

**NOTICE OF INTENT TO ADOPT PROPOSED AMENDMENTS TO THE
GEORGIA COMPOSITE BOARD OF PROFESSIONAL COUNSELORS,
SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS
BOARD RULE CHAPTER 135, RULE 5-.01 ASSOCIATE PROFESSIONAL
COUNSELORS AND NOTICE OF PUBLIC HEARING**

RULE 135-5-.01 Associate Professional Counselors

TO ALL INTERESTED 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 Rule 135-5-.01 Associate Professional Counselors (herein after “proposed rule”).

This notice, an exact copy of the proposed rule, and a synopsis of the proposed rule are being sent to all persons who have requested, in writing, to be included on a notification list. This notice, an exact copy of the proposed rule, and a synopsis of the proposed rule may also 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. The documents will also be available for review on the Board’s website at [Board of Professional Counselors, Social Workers, and Marriage & Family Therapists | Georgia Secretary of State \(ga.gov\)](#). Copies may also be requested by contacting the Board office at (404) 424-9966.

The public will have an opportunity to comment upon and provide input into the proposed rule amendment at a public hearing to be held at **10:15 a.m., Friday August 11, 2023** in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. If the Board office remains closed due to the public health emergency (COVID-19), the hearing will be held via teleconference. Please see Board’s website for information on how to join the meeting via teleconference.

Interested parties affected by the rule may submit written comments to the Board no later than close of business on **August 4, 2023**. Written comments must be legible, signed, contain contact information from the maker (address, telephone number, email address), and addressed to Gabriel Sterling, Interim Division Director, Secretary of State, Professional Licensing Boards Division, The Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists, 237 Coliseum Drive, Macon, Georgia 31217.

During 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 will be limited to five (5) minutes per person.

The Board voted to post this Notice of Intent at its meeting on May 12, 2023. The Board also voted that the formulation and adoption of this rule amendment does not impose an excessive regulatory cost on any licensee, and any cost to comply with the proposed rule amendment 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-8, 43-10A-9, and 43-10A-11. Additionally, the Board voted that it was neither legal nor feasible in meeting 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-8, 43-10A-9, and 43-10A-11 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(a)(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 or marriage and family therapy.

According to the Department of Law of the State of Georgia, the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists has the authority to adopt proposed 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-7, 43-10A-8, 43-10A-9, and 43-10A-11.

For further information, contact the Board office at (404) 424-9966.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This the _____ day of _____, 2023.

Gabriel Sterling
Interim Division Director
Professional Licensing Boards Division

Posted: _____

**SYNOPSIS OF PROPOSED CHANGES OF TO THE
GEORGIA COMPOSITE BOARD OF PROFESSIONAL COUNSELORS, SOCIAL
WORKERS AND MARRIAGE AND FAMILY THERAPIST'S RULES
RULE 135-5-.01**

Purpose: The purpose of the proposed adoption is to amend the rule to reflect statutory updates form HB972/Act 813 effective July 1, 2022. Rule has also been reorganized to make it easier to review the requirements for licensure.

Rule 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, diagnose and treat emotional and mental problems and conditions, whether cognitive, behavioral, or affective. ~~The practice~~ Professional Counseling is further defined in O.C.G.A. 43-10A-3(~~10-14~~).

2. **"Direction"** means the ongoing administrative ~~overseeing~~ oversight by an employer or superior of a ~~Professional Counselor's practitioner's~~ work in the practice of professional counseling, ~~as defined by 135-5-.01 (a)(1) by a director.~~ The ~~director~~ person providing direction 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-practitioner, who receives direction or is the superior in the administrative chain of command, who to the person who receives direction.~~ provides oversight for all services rendered by the practitioner to include, but not be limited to, client assignment and fees, and who has the ultimate responsibility for assuring the quality of all services provided. The director shall ensure that appropriate intervention occurs in situations which require expertise beyond that of the practitioner. The director shall further assure that clients are seen only when the approved director, an appropriate superior or, in temporary situations, a designated emergency contact is onsite or available for clinical consultation.

(i) The Director shall **not** also serve as the "supervisor" of the practitioner to whom they are providing direction.

