

**NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENT
TO THE GEORGIA COMPOSITE BOARD OF PROFESSIONAL
COUNSELORS, SOCIAL WORKERS AND MARRIAGE AND FAMILY
THERAPISTS CHAPTER 135-5, REQUIREMENTS FOR LICENSURE, RULE
135-5-.01 ASSOCIATE PROFESSIONAL COUNSELORS, 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 an amendment to the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists, Chapter 135-5 Requirements for Licensure, Rule 135-5-.01 Associate Professional Counselors (hereinafter "proposed rule amendment").

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being mailed, e-mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 a.m. to 5:00 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 at 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 **9:30 a.m. on Friday, February 5, 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 rule amendment.

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 (5:00 p.m. EDT) on **Friday, January 29, 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 rule amendment for adoption at its meeting scheduled to begin at **9:30 a.m., Friday February 5, 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 rule amendments to Board rule 135-5-.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-8, 43-10A-9, 43-10A-10 and 43-10A-11.

At its meeting Friday, December 4, 2015, the Board voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed 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-8, 43-10A-9, 43-10A-10 and 43-10A-11.

Additionally, at its meeting Friday, December 4, 2015, 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-8, 43-10A-9, 43-10A-10 and 43-10A-11 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 these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of Professional Counseling, Social Work and Marriage and Family Therapy.

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 10 day of December, 2015



Lisa W. Durden
Director
Professional Licensing Boards

Posted: 19 Dec 15

**SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA COMPOSITE
BOARD OF PROFESSIONAL COUNSELORS, SOCIAL WORKERS, AND
MARRIAGE AND FAMILY THERAPISTS RULE FOR CHAPTER 135-5,
REQUIREMENTS FOR LICENSURE, RULE 135-5-.01 ASSOCIATE
PROFESSIONAL COUNSELORS**

Purpose: The purpose of this rule is to recommend amendments to existing rule language for clarity and consistency.

Main Features: The rule provides for the addition of prior language amended in error, and provides for clarity and consistency with the Board's intended rule provisions and criteria for licensure as an APC.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED
AMENDMENTS TO THE GEORGIA COMPOSITE BOARD OF
PROFESSIONAL COUNSELORS, SOCIAL WORKERS AND MARRIAGE AND
FAMILY THERAPISTS RULE FOR CHAPTER 135-5, REQUIREMENTS FOR
LICENSURE, RULE 135-5-.01 ASSOCIATE PROFESSIONAL COUNSELORS**

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

135-5-.01 Associate Professional Counselors

Pursuant to the Official Code of Georgia Annotated 43-10A-11, the requirements for licensure and the restrictions on practice for Associate Professional Counselors are as follows:

(a) Definitions.

1. **"The Practice of Professional Counseling"** means practice in that specialty which utilizes counseling and psychotherapy to evaluate and treat emotional and mental problems and conditions, whether cognitive, behavioral, or affective. The practice is further defined in O.C.G.A. 43-10A-3(10).
2. **"Direction"** means the ongoing administrative overseeing by an employer or superior of a Professional Counselor's work in the practice of professional counseling as defined by 135-5-.01(a)(1) by a director. The director shall be responsible for assuring the quality of the services rendered by that practitioner and shall ensure that qualified supervision or intervention occurs in situations, which require expertise beyond that of the practitioner.
3. **"Director"** means the person who provides direction and who is either the employer of the person who receives direction or is the ~~supervisor~~ superior in the ~~employment~~ administrative chain of command to the person who receives direction.
4. **"Supervision"** means the direct clinical review, for the purpose of training or teaching, by a supervisor of a Professional Counselor's interaction with their client(s). The purpose of supervision is to promote the development of the practitioner's clinical

skills. Supervision may include, without being limited to, the review of case presentations, audiotapes, videotapes, and direct observation of the practitioner's clinical skills. Supervision does not require the supervisor to be present at the work site with the supervisee ~~but requires the supervision to be face-to-face~~. Supervision may be provided pro bono or for a fee. Both supervisors and supervisees are ~~r e q u i r e d~~ to maintain a contemporaneous record of the date, duration, type (individual, paired, or group), and a brief summary of the pertinent activity for each supervision session to be submitted to the Board upon request. If there are any discrepancies in hours, contemporaneous documentation of supervision will be requested.

(i) **Individual Supervision** means one supervisor meeting with a maximum of two supervisees.

(ii) **Group Supervision** means one supervisor meeting with a maximum of six supervisees.

