

**NOTICE OF INTENT TO ADOPT A PROPOSED NEW RULE CHAPTER  
NUMBER, NEW RULE, TO THE GEORGIA COMPOSITE BOARD OF  
PROFESSIONAL COUNSELORS, SOCIAL WORKERS AND MARRIAGE AND  
FAMILY THERAPISTS, ENTITLED CHAPTER 135-12 TESTING AND  
ASSESSMENTS, RULE 135-12-.01 TESTING AND ASSESSMENTS, AND  
NOTICE OF PUBLIC HEARING**

**TO ALL INTERESTED PERSONS AND PARTIES:**

Notice is hereby given that pursuant to the authority set forth below, the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists (hereinafter "Board") proposes a new rule chapter and new rule to the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists, entitled Chapter 135-12 Testing and Assessment, Rule 135-12-.01 Testing and Assessments (hereinafter "proposed new rule chapter and rule"). In accordance with O.C.G.A. § 43-10A-22(b), the Board consulted with the Georgia Board of Examiners of Psychologists.

This notice, together with an exact copy of the new rule chapter and rule, and a synopsis of the proposed new rule chapter and rule, is being provided to all persons who have requested, in writing, that they be placed on a list of interested parties. A copy of this notice, an exact copy of the proposed new rule chapter and rule, and a synopsis of the proposed new rule chapter and rule may be reviewed during normal business hours of 8:00 a.m. to 5:30 p.m., Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists website, [www.sos.state.ga.us/plb/counselors](http://www.sos.state.ga.us/plb/counselors), or by contacting the Board office at 478-207-2440.

A public hearing is scheduled to begin at **1:30 p.m. on Wednesday, December 14, 2016** in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed new rule chapter and rule.

At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to five (5) minutes per person. Written comments are welcomed. Such written comments must be legible and signed, should contain contact information from the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:30 p.m. EDT) on Wednesday, December 7, 2016. Written comments should be addressed to Lisa W. Durden, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists, 237 Coliseum Drive, Macon, Georgia 31217; Fax (866) 888-7127.

The Board will consider the proposed new rule chapter and rule for adoption at its meeting scheduled to begin at **1:30 p.m. on Wednesday December 14, 2016** at the Georgia Secretary of State Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists has the authority to adopt proposed new rule chapter and rule 135-12-.01 pursuant to authority contained in O.C.G.A. §§ 43-1-24, 43-1-25, 43-10A-3, 43-10A-5, 43-10A-6, 43-10A-7, 43-10A-11, 43-10A-12, 43-10A-13, 43-10A-16, and 43-10A-22.

At its teleconference meeting Wednesday, November 9, 2016 the Board voted that the formulation and adoption of this new rule chapter and rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed new rule chapter and rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-24, 43-1-25, 43-10A-3, 43-10A-5, 43-10A-6, 43-10A-7, 43-10A-11, 43-10A-12, 43-10A-13, 43-10A-16, and 43-10A-22.

Additionally, at its meeting Wednesday, November 9, 2016, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-24, 43-1-25, 43-10A-3, 43-10A-5, 43-10A-6, 43-10A-7, 43-10A-11, 43-10A-12, 43-10A-13, 43-10A-16, and 43-10A-22 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of this new rule chapter and rule will impact every licensee in the same manner and each licensee is independently licensed in the field of Professional Counselors, Social Workers, and Marriage and Family Therapists.

For further information, contact the Board office at (478) 207-2440.

This notice is given in compliance with Section 4(a)(1) of the Georgia Administrative Procedures Act (O.C.G.A. §50-13-4).

This 14 day of November, 2016



Lisa W. Durden

Director

Professional Licensing Boards

Posted: 14 NOV 16

**SYNOPSIS OF PROPOSED NEW RULE CHAPTER AND RULE TO THE  
GEORGIA COMPOSITE BOARD OF PROFESSIONAL COUNSELORS,  
SOCIAL WORKERS, AND MARRIAGE AND FAMILY THERAPISTS,  
ENTITLED CHAPTER 135-12 TESTING AND ASSESSMENTS, RULE 135-12-.01  
TESTING AND ASSESSMENTS**

**Purpose:** The purpose of this rule is to comply with Senate Bill 319, Act 377, passed into law during the 2016 legislative session regarding the promulgation of new rules and regulations to define for licensees of the Georgia Composite Board the use of testing and assessments.

**Main Features:** The new rule complies with the mandates to the Georgia Composite Board contained within this new law by promulgating a new rule regarding the use of testing and assessments by licensees.

**THE GEORGIA COMPOSITE BOARD OF PROFESSIONAL COUNSELORS,  
SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS NEW  
RULE CHAPTER NUMBER ENTITLED CHAPTER 135-12 TESTING AND  
ASSESSMENTS, AND NEW RULE 135-12-.01 TESTING AND ASSESSMENTS**

**Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.**

Chapter 135-12 Testing and Assessments

135-12-.01 Testing and Assessments

(1) No one licensed under O.C.G.A. § 43-10A shall have the authority to practice psychology, as defined in O.C.G.A. §43-39-1, unless that individual is also licensed to practice psychology under O.C.G.A. Title 43, Chapter 39

(2) Persons licensed as Professional Counselors may:

(a) use assessment instruments to evaluate emotional and mental problems and conditions, whether cognitive, behavioral or affective;

(b) administer and interpret educational and vocational assessment instruments;

(c) administer and interpret any other assessments or tests which he or she is qualified to employ by virtue of his or her education, training or experience.