(ii) Directors shall not provide direction to family members, nor shall they provide direction to any practitioner with whom they have a boundary conflict or conflict of interest, including a financial interest and/or familial relationship. In addition, the practitioner or any of that practitioner's family members shall not have an ownership interest in, operate, or manage the business entity where

the director is employed or where the practitioner provides professional counseling services.

(iii) Family Member means members of a practitioner's immediate family, by direct descent or by marriage.

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).~~ of the practitioner's interaction with clients as well as the development of the practitioner's professional identity, ethics, and clinical skills. ~~The purpose of supervision is to promote the development of the practitioner's clinical skills.~~ Supervision is separate from any managerial role of client care, and 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 practitioner. Supervision and may be provided pro bono or for a fee. The supervision may be provided either face to face or by technology assisted media, in compliance with the telemental health rules, such as but not limited to videoconference or telephone. 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 for no less than one (1) clock hour (50 to 60 minutes).

(ii) **Group Supervision** means at least one supervisor meeting with a maximum of six individual supervisees for no less than one and a half (1.5) clock hours and will be accepted only if each individual group supervisee signs and dates the contemporaneous record.

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

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

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

(iv) ~~f~~ 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) ~~i~~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. For supervision entered on or after **January 1, 2024, "Supervisor"** for post-master's work experience under supervision means a licensed Professional Counselor, who meets the specific requirements as outlined below. The required practicum or internship that is primarily the practice of professional counseling in content may be supervised by a licensed Professional Counselor, Clinical Social Worker, Marriage and Family Therapist, Psychologist, Psychiatrist or in the education of rehabilitation counselors, may be a Certified Rehabilitation Counselor.

(i) The supervisor shall **not** also serve as the director of the individual who receives supervision.

(ii) A supervisor must have three (3) years of post-licensure experience.

(iii) A supervisor who is a Licensed Professional Counselor must hold, in addition to meeting (i) and (ii) above, 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.

(iv) The Board in its discretion may approve a supervisor who is licensed and in good standing and whose experience is substantially similar to those stated herein. Approval must be granted prior to the supervision beginning and must be approved through the Petition for Waiver of a Board rule (Reference OCGA 50-13-9.1).

(v) Supervisors shall not provide supervision to family members, nor shall they provide supervision to any practitioner with whom they have a boundary conflict or conflict of interest, including a financial interest and/or familial relationship. In addition, the practitioner or any of that practitioner's family members shall not have an ownership interest in, operate, or manage the business entity where the supervisor is employed or where the practitioner provides professional counseling services.

(vi) Family Member means members of a practitioner's immediate family, by direct descent or by marriage.

~~6- 7. "Directed Work Experience" means time spent under direction engaging in the practice of Professional Counseling as defined in 135-5-.01 (a)(1).~~

~~(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.~~

(i) "Direct work experience" means contact with one or more clients and includes diagnosis, assessment, and treatment, and may also include psychoeducation for mental, emotional, and behavioral disorders.

(ii) "Indirect Work Experience" means training for, and the performance of, the practice of professional counseling functions including, but not limited to, case consultation, case staffing, treatment teams, direction, or continuing education courses.

(iii) All work sites must include a formal structure related to the practice of professional counseling.

(I) Work sites acceptable to the Board may include, but are not limited to, education, rehabilitation, career development, mental health, or community organizations.

(II) Practice without direction is not considered a work setting acceptable to the Board.

7. 8. "Associate Professional Counselors Post-Masters Contract Affidavit Directed Experience Under Supervision Contract" is a document, obtained from available on the Board website, that defines the working relationship for the purposes of obtaining the required post-masters directed work experience under supervision. Directed work experience sites in the contract must meet the requirements of rule 135-5-.01(a) (~~6 7~~) above, the definition of "Directed Experience". to be approved by the Board.

8. 9. "Program Primarily in Clinical Counseling or Counseling Psychology in Content" and "Program in Applied Psychology" means a course of study at an master's degree or higher from a regionally accredited program that consists of a master's degree which at least 60 semester hours or 80 quarter hours with an approved supervised internship or practicum, consisting of at least 600 hours, that is primarily the practice of professional counseling in content, which includes The graduate level courses, as specified in rule 135-5-.01(b)1(iii) below, shall also be required 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) A practicum or internship that is primarily the practice of professional counseling in content shall include at least 40% client contact and documentation.