5. **"Supervisor"** means a licensed Professional Counselor, Clinical Social Worker, Marriage and Family Therapist, Psychologist, or Psychiatrist who complies with the ethical standards of practice of their profession with particular attention being paid to prohibited dual relationships. In addition,

(i) a supervisor who holds a master's degree must have three (3) years of post-licensure experience; and

(ii) a supervisor who holds a specialist degree must have two (2) years of post-licensure experience; and

(iii) a supervisor who holds a doctoral degree must have one (1) year of post-licensure experience; and

(iv) for supervision entered into after **September 30, 2018**, a supervisor who is a Licensed Professional Counselor must hold either a National Board of Certified Counselors (NBCC) Approved Clinical Supervisor credential **or** a Licensed Professional Counselors Association of Georgia (LPCAGA) Certified Professional Counselor Supervisor credential.

(v) however, the Board in its discretion may approve a supervisor whose experience is substantially similar to those stated herein.

(vi) in a supervised practicum or internship which is part of the graduate degree program, either the course instructor of record or the on-site clinical instructor must be a qualified supervisor **OR**, in the education of rehabilitation counselors, may be a Certified Rehabilitation Counselor.

6. **"Directed Experience"** means time spent under direction engaging in the practice of Professional Counseling as defined in 135-5-.02.01(a)(1). ~~Non-compensated Volunteer experiences or services are not acceptable in defining the employment relationship for the purposes of obtainment of the required post-master's directed work experience.~~

(i) all work sites must include a formal structure related to the practice of professional counseling as defined in Rule 135-5-.01(a) (1). Valid work sites should have measurable detailed documentation for every candidate, to include a signed contractual agreement that outlines the job description, office hours, performance review procedures and dismissal policies.

(ii) non-compensated experiences or services will be reviewed on a case by case basis to determine acceptability in defining the working relationship for the purposes of obtainment of the required post-master's directed work experience only if they meet these requirements. The agreement between the work site and the candidate should be akin to employment.

(iii) applicants may, at the discretion of the Board, be required to submit documentation substantiating (a) the nature of the working relationship with the directed experience site, (b) the formal structure of the organization, and (c) whether any licensed or associate licensed individuals work there to ensure compliance and understanding of these requirements.

7. **“Directed Experience Under Supervision Contract”** is a document, obtained from the Board, that defines the employment working relationship for the purposes of obtaining the required post- masters directed experience under supervision. ~~Non-compensated Volunteer experiences or services are not acceptable in defining the employment relationship for the purposes of obtainment of the required post-master's directed work experience.~~ Directed experience sites in the contract must meet the requirements of rule 135-5-.01(a) (6) above, the definition of “Directed Experience”.

8. **“Program Primarily Counseling in Content” and “Program in Applied Psychology”** means a course of study at an accredited educational institution consisting of a master's degree which includes either as part of the degree program or as additional course work completed prior to, during or after the degree program, the following graduate level courses. After September 30, 2018 the degree program must be accredited by the Council on Accreditation of Counseling and Related Educational Programs (CACREP), the Council on Rehabilitation Education (CORE) or a regionally accredited program recognized by the Council on Higher Education Accreditation (CHEA). The approved program must be substantially similar in coursework and content to a CACREP or CORE accredited program. An individual course may not be used to fulfill the requirement in more than one content area.

(i) **Counseling/Psychotherapy Theory**, which includes the principles, concepts, and practice of counseling/psychotherapy and the major models of counseling/psychotherapy.

(ii) **A Counseling or Applied Psychology Practicum or Internship** as part of the graduate degree program.

(iii) **Courses in six (6) of the following nine (9) content areas, after September 30, 2018, all 9 content areas of the following course work are required:**

(I) **Human Growth and Development**, which includes an understanding of the nature and needs of individuals at all developmental levels, personality theory, and learning theory, and which may provide a comprehensive overview of the factors, determinants, and stages that pertain to physical, emotional, intellectual, and social development and adaptation from infantile to geriatric stages.

(II) **Multicultural Counseling or Diversity Training**, which includes an understanding of societal changes and trends, human roles, societal subgroups, diversity, social mores and interaction patterns, and differing lifestyles; and competency in counseling a diverse clientele.

(III) **Counseling Techniques or Skills**, which includes an understanding of the philosophic bases of helping processes, helper self-understanding and self-development, and the facilitation of client change; OR Advanced Psychotherapy/Intervention Theory, which includes the in-depth study of the major theories, principles, methods and techniques of psychotherapy with individuals, groups or families, focusing on the treatment or prevention of behavior disorders, adjustment problems, psychopathology, or other psychological disturbance.

