher role (i.e., enlisting clients as research participants), or vice versa; and

iv. changing from a licensee to a mediator role, or vice versa.

(a). Clients must be fully informed of any anticipated consequences (e.g., financial, legal, personal, or therapeutic) of licensee role changes.

6. Roles and Relationships at Individual, Group, Institutional and Societal Levels

a. Advocacy. When appropriate, licensees advocate at individual, group, institutional, and societal levels to examine potential barriers and obstacles that inhibit access and/or the growth and development of clients.

b. Confidentiality and Advocacy. Licensees obtain client consent prior to engaging in advocacy efforts on behalf of an identifiable client to improve the provision of services and to work toward removal of systemic barriers or obstacles that inhibit client access, growth, and development.

7. Multiple Clients

a. When a licensee agrees to provide counseling services to two or more persons who have a relationship, the licensee clarifies at the outset which person or persons are clients and the nature of the relationships the licensee will have with each involved person. If it becomes apparent that the licensee may be called upon to perform potentially conflicting roles, the licensee will clarify, adjust, or withdraw from roles appropriately.

8. Group Work

a. Screening. Licensees screen prospective group counseling/therapy participants. To the extent possible, licensees select members whose needs and goals are compatible with goals of the group, who will not impede the group process, and whose well-being will not be jeopardized by the group experience.

b. Protecting Clients. In a group setting, licensees take reasonable precautions to protect clients from physical, emotional, or psychological trauma.

9. End-of-Life Care for Terminally Ill Clients

a. Quality of Care. Licensees strive to take measures that enable clients:

i. - iv. ...

b. Licensee Competence, Choice, and Referral. Recognizing the personal, moral, and competence issues related to end-of-life decisions, licensees may choose to work or not work with terminally ill clients who wish to explore their end-of-life options. Licensees provide appropriate referral information to ensure that clients receive the necessary help.

c. Confidentiality. Licensees who provide services to terminally ill individuals who are considering hastening their own deaths have the option of breaking or not breaking confidentiality, depending on applicable laws and the specific circumstances of the situation and after seeking consultation or supervision from appropriate professional and legal parties.

10. Fees and Bartering

a. Accepting Fees from Agency Clients. Licensees refuse a private fee or other remuneration for rendering services to persons who are entitled to such services through the licensee's employing agency or institution. The policies of a particular agency may make explicit provisions for agency clients to receive counseling services from members of its staff in private practice. In such instances, the clients must be informed of other options open to them should they seek private counseling services.

b. Establishing Fees. In establishing fees for professional counseling services, licensees consider the financial status of clients and locality. In the event that the established fee structure is inappropriate for a client, licensees assist clients in attempting to find comparable services of acceptable cost.

c. Nonpayment of Fees. If licensees intend to use collection agencies or take legal measures to collect fees from clients who do not pay for services as agreed upon, they first inform clients of intended actions and offer clients the opportunity to make payment.

d. Bartering. Licensees may barter only if the relationship is not exploitive or harmful and does not place the licensee in an unfair advantage, if the client requests it, and if such arrangements are an accepted practice among professionals in the community. Licensees consider the cultural implications of bartering and discuss relevant concerns with clients and document such agreements in a clear written contract.

e. Receiving Gifts. Licensees understand the challenges of accepting gifts from clients and recognize that in some cultures, small gifts are a token of respect and showing gratitude. When determining whether or not to accept a gift from clients, licensees take into account the therapeutic relationship, the monetary value of the gift, a client's motivation for giving the gift, and the licensee's motivation for wanting or declining the gift.