~~(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.** Effective July 1, 2022, ~~the applicant must have earned a master's degree or higher in a from a regionally accredited program in clinical counseling or counseling psychology primarily counseling in content or in a program of applied psychology that consists of at least 60 semester hours or 80 quarter hours which degree includes a supervised practicum or internship that is primarily the practice of professional counseling in content and consists of at least 600 hours. 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.

(i) In a supervised practicum or internship which is primarily the practice of professional counseling in content, and is part of the graduate degree program, either the course instructor of record or the on-site clinical instructor must be a qualified supervisor as defined above in 135-5-.01(a)(6), or in the education of rehabilitation counselors, may be a Certified Rehabilitation Counselor.

(ii) A person who has been issued an Associate Professional Counselor license by the Board shall be deemed to have met the educational requirements when applying for licensure as a professional counselor.

(iii) Graduate level coursework in the following ten (10) content areas shall be required. 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) 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 infancy to geriatric stages.

(III) 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.

(IV) 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.

(V) **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.

(VI) **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.

(VII) **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.

(VIII) **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.

(IX) **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.

(X) **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).

Coursework shall encompass psychopathology from infancy to geriatric stages

(iv) If the degree program did not include all the above required graduate courses, additional graduate level course work can be completed prior to, during, or after the degree program.

2. Degree Programs

(i) 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 be a program in a regionally accredited institution 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.

(ii) Degrees received on or after **May 31, 2026**, must be from a program accredited by the Council on Accreditation of Counseling and Related Educational Programs (CACREP).

(iii) Applicants with degrees obtained from an educational degree program located outside the United States shall have their educational credentials evaluated by an independent foreign credential evaluation service to determine eligibility for licensure.

2. 3. Registration of a contract, for obtaining postmaster's directed experience under supervision. The applicant shall register with the Board an acceptable contract, ~~the Directed Experience Under Supervision Contract,~~ Associate Professional Counselor (APC) Post-Masters Contract Affidavit for purposes of obtaining the ~~post-master's directed work experience required for licensure as a Professional Counselor.~~ with concurrent supervision by a qualified licensed 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. Directed experience sites in the contract must meet the requirements of rule 135-5-.01(a)(6) above, the definition of "Directed Experience".

(i) If the Director, Supervisor or work experience location change, the practitioner shall submit a new contract affidavit to the Board for consideration and approval **within thirty (30) days** of the change, or the accrued interim work experience and supervision may not be accepted by the Board for licensure.

(ii) A practitioner shall have no more than six (6) different supervisors throughout the duration of the directed work experience under supervision.

Practitioners may petition the Board, in the form of a Rule Waiver/Variance, for consideration of extenuating circumstances related to this rule.

(iii) APC's who are licensed by the Board shall submit all the Board's approval letters for any new contract affidavits with supervision and/or work experience changes submitted after the initial application contract affidavit approval with their applications for licensure as a professional counselor.

(iv) Directed Work Experience

(I) A minimum of 40% percent of the required annual hours shall be direct clinical work experience.

(II) Psychoeducation shall not be more than 30% of the total direct work experience.

(III) Assessment and referral activities shall not be more than 30% of the total direct work experience.

(i) "Direct work experience" means contact with one or more clients and includes diagnosis, assessment, and treatment, and may also include psychoeducation for mental, emotional, and behavioral disorders.

(IV) Indirect Work Experience means training for, and the performance of, professional counseling functions including, but not limited to, case consultation, case staffing, treatment teams, direction, or continuing education courses.

(V). The practitioner, or any of that practitioner's family members, shall not have any ownership interest in, operate, or manage the business entity in which the professional counseling services will be provided by the practitioner.

(VI) The practitioner receiving directed work experience pursuant to this rule shall not engage in the independent practice of professional counseling. All clients must be assigned to the practitioner by the Director of the supervisee. Practitioners shall not directly recruit clients.

(VII) The practitioner while receiving directed work experience pursuant to this rule, shall not be directly compensated by clients.

