



**WEST VIRGINIA SECRETARY OF STATE**

**MAC WARNER**

**ADMINISTRATIVE LAW DIVISION**

**eFILED**

8/31/2023 12:51:18 PM

Office of West Virginia  
Secretary Of State

**NOTICE OF AN EMERGENCY RULE**

AGENCY: Counseling TITLE-SERIES: 27-08  
RULE TYPE: Legislative Amendment to Existing Rule: Yes  
RULE NAME: 27-08 Marriage and Family Therapist Licensing  
Rule

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code §§30-31-5 and 30-31-6

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

PRIMARY CONTACT:

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THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

The Board is in the final stages of database development and the language of the rules needed to be revised to reflect these changes.

DOES THIS EMERGENCY RULE REPEAL A CURRENT RULE? No

HAS THE SAME OR SIMILAR EMERGENCY RULE PREVIOUSLY BEEN FILED AND OR EXPIRED? No

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED LEGISLATIVE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

There will be no new economic impact on the revenues of the state government.

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

There will be no new economic impact on special revenue accounts.

C. ECONOMIC IMPACT ON THE STATE OR ITS RESIDENTS:

There will not be an economic impact on the state or its residents.

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2023 Increase/Decrease (use "-")	2024 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
<b>1. Estimated Total Cost</b>			
<b>Personal Services</b>			
<b>Current Expenses</b>			
<b>Repairs and Alterations</b>			
<b>Assets</b>			
<b>Other</b>			
<b>2. Estimated Total Revenues</b>			

E. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

**BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.**

Yes

**Cheryl Henry--By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**

TITLE 27  
LEGISLATIVE RULE  
BOARD OF EXAMINERS IN COUNSELING

SERIES 8  
MARRIAGE AND FAMILY THERAPIST  
LICENSING RULE

**§27-8-1. General.**

1.1. Scope. -- This rule establishes standards for marriage and family therapist to follow in applying, qualifying, and maintaining licensure as a marriage and family therapist.

1.2. Authority. -- W. Va. Code §§30-31-5 and 30-31-6.

1.3. Filing Date. – ~~July 21, 2022.~~

1.4 Effective Date. – ~~July 21, 2022.~~

1.5. Sunset Provision – This rule will terminate and have no further force or effect on August 1, 2027.

**§27-8-2. Definitions.**

2.1. The following definitions apply to all rules promulgated by the Board of Examiners in Counseling unless the word or term is explicitly defined or used in a different manner.

2.2. “Application” means an ~~official written~~ application, providing all required information via a modality approved by the Board on forms provided by the Board, including all supporting documentation and the fee, that is filed with the Board as instructed ~~staff~~.

2.3. “Marriage and family therapy” means the diagnosis and treatment of mental and emotional disorders whether cognitive, affective, or behavioral, specifically within the context of marriage and family systems, that involve the professional application of theories and techniques to individuals, couples, and families, singly or in groups.

2.4. “Marriage and family therapy work experience” means the applicant’s primary professional responsibility that was in direct provision of marriage and family therapy services or indirect services, including direct or indirect marriage and family therapist supervision, approved by the Board.

2.5. “Direct supervision” means face to face or secured interactive contact such as telephone, video, email, or other contact that clearly addresses the required specialty areas as cited in subdivision 6.1.a. of this rule.

2.6. “Indirect supervision” means review of written reports, case notes, test data and/or any review of representation of supervised marriage and family therapist’s work.

**§27-8-3. Requirements for Application.**

3.1. The applicant shall submit, in a format designated by the Board, a licensure ~~packet~~ application containing ~~all~~ the following information, before the Board may consider the applicant for licensure:

3.1.a. An application completed within six (6) months prior to submission via a modality approved by the Board ~~on a form provided by the board;~~

3.1.b. A notarized affidavit that authorizes the Board to validate information provided in the application;

3.1.c. A non-refundable application fee by credit card, check or money order payable to WV Board of Examiners in Counseling (WVBEC);

3.1.d. Official graduate transcripts sent directly from a college or university;

3.1.e. Two completed professional recommendation forms from Master or Doctoral level individuals licensed as marriage and family therapists, professional counselors, psychologists, social workers, or psychiatrists on a form provided by the Board. The forms need to be dated within six months prior to the submission of the application ~~packet~~. Persons with a temporary license may not complete the recommendation form;

3.1.f. Three personal reference letters to satisfy the Board that the applicant is of good moral character and merits public trust. The letter's author may not be the same person completing a recommendation form. The letters must be dated within six (6) months prior to submission of the application ~~packet~~. The Board does not provide a form for this purpose;

3.1.g. A supervisor's registration contract, ~~form~~ submitted on a form provided by the Board. The proposed professional supervisor shall meet the requirements of subdivision 6.2.f. of this rule; and,

3.1.h. Verification of supervision forms. These forms shall document the supervised therapy experience, including quarterly reports, supervisor's mid-point and final verification and assessment form. These forms are provided by the Board.