11. Termination and Referral

a. Abandonment Prohibited. Licensees do not abandon or neglect clients in counseling and inform clients of professional limitations. Licensees assist in making appropriate arrangements for the continuation of treatment, when necessary, during interruptions such as vacations, illness, and following termination.

b. Inability to Assist Clients. If licensees determine an inability to be of professional assistance to clients, they avoid entering or continuing counseling relationships. Licensees are knowledgeable about culturally and clinically appropriate referral resources and suggest these alternatives. If clients decline the suggested referrals, licensees should discontinue the relationship.

c. Appropriate Termination. Licensees terminate a counseling relationship when it becomes reasonably apparent that the client no longer needs assistance, is not likely to benefit, or is being harmed by continued counseling. Licensees may terminate counseling when in jeopardy of harm by the client, or another person with whom the client has a relationship, or when clients do not pay fees as agreed upon. Licensees provide pretermination counseling and recommend other service providers when necessary.

d. Appropriate Transfer of Services. When licensees transfer or refer clients to other practitioners, they ensure that appropriate clinical and administrative processes are completed and open communication is maintained with both clients and practitioners.

## 12. Technology Applications

a. Benefits and Limitations. Licensees inform clients of the benefits and limitations of using information technology applications in the counseling process and in business/billing procedures. Such technologies include, but are not limited to:

i. - vi. ...

b. Technology-Assisted Services. When providing technology-assisted distance counseling services, licensees determine that clients are intellectually, emotionally, and physically capable of using the application and that the application is appropriate for the needs of clients.

c. Inappropriate Services. When technology-assisted distance counseling services are deemed inappropriate by the licensee or client, licensees consider delivering services face-to-face.

d. Access. Licensees provide reasonable access to computer applications when providing technology-assisted distance counseling services.

e. Laws and Statutes. Licensees ensure that the use of technology does not violate the laws of any local, state, national, or international entity and observe all relevant statutes.

f. Assistance. Licensees seek business, legal, and technical assistance when using technology applications, particularly when the use of such applications crosses state or national boundaries.

g. Technology and Informed Consent. As part of the process of establishing informed consent, licensees do the following:

i. - v. ...

vi. when the use of encryption is not possible, licensees notify clients of this fact and limit electronic transmissions to general communications that are not client specific;

vii. - viii. ...

ix. inform clients of emergency procedures, such as calling 911 or a local crisis hotline, when the licensee is not available;

x. - xi. ...

h. Sites on the World Wide Web. Licensees maintaining sites on the world wide web (the internet) do the following:

i. ...

ii. establish ways clients can contact the licensee in case of technology failure;

iii. - viii. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 15:622 (August 1989), amended LR 24:438 (March 1998), LR 29:142 (February 2003), LR 39:1792 (July 2013), LR: 41

## §2105. Confidentiality, Privileged Communication, and Privacy

A. Licensees recognize that trust is a cornerstone of the counseling relationship. Licensees aspire to earn the trust of clients by creating an ongoing partnership, establishing and upholding appropriate boundaries, and maintaining confidentiality. Licensees communicate the parameters of confidentiality in a culturally competent manner.

### 1. Respecting Client Rights

a. Multicultural/Diversity Considerations. Licensees maintain awareness and sensitivity regarding cultural meanings of confidentiality and privacy. Licensees respect differing views toward disclosure of information. Licensees hold ongoing discussions with clients as to how, when, and with whom information is to be shared.

b. Respect for Privacy. Licensees shall respect their clients' right to privacy and avoid legal and unwarranted disclosures of confidential information.

c. Respect for Confidentiality. Licensees do not share confidential information without client consent. The right to privacy may be waived by the client or their legally recognized representative.

d. Explanation of Limitations. At initiation and throughout the counseling process, licensees inform clients of the limitations of confidentiality and seek to identify foreseeable situations in which confidentiality must be breached.

### 2. Exceptions

a. Danger and Legal Requirements. The general requirement that licensees shall keep information confidential does not apply when disclosure is required because a patient has communicated a threat of physical violence, which is deemed to be significant in the clinical judgment of the licensee, against a clearly identified victim or victims, coupled with the apparent intent and ability to carry out such threat, or when legal requirements otherwise demand that confidential information be revealed. Licensee shall consult with other professionals when in doubt as to the validity of an exception.

b. Contagious, Life-Threatening Diseases. When clients disclose that they have a disease commonly known to be both communicable and life threatening, licensees may be justified in disclosing information to identifiable third parties, if they are known to be at demonstrable and high risk of contracting the disease. Prior to making a disclosure, licensees confirm that there is such a diagnosis and assess the intent of clients to inform the third parties about their