(IV) **Group Dynamics and Group Counseling/Psychotherapy**, which includes an understanding of group development, dynamics, and counseling/psychotherapy theories; group leadership styles; group counseling/psychotherapy methods and skills; and other group approaches.

(V) **Lifestyle and Career Development**, which includes an understanding of career development theories; occupational educational information sources and systems; career and leisure counseling, guidance and education; lifestyle and career decision making; and career development program planning, resources, and evaluation.

(VI) **Appraisal/Assessment of Individuals**, which includes an understanding of psychometric theories and approaches to appraisal/assessment; validity and reliability; psychometric statistics; the selection, administration, scoring and interpretation of various assessment instruments; and the use of appraisal/assessment results in the counseling/psychotherapy process.

(VII) **Research Methods and Evaluation**, which includes an understanding of types of research, statistics, research report development, research implementation, program evaluation, needs assessment, and ethical and legal considerations in research; OR **Research Statistics**, which includes an understanding of the theory, analysis and interpretation of manual or computer generated statistical measures.

(VIII) **Professional Orientation and Ethics**, which includes an understanding of ethical and legal standards, professional roles, responsibilities, and functions; professional goals and objectives; professional organizations and associations; professional history and trends; professional preparation standards; and professional credentialing.

(IX) **Psychopathology**, which includes theories, research, descriptive characteristics,

categories, dynamics, and etiology of mental, behavioral, cognitive and personality disorders with a focus on utilization of the diagnostic and statistical manual of mental disorders (DSM) and/or International Classification of Diseases (ICD).

(b) Requirements for Licensure.

1. Education. The applicant must have earned a master's degree in a program primarily counseling in content or in a program of applied psychology, which degree includes a supervised practicum or internship of at least 300 hours which was part of the degree program, from an institution which, at the time the degree was awarded, was accredited by a regional body recognized by the Council on Higher Education Accreditation. **After September 30, 2018, 600 practicum or internship hours will be required. After September 30, 2018** the degree program must be accredited by the Council on Accreditation of Counseling and Related Educational Programs (CACREP), the Council on Rehabilitation Education (CORE) or a regionally accredited program recognized by the Council on Higher Education Accreditation (CHEA). The approved program must be substantially similar in coursework and content to a CACREP or CORE accredited program. The applicant must document graduate level coursework from such an accredited institution in order to demonstrate that the degree program is either primarily counseling in content or a program of applied psychology.

2. **Registration of a contract for obtaining post-master's directed experience under supervision.** The applicant shall register with the Board an acceptable contract, the Directed Experience Under Supervision Contract, for obtaining the post-master's experience required for licensure as a Professional Counselor. The applicant is responsible for notifying the Board of any changes in the contract, by submitting a new contract within fourteen (14) days of the change. ~~Non-compensated Volunteer experiences or services are not acceptable in defining the employment relationship for the purposes of obtainment of the required post-master's directed work experience.~~ Directed experience sites in the contract must meet the requirements of rule 135-5-.01(a)(6) above, the definition of "Directed Experience".

3. **Examination.** ~~The applicant must present evidence of a passing score of the required examination.~~ To qualify for licensure as an associate professional counselor, applicant must pass the required competency examination for licensure prescribed by the Board in rule 135-3-.03(2)(a)(2).

(c) Restrictions on Practice.

1. A person who holds a license as an Associate Professional Counselor may only use the title "Associate Professional Counselor."
2. A person who holds a license as an Associate Professional Counselor may engage in the practice of Professional Counseling, but only under direction and supervision, and only for a period not to exceed five years while obtaining the post-master's experience and supervision required for licensure as a Professional Counselor. ~~Non-compensated Volunteer experiences or services are not acceptable in defining the employment~~

relationship for the purposes of ~~obtainment of the required post-master's directed work experience.~~ Directed experience sites in the contract must meet the requirements of rule 135-5-.01(a) (6) above, the definition of "Directed Experience".