(VIII) The directed work experience for Certified Rehabilitation Counselors shall be in a rehabilitation setting defined as a practice, or in a rehabilitation center, and is restricted to counseling those individuals who are seeking re-training for the work force.

(IX) Directed work experience for School Counselors may be obtained only while school is in session and students are present for the hours to be accepted toward those required for licensure.

(v) Work Sites

(I) Valid work sites shall employ at least one licensed Professional Counselor, Clinical Social Worker, Marriage and Family Therapist, Psychologist, or Psychiatrist and should have measurable detailed documentation for every practitioner, 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 only if they meet the above requirements, specific to the post-master's directed work experience. The agreement between the work site and practitioner should be akin to employment.

(III) If the Director, Supervisor or work experience location change, a new contract affidavit **MUST** be submitted to the Board for consideration and approval **within thirty (30) days** of the change, or the accrued work experience and supervision shall not be accepted by the Board for licensure.

(IV) Practitioners may, at the discretion of the Board, be required to submit documentation substantiating:

I. The nature of the working relationship with the directed experience site.

II. The formal structure of the organization.

III. Whether any licensed or associate licensed individuals work on site to ensure compliance and understanding of these requirements.

(vi) Supervision

(I) Supervision shall be under a licensed professional as defined above in 135-5-.01(a)(5) or (6), as determined by the date of the application.

(II) It is the responsibility of the supervisee to assure the supervisor they choose and or contract with meets all eligibility requirements to provide supervision.

(III) Both supervisor and practitioner are required to maintain a contemporaneous record for each clinical supervision session and may

be requested to submit this record to the Board upon request. At a minimum, this record shall contain the following:

I. The date, duration, and type (individual or group) of each supervision session including the name and signature of the individual(s) receiving clinical supervision, the name and signature of the approved clinical supervisor and the date signed.

II. A summary of the pertinent activity for each supervision session to include a description of topics discussed in each supervision session and case review activities.

III. Summary of all periodic supervisor evaluations and any remediation of the practitioner's professional development, performance, including a final supervisory evaluation.

IV. Verification that supervision was not acquired from a family member or other individual whose objective assessment of the practitioner's performance may be compromised by a familial and/or business relationship as defined above in 135-5-.01 (a) (6) (v & vi).

V. Upon request, copies of contemporaneous records of both supervisors and practitioners, as well as copies of the periodic and final supervisory evaluations, shall be submitted to the Board.

(IV) For supervision entered into after January 1, 2024, the Board shall accept the supervision hours only when:

I. The hours are from a qualified supervisor as defined above in section 135-5-.01(a)(6).

II. For every month of directed work experience with direct client contact, the practitioner has obtained a minimum of three (3) concurrent hours of supervision. A minimum of 100 supervision hours must be obtained for licensure.

III. A minimum of ten (10) hours annually are in individual supervision and involve the review of audio, video, or direct observation of the practitioner's clinical skills.

3. Examination. To qualify for licensure as an associate professional counselor, ~~applicant~~ the practitioner 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 an active license as an Associate Professional Counselor may only use the title "Associate Professional Counselor-" or "Licensed Associate Professional Counselor."

2. A person who holds a an active license as an Associate Professional Counselor may engage in the practice of Professional Counseling, but only ~~under~~ with direction and concurrent supervision, and only for a period not to exceed five years [Ref: OCGA 43-10A-11(c)] while obtaining the ~~post-master's~~ post-degree directed work experience ~~and~~ with concurrent supervision required for licensure as a Professional Counselor. Directed work experience sites in the contract must meet the requirements of rule 135-5-.01(a) (~~6-7~~) above, ~~the definition of "Directed Work Experience".~~ to be accepted by the Board.

3. An APC must specify the associate level of practice is "under supervision" to clients, naming the supervisor and their credentials.

Statutory 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-8, 43-10A-9, and 43-10A-11.

RULES OF THE GEORGIA COMPOSITE BOARD OF PROFESSIONAL COUNSELORS, SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS, CHAPTER 135-5 REQUIREMENTS FOR LICENSURE

TABLE OF CONTENTS

Rule 135-5-.01. Associate Professional Counselors

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(a) Definitions.

