

NOTICE OF INTENT

Department of Health

Licensed Professional Counselors Board of Examiners

Social and Cultural Foundations Continuing Education Requirement

(LAC 46: LX. 611, 707, 3315, and 3503)

In accordance with the applicable provisions of the Louisiana Administrative Procedures Act (R.S.49:950 et seq.) and through the authority of the Mental Health Counselor Licensing Act (R.S. 37:1101 et seq.), the Licensed Professional Counselors Board of Examiners proposes to amend the continuing education requirements for renewal applicants.

The Licensed Professional Counselors Board of Examiners hereby gives Notice of Intent to propose changes to Chapter 6 Section 611, Chapter 7 Section 707, Chapter 33 Section 3315, and Chapter 35 Section 3503 for publication in the August 20, 2024, edition of the Louisiana Register with the effective date of April 1, 2027.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS REVISED

Part LX. Licensed Professional Counselors Board of Examiners

Subpart 1. Licensed Professional Counselors

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

§611. Continuing Education Requirements for Provisional Licensed Professional Counselors

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

A.1.-D.8. ...

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Professional Counselors, LR 41:717 (April 2015). Amended by the Department of Health, Licensed Professional Counselors Board of Examiners LR 50:

Chapter 7. Application and Renewal Requirements for Licensed Professional Counselors

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

A. ...

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

A.2.- D.8. ...

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 41:719 (April 2015). Amended by the Department of Health, Licensed Professional Counselors Board of Examiners LR 50:

Subpart 2. Professional Standards for Licensed Marriage and Family Therapists and Provisional Licensed Marriage and Family Therapists

Chapter 33. Requirements for Licensure and Provisional Licensure

§3315. Application Practice, and Renewal Requirements for Provisional Licensed Marriage and Family Therapists

A.-E. ...

1. A provisional licensee must accrue 20 clock hours of continuing education by every renewal period every two years. Of the 20 clock hours of continuing education, one and a half clock hours must be accrued in ethics specific to marriage and family therapy, one and a half clock hours must be accrued in social and cultural foundations, and one and a half clock hours must be accrued in diagnosis (assessment, diagnosis, and treatment under the *Diagnostic and Statistical Manual of Mental Disorders*, Fifth Edition (DSM-5) as published by the American Psychiatric Association on May 18, 2013). The required training in diagnosis, assessment, and treatment under the most DSM-5 may be specific to a particular condition and/or may be general training in diagnosis, assessment, and treatment. A generic ethics course is not acceptable.

E.1.a. – E.2.c.ii. ...

3. Continuing education hours must be relevant to the practice of marriage and family therapy and generally evolve from the following eight ~~seven~~ areas.

E. 3.a.-E.3.g. ...

h. Social and Cultural Foundations of Marriage and Family Therapy. Continuing education in this area shall include studies that provide a broad understanding of societal changes and trends, human roles, societal subgroups, social mores and interaction patterns, and differing lifestyles.

F.1.- F.1.4. ...

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:158 (February 2003), amended LR 29:2787 (December 2003), LR 35:1114 (June 2009), LR 38:1966 (August 2012), LR 39:1806 (July 2013), LR 41:742 (April 2015), amended by the Department of Health, Licensed Professional Counselors Board of Examiners, LR 43:1983 (October 2017), LR 45:1204 (September 2019), LR 47:1529 (October 2021), LR 50:

Chapter 35. Renewal of License for Licensed Marriage and Family Therapists

§3503. Continuing Education Requirements

A.1.-A-9. ...

10. A licensee must accrue three clock hours of training in the subject area of social and cultural foundations as defined in Subparagraph C.3.h every renewal period.

~~10-11.~~ Those licensed marriage and family therapists who hold another license that requires continuing education hours may count the continuing education hours obtained for that license toward their LMFT CEH requirements. Of the 40 CEHs submitted, however, 20 hours must be in the area of marriage and family therapy with an emphasis upon systemic approaches or the theory, research, or practice of systemic psychotherapeutic work with couples or families including three clock hours of ethics specific to marriage and family therapy and six clock hours specific to diagnosis.

~~11-12.~~ The approval of and requirements for continuing education are specified in Subsection C.

B.1.-C.2.b.ii. ...

3. Continuing education hours must be relevant to the practice of marriage and family therapy and generally evolve from the following ~~seven~~ eight areas.

C.3.a.-C.3.g. ...

h. Social and Cultural Foundations of Marriage and Family Therapy. Continuing education in this area shall include studies that provide a broad understanding of societal changes and trends, human roles, societal subgroups, social mores and interaction patterns, and differing lifestyles.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:160 (February 2003), repromulgated LR 29:581 (April 2003), amended LR 29:2789 (December 2003), LR 41:752 (April 2015), LR 50:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of these rules on family has been considered. This proposal to create licensee statuses has no impact on family functioning, stability, or autonomy as described in R.S. 49:972.

Poverty Impact Statement

The proposed rule should not have any known or foreseeable impact on any child, individual, or family as defined by R.S. 49:973.B In particular, there should be no known or foreseeable effect on:

1. The effect on household income, assets, and financial security;
2. The effect on early childhood development and preschool through postsecondary education development;
3. The effect on employment and workforce development;

4. The effect on taxes and tax credits;
5. The effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

Provider Impact Statement

The proposed change should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. The effect on the staffing level requirements or qualifications required to provide the same level of service;
2. The total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. The overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to Jamie S. Doming, Licensed Professional Counselors Board of Examiners, 11410 Lake Sherwood Avenue North Suite A, Baton Rouge, LA 70816 by September 10, 2024, at 5 p.m.

Jamie S. Doming
Executive Director

Fiscal and Economic Impact Statement

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule will change the categorical requirements for continuing education standards for all licensees governed by the Licensed Professional Counselors Board (LPC Board). The proposed rule change requires one and a half clock hours to be accrued in social and cultural foundations for provisional licensees and three clock hours for Licensed Professional Counselors and Licensed Marriage and Family Therapists. These hours will count toward the current requirement of twenty clock hours for provisional licensees and forty clock hours for Licensed Professional Counselors and Licensed Marriage and Family Therapists every two years.

The proposed rule change will result in a one-time cost of \$213 per page to print the Notice of Intent and Final Rule in the state register. The proposed rule changes are not anticipated to result in any other costs or savings for state or local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes will not affect revenue collections for state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed changes would require a specific type of training but would not increase the number of hours that are currently required to renew a license. The coursework that would be required is currently available from existing continuing education providers. The fees for social and multicultural foundations coursework are comparable with those for general continuing education hours.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes are not anticipated to affect competition or employment.