(3) Persons licensed as Social Workers may:

(a) use assessment instruments to provide psychosocial evaluations;

(b) use assessment instruments to provide in-depth analyses and determinations of the nature and status of emotional, cognitive, mental, behavioral, and interpersonal problems or conditions.

(4) Persons licensed as Marriage and Family Therapists may:

(a) use assessment instruments to evaluate emotional and mental problems and conditions, whether cognitive, affective or behavioral;

(b) use assessment instruments that evaluate marital and family functioning.

(5) The use of these testing and assessment instruments may include, but is not limited to, administering and interpreting educational and vocational tests; functional assessments; interest inventories; tests that evaluate marital and family functioning; and mental health symptom screening and assessment instruments that evaluate emotional, mental, behavioral, and interpersonal problems or conditions including substance abuse, health, and disability, provided that the use of these assessment instruments does not include rendering a diagnosis of a mental and nervous disorder or illness, including but not limited to organic brain disorders, brain damage, or other neuropsychological conditions. Examples of testing and assessment instruments include, but are not limited to, the following:

(a) Adolescent Substance Abuse Subtle Screening Inventory;

(b) Beck Depression Inventory;

(c) Beck Anxiety Inventory;

(d) Prepare-Enrich;

(e) Myers Briggs;

(f) Dyadic Adjustment Scale;

(g) Parenting Stress Index;

(h) Marital Satisfaction Inventory;

(i) Patient Health Questionnaire – 9;

(j) Drug Use Disorder Identification Test;

(k) Columbia Suicide Severity Rating Scale;

(l) Minnesota Multiphasic Personality Inventory; and,

(m) Violence Risk Appraisal Guide.

(6) On or before January 1, 2018, any person licensed under O.C.G.A. § 43-10A working with people with mental illness, developmental disabilities, or substance abuse shall complete, and demonstrate completion of, a curriculum of education relating to diagnosing. A graduate level course in psychopathology consisting of a minimum of three (3) semester credit hours, which are equivalent to forty-five (45) clock hours, from a regionally accredited university shall satisfy this requirement. As of July 1, 2016, persons licensed under this chapter with at least ten (10) years of experience as a professional counselor, clinical social worker, or marriage and family therapist working with people with mental illness, developmental disabilities, or substance abuse and in good standing with the Board are exempt from this requirement.

(7) Those completing this graduate level course by January 1, 2018, may submit up to twenty (20) hours (core) of the course, pursuant to Board Rule 135-9-(6)(b), as continuing education towards the required thirty-five (35) hours for renewal of the professional license for the licensure cycle ending September 30, 2018.

**Authority: O.C.G.A. §§ 43-1-24, 43-1-25, 43-10A-3, 43-10A-5, 43-10A-6, 43-10A-7, 43-10A-11, 43-10A-12, 43-10A-13, 43-10A-16, and 43-10A-22.**

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(2) Persons licensed as Professional Counselors may:

(a) use assessment instruments to evaluate emotional and mental problems and conditions, whether cognitive, behavioral or affective;

(b) administer and interpret educational and vocational assessment instruments;

(c) administer and interpret any other assessments or tests which he or she is qualified to employ by virtue of his or her education, training or experience.

(3) Persons licensed as Social Workers may:

(a) use assessment instruments to provide psychosocial evaluations;

(b) use assessment instruments to provide in-depth analyses and determinations of the nature and status of emotional, cognitive, mental, behavioral, and interpersonal problems or conditions.

(4) Persons licensed as Marriage and Family Therapists may:

(a) use assessment instruments to evaluate emotional and mental problems and conditions, whether cognitive, affective or behavioral;

(b) use assessment instruments that evaluate marital and family functioning.

(5) The use of these testing and assessment instruments may include, but is not limited to, administering and interpreting educational and vocational tests; functional assessments; interest inventories; tests that evaluate marital and family functioning; and mental health symptom screening and assessment instruments that evaluate emotional, mental, behavioral, and interpersonal problems or conditions including substance abuse, health, and disability, provided that the use of these assessment instruments does not include rendering a diagnosis of a mental and nervous disorder or illness, including but not limited to organic brain disorders, brain damage, or other neuropsychological conditions. Examples of testing and assessment instruments include, but are not limited to, the following:

(a) Adolescent Substance Abuse Subtle Screening Inventory;

(b) Beck Depression Inventory;

(c) Beck Anxiety Inventory;

(d) Prepare-Enrich;

(e) Myers Briggs;

(f) Dyadic Adjustment Scale;

- (g) Parenting Stress Index;
- (h) Marital Satisfaction Inventory;
- (i) Patient Health Questionnaire–9;
- (j) Drug Use Disorder Identification Test;
- (k) Columbia Suicide Severity Rating Scale;
- (l) Minnesota Multiphasic Personality Inventory; and,
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