1. **"The Practice of Professional Counseling"** means practice which utilizes counseling and psychotherapy to evaluate, diagnose and treat emotional and mental problems and conditions, whether cognitive, behavioral, or affective. Professional Counseling is further defined in O.C.G.A. 43-10A-3(14).

2. **"Direction"** means the ongoing administrative oversight by an employer or superior of a practitioner's work in the practice of professional counseling. The person providing direction 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 employer of the practitioner, or the superior in the administrative chain of command, who provides oversight for all services rendered by the practitioner to include, but not be limited to, client assignment and fees, and who has the ultimate responsibility for assuring the quality of all services provided. The director shall ensure that appropriate intervention occurs in situations which require expertise beyond that of the practitioner. The director shall further assure that clients are seen only when the approved director, an appropriate superior or, in temporary situations, a designated emergency contact is onsite or available for clinical consultation.

(i) The Director shall **not** also serve as the "supervisor" of the practitioner to whom they are providing direction.

(ii) Directors shall not provide direction to family members, nor shall they provide direction to any practitioner with whom they have a boundary conflict or conflict of interest, including a financial interest and/or familial relationship. In addition, the practitioner or any of that practitioner's family members shall not have an ownership interest in, operate, or manage the business entity where the director is employed or where the practitioner provides professional counseling services.

(iii) Family Member means members of a practitioner's immediate family, by direct descent or by marriage.

4. "**Supervision**" means the direct clinical review, for the purpose of training or teaching, of the practitioner's interaction with clients as well as the development of the practitioner's professional identity, ethics, and clinical skills. Supervision is separate from any managerial role of client care, and 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 practitioner and may be provided pro bono or for a fee. The supervision may be provided either face to face or by technology assisted media, in compliance with the telemental health rules, such as but not limited to videoconference or telephone.

(i) **Individual Supervision** means one supervisor meeting with a maximum of two supervisees for no less than one (1) clock hour (50 to 60 minutes).

(ii) **Group Supervision** means at least one supervisor meeting with a maximum of six individual supervisees for no less than one and a half (1.5) clock hours and will be accepted only if each individual group supervisee signs and dates the contemporaneous record.

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) 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. For supervision entered into on or after **January 1, 2024**, "**Supervisor**" for post-master's work experience under supervision means a licensed Professional Counselor, who meets the specific requirements as outlined below. The required practicum or

internship that is primarily the practice of professional counseling in content may be supervised by a licensed Professional Counselor, Clinical Social Worker, Marriage and Family Therapist, Psychologist, Psychiatrist or in the education of rehabilitation counselors, may be a Certified Rehabilitation Counselor.

(i) The supervisor shall **not** also serve as the director of the individual who receives supervision.

(ii) A supervisor must have three (3) years of post-licensure experience.

(iii) A supervisor who is a Licensed Professional Counselor must hold, in addition to meeting (i) and (ii) above, 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.

(iv) The Board in its discretion may approve a supervisor who is licensed and in good standing and whose experience is substantially similar to those stated herein. Approval must be granted prior to the supervision beginning and must be approved through the Petition for Waiver of a Board rule (Reference OCGA 50-13-9.1).

(v) Supervisors shall not provide supervision to family members, nor shall they provide supervision to any practitioner with whom they have a boundary conflict or conflict of interest, including a financial interest and/or familial relationship. In addition, the practitioner or any of that practitioner's family members shall not have an ownership interest in, operate, or manage the business entity where the supervisor is employed or where the practitioner provides professional counseling services.

(vi) Family Member means members of a practitioner's immediate family, by direct descent or by marriage.

7. "Directed Work Experience" means time spent under direction engaging in the practice of Professional Counseling.

(i) "Direct work experience" means contact with one or more clients and includes diagnosis, assessment, and treatment, and may also include psychoeducation for mental, emotional, and behavioral disorders.

(ii) "Indirect Work Experience" means training for, and the performance of, the practice of professional counseling functions including, but not limited to, case consultation, case staffing, treatment teams, direction, or continuing education courses.

(iii) All work sites must include a formal structure related to the practice of professional counseling.

(I) Work sites acceptable to the Board may include, but are not limited to, education, rehabilitation, career development, mental health, or community organizations.