Authority: O.C.G.A. §§ 43-1-24, 43-1-25, 43-10A-3, 43-10A-5, 43-10A-6, 43-10A-8, 43-10A-9, 43-10A-10 and 43-10A-11

Pursuant to the Official Code of Georgia Annotated 43-10A-11, the requirements for licensure and the restrictions on practice for Associate Professional Counselors are as follows:

(a) **Definitions.**

1. **“The Practice of Professional Counseling”** means practice in that specialty which utilizes counseling and psychotherapy to evaluate and treat emotional and mental problems and conditions, whether cognitive, behavioral, or affective. The practice is further defined in O.C.G.A. 43-10A-3(10).
2. **“Direction”** means the ongoing administrative overseeing by an employer or superior of a Professional Counselor’s work in the practice of professional counseling as defined by 135-5-.01(a)(1) by a director. The director shall be responsible for assuring the quality of the services rendered by that practitioner and shall ensure that qualified supervision or intervention occurs in situations, which require expertise beyond that of the practitioner.
3. **“Director”** means the person who provides direction and who is either the employer of the person who receives direction or is the superior in the administrative chain of command to the person who receives direction.
4. **“Supervision”** means the direct clinical review, for the purpose of training or teaching, by a supervisor of a Professional Counselor’s interaction with their client(s). The purpose of supervision is to promote the development of the practitioner’s clinical skills. Supervision may include, without being limited to, the review of case presentations, audiotapes, videotapes, and direct observation of the practitioner’s clinical skills. Supervision does not require the supervisor to be present at the work site with the supervisee. Supervision may be provided pro bono or for a fee. Both supervisors and supervisees are required to maintain a contemporaneous record of the date, duration, type (individual, paired, or group), and a brief summary of the pertinent activity for each supervision session to be submitted to the Board upon request. If there are any discrepancies in hours, contemporaneous documentation of supervision will be requested.
 - (i) **Individual Supervision** means one supervisor meeting with a maximum of two supervisees.
 - (ii) **Group Supervision** means one supervisor meeting with a maximum of six supervisees.
5. **“Supervisor”** means a licensed Professional Counselor, Clinical Social Worker, Marriage and Family Therapist, Psychologist, or Psychiatrist who complies with the ethical standards of practice of their profession with particular attention being paid to prohibited dual relationships. In addition,
 - (i) a supervisor who holds a master’s degree must have three (3) years of post-licensure experience; and
 - (ii) a supervisor who holds a specialist degree must have two (2) years of post-licensure experience; and
 - (iii) a supervisor who holds a doctoral degree must have one (1) year of post-licensure experience; and
 - (iv) for supervision entered into after **September 30, 2018**, a supervisor who is a Licensed Professional Counselor must hold either a National Board of Certified Counselors (NBCC) Approved Clinical Supervisor credential or a Licensed

Professional Counselors Association of Georgia (LPCAGA) Certified Professional Counselor Supervisor credential.

(v) however, the Board in its discretion may approve a supervisor whose experience is substantially similar to those stated herein.

(vi) in a supervised practicum or internship which is part of the graduate degree program, either the course instructor of record or the on-site clinical instructor must be a qualified supervisor OR, in the education of rehabilitation counselors, may be a Certified Rehabilitation Counselor.

6. **"Directed Experience"** means time spent under direction engaging in the practice of Professional Counseling as defined in 135-5-.01(a)(1).

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and needs of individuals at all developmental levels, personality theory, and learning theory, and which may provide a comprehensive overview of the factors, determinants, and stages that pertain to physical, emotional, intellectual, and social development and adaptation from infantile to geriatric stages.

(II) **Multicultural Counseling or Diversity Training**, which includes an understanding of societal changes and trends, human roles, societal subgroups, diversity, social mores and interaction patterns, and differing lifestyles; and competency in counseling a diverse clientele.

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(VII) **Research Methods and Evaluation**, which includes an understanding of types of research, statistics, research report development, research implementation, program evaluation, needs assessment, and ethical and legal considerations in research; OR **Research Statistics**, which includes an understanding of the theory, analysis and interpretation of manual or computer generated statistical measures.

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September 30, 2018 the degree program must be accredited by the Council on Accreditation of Counseling and Related Educational Programs (CACREP), the Council on Rehabilitation Education (CORE) or a regionally accredited program recognized by the Council on Higher Education Accreditation (CHEA). The approved program must be substantially similar in coursework and content to a CACREP or CORE accredited program. The applicant must document graduate level coursework from such an accredited institution in order to demonstrate that the degree program is either primarily counseling in content or a program of applied psychology.

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O.C.G.A. §§ 43-1-24, 43-1-25, 43-10A-3, 43-10A-5, 43-10A-6, 43-10A-8, 43-10A-9, 43-10A-10 and 43-10A-11.