(II) Practice without direction is not considered a work setting acceptable to the Board.

8. "**Associate Professional Counselors Post-Masters Contract Affidavit**" is a document available on the Board website that defines the working relationship for the purposes of obtaining the required post-masters directed work experience under supervision. Directed work experience sites in the contract must meet the requirements of rule 135-5-.01(a) (7) above to be approved by the Board.

9. "**Program in Clinical Counseling or Counseling Psychology** means a master's degree or higher from a regionally accredited program that consists of at least 60 semester hours or 80 quarter hours with an approved supervised internship or practicum, consisting of at least 600 hours, that is primarily the practice of professional counseling in content. The graduate level courses, as specified in rule 135-5-.01(b)1(iii) below, shall also be required either as part of the degree program or as additional course work completed prior to, during or after the degree program.

(i) A practicum or internship that is primarily the practice of professional counseling in content shall include at least 40% client contact and documentation.

(b) Requirements for Licensure.

1. **Education.** Effective July 1, 2022, the applicant must have earned a master's degree or higher ~~in a~~ from a regionally accredited program in clinical counseling or counseling psychology that consists of at least 60 semester hours or 80 quarter hours which degree includes a supervised practicum or internship that is primarily the practice of professional counseling in content and consists of at least 600 hours.

(i) In a supervised practicum or internship which is primarily the practice of professional counseling in content, and is part of the graduate degree program, either the course instructor of record or the on-site clinical instructor must be a qualified supervisor as defined above in 135-5-.01(a)(6), or in the education of rehabilitation counselors, may be a Certified Rehabilitation Counselor.

(ii) A person who has been issued an Associate Professional Counselor license by the Board shall be deemed to have met the educational requirements when applying for licensure as a professional counselor.

(iii) Graduate level coursework in the following ten (10) content areas shall be required. 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) **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 infancy to geriatric stages.

(III) **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.

(IV) **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.

(V) **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.

(VI) **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.

(VII) **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.

(VIII) **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.

(IX) **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.

(X) **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). Coursework shall encompass psychopathology from infancy to geriatric stages

(iv) If the degree program did not include all the above required graduate courses, additional graduate level course work can be completed prior to, during, or after the degree program.

2. Degree Programs

(i) 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 be a program in a regionally accredited institution 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.

(ii) Degrees received on or after **May 31, 2026**, must be from a program accredited by the Council on Accreditation of Counseling and Related Educational Programs (CACREP).

(iii) Applicants with degrees obtained from an educational degree program located outside the United States shall have their educational credentials evaluated by an independent foreign credential evaluation service to determine eligibility for licensure.

3. Registration of a contract. The applicant shall register with the Board an acceptable Associate Professional Counselor (APC) Post-Masters Contract Affidavit for purposes of obtaining the directed work experience with concurrent supervision by a qualified licensed professional counselor.

(i) If the Director, Supervisor or work experience location change, the practitioner shall submit a new contract affidavit to the Board for consideration and approval **within thirty (30) days** of the change, or the accrued interim work experience and supervision may not be accepted by the Board for licensure.

(ii) A practitioner shall have no more than six (6) different supervisors throughout the duration of the directed work experience under supervision. Practitioners may petition the Board, in the form of a Rule Waiver/Variance, for consideration of extenuating circumstances related to this rule.

(iii) APC's who are licensed by the Board shall submit all the Board's approval letters for any new contract affidavits with supervision and/or work experience changes submitted after the initial application contract affidavit approval with their applications for licensure as a professional counselor.

(iv) **Directed Work Experience**

(I) A minimum of 40% percent of the required annual hours shall be direct clinical work experience.

(II) Psychoeducation shall not be more than 30% of the total direct work experience.

(III) Assessment and referral activities shall not be more than 30% of the total direct work experience.

(i) "Direct work experience" means contact with one or more clients and includes diagnosis, assessment, and treatment, and may also include psychoeducation for mental, emotional, and behavioral disorders.

(IV) Indirect Work Experience means training for, and the performance of, professional counseling functions including, but not limited to, case consultation, case staffing, treatment teams, direction, or continuing education courses.

(V). The practitioner, or any of that practitioner's family members, shall not have any ownership interest in, operate, or manage the business entity in which the professional counseling services will be provided by the practitioner.

(VI) The practitioner receiving directed work experience pursuant to this rule shall not engage in the independent practice of professional counseling. All clients must be assigned to the practitioner by the Director of the supervisee. Practitioners shall not directly recruit clients.

(VII) The practitioner while receiving directed work experience pursuant to this rule, shall not be directly compensated by clients.

(VIII) The directed work experience for Certified Rehabilitation Counselors shall be in a rehabilitation setting defined as a practice, or in a rehabilitation center, and is restricted to counseling those individuals who are seeking re-training for the work force.

(IX) Directed work experience for School Counselors may be obtained only while school is in session and students are present for the hours to be accepted toward those required for licensure.

(v) Work Sites

(I) Valid work sites shall employ at least one licensed Professional Counselor, Clinical Social Worker, Marriage and Family Therapist, Psychologist, or Psychiatrist and should have measurable detailed documentation for every practitioner, 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 only if they meet the above requirements, specific to the post-master's directed work experience. The agreement between the work site and practitioner should be akin to employment.

(III) If the Director, Supervisor or work experience location change, a new contract affidavit **MUST** be submitted to the Board for consideration and approval **within thirty (30) days** of the change, or the accrued work experience and supervision shall not be accepted by the Board for licensure.

(IV) Practitioners may, at the discretion of the Board, be required to submit documentation substantiating:

I. The nature of the working relationship with the directed experience site.

II. The formal structure of the organization.

III. Whether any licensed or associate licensed individuals work on site to ensure compliance and understanding of these requirements.

(vi) Supervision

(I) Supervision shall be under a licensed professional as defined above in 135-5-.01(a)(5) or (6), as determined by the date of the application.

(II) It is the responsibility of the supervisee to assure the supervisor they choose and or contract with meets all eligibility requirements to provide supervision.

(III) Both supervisor and practitioner are required to maintain a contemporaneous record for each clinical supervision session and may be requested to submit this record to the Board upon request. At a minimum, this record shall contain the following:

I. The date, duration, and type (individual or group) of each supervision session including the name and signature of the individual(s) receiving clinical supervision, the name and signature of the approved clinical supervisor and the date signed.

II. A summary of the pertinent activity for each supervision session to include a description of topics discussed in each supervision session and case review activities.

III. Summary of all periodic supervisor evaluations and any remediation of the practitioner's professional development, performance, including a final supervisory evaluation.

IV. Verification that supervision was not acquired from a family member or other individual whose objective assessment of the practitioner's performance may be compromised by a familial and/or business relationship as defined above in 135-5-.01 (a) (6) (v & vi).

V. Upon request, copies of contemporaneous records of both supervisors and practitioners, as well as copies of the periodic and final supervisory evaluations, shall be submitted to the Board.

(IV) For supervision entered into after January 1, 2024, the Board shall accept the supervision hours only when:

I. The hours are from a qualified supervisor as defined above in section 135-5-.01(a)(6).

II. For every month of directed work experience with direct client contact, the practitioner has obtained a minimum of three (3) concurrent hours of supervision. A minimum of 100 supervision hours must be obtained for licensure.

III. A minimum of ten (10) hours annually are in individual supervision and involve the review of audio, video, or direct observation of the practitioner's clinical skills.

3. Examination. To qualify for licensure as an associate professional counselor, the practitioner 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 an active license as an Associate Professional Counselor may only use the title "Associate Professional Counselor-" or "Licensed Associate Professional Counselor."

2. A person who holds an active license as an Associate Professional Counselor may engage in the practice of Professional Counseling, but only with direction and concurrent supervision, and only for a period not to exceed five years [Ref: OCGA 43-10A-11(c)] while obtaining the post-degree directed work experience with concurrent supervision required for licensure as a Professional Counselor. Directed work experience sites in the contract must meet the requirements of rule 135-5-.01(a) (7) above to be accepted by the Board.

3. An APC must specify the associate level of practice is "under supervision" to clients, naming the supervisor and their credentials.

Statutory 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-8, 43-10A-9, and 43-10A-11.