3.2. ~~The Board may return incomplete application packets to the applicant without review. Incomplete applications will be deleted from the system after 30 days.~~ Fees associated with the application process are non-refundable. ~~Applicants may resubmit a complete application packet without additional fee within 45 days of the date of notice of non-acceptance of the original application.~~

3.3. The Board shall notify applicants submitting complete application packets, but which contain incomplete or unacceptable information ~~shall be notified~~ of the specific deficiency. Applicants shall have ~~45~~ 30 days from the date of the notice to resubmit corrected or replacement documents. Applications not corrected or completed within ~~45~~ 30 days of notice of deficiencies ~~may~~ shall be void.

3.4. After an application is voided, the applicant ~~will~~ may be required to submit a new application with all required documentation and the ~~application~~ applicable fee.

3.5. Applicants who have passed an examination, verification of a successful score of a

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certification examination in marriage and family therapy shall be submitted for approval by the Board. A passing score is valid for five (5) years from the date of examination. An applicant may submit a licensure application prior to obtaining a passing score on certification exam.

3.6. For applicants who have not passed an examination, they shall file a completed licensure ~~packet~~ application with the Board office prior to taking the Board approved exam. The exam may be taken only after Board ~~determination~~ determines that the applicant is ~~otherwise~~ eligible for licensure.

~~3.7. The Board shall retain applications for 18 months from the date of receipt by the Board. Applications which remain incomplete and/or inactive 18 months after initial receipt are invalid, and individuals seeking licensure shall re-apply. Documentation more than three (3) years or older, to include supervision, shall not be considered towards current licensing efforts. Up to 500 supervision hours completed in another state of jurisdiction may be considered for licensing.~~

### **§27-8-4. Requirements for examination and examination failure.**

4.1. The examination required for licensure as a marriage and family therapist is the "Examination in Marital and Family Therapy" offered by the "Association of Marital and Family Therapy Regulatory Boards" (AMFTRB) or an exam approved by the Board.

4.2. An applicant may sit for an approved examination within a twelve month period, having three (3) attempts without requiring additional permission from the Board. ~~an 18 month period of the date of the first failed examination without filing a new licensure application and without presenting evidence of additional education or experience~~

4.3. An applicant who fails the initial examination and fails two (2) subsequent ~~examinations~~ exams is disqualified from retaking the examination and shall submit satisfactory documentation of additional education and experience as determined by the Board, for approval has been received and approved by the Board.

### **§27-8-5. Requirements for Endorsement Licensure Review.**

5.1. An individual may apply for endorsement review if the individual is currently licensed in another state. The licensing requirements of the endorsing state shall be ~~substantially equivalent~~ equal or greater to the requirements in this rule as determined by the Board.

5.2. Applicants shall provide proof of having passed the examination in Marital and Family Therapy or other certification examination in marriage and family therapy approved by the board. An applicant must be in good standing in all jurisdictions in which he or she is licensed and must not have been disciplined or have pending actions in any jurisdiction for an act that would have constituted grounds for refusal, suspension, or revocation of a license to practice marriage and family therapy in the state of West Virginia at the time the act was committed. The applicant shall provide verification of licensure standing ~~shall be provided~~ from all jurisdictions where currently licensed to include resolved and pending actions.

5.2.a. The following documentation is required for the Board to consider the applicant for endorsement:

5.2.a.1. A completed West Virginia application ~~form~~, dated no more than within six (6) months prior to submission ~~on a form provided by~~ to the Board;

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5.2.a.2. Copies of graduate transcripts from the issuing institutions to evaluate the educational requirements from the endorsing jurisdiction;

5.2.a.3. A ~~certified~~ official copy, including exam results, of the applicant's file from the jurisdiction where currently licensed;

5.2.a.4. Two (2) completed professional recommendation forms from individuals licensed as professional counselors, psychologists, social workers, marriage and family therapists or psychiatrists on a form provided by the Board. Persons with a temporary license cannot complete the recommendation form; and

5.2.a.5. The appropriate fee.

5.3. The Board may waive the requirements as listed in 5.2.a.2. and 5.2.a.4. of this rule if the endorsement applicant has actively practiced marriage and family therapy as a licensed marriage and family therapist at the highest level by maintaining an ongoing caseload for at least five (5) of the last seven (7) years in another jurisdiction, immediately preceding application.

5.3.a. Applicants ~~seeking a waiver~~ applying as an Option 1 candidate, shall provide the following:

5.3.a.1. Proof of having passed the Examination in Marital and Family Therapy or other certification examination in marriage and family therapy approved by the board.

5.3.a.2. Proof of good standing in all jurisdictions wherein licensed, current or otherwise, with proof of no discipline in any jurisdictions for an act that would have constituted grounds for refusal, suspension, or revocation of a license to practice marriage and family therapy in the state of West Virginia at the time the act was committed, to include pending actions; and

5.3.a.3. Verification of licensure standing from all jurisdictions where currently licensed.

5.4. Fees associated with the application process are non-refundable. ~~Applicants may resubmit a complete application packet without additional fee within 45 days of the date of notice of non-acceptance of the original application.~~

5.5. The Board shall notify applicants submitting a complete application ~~packets~~, which contain incomplete or unacceptable information of the specific deficiency in writing. Applicants shall have ~~45~~ 30 days from the date of the notice to resubmit corrected or replacement documents. Applications not corrected or completed within ~~45~~ 30 days of notice of deficiencies ~~may~~ shall be voided.

5.6. After an application is voided, the applicant ~~shall~~ may submit a new application with all required documentation and the ~~application~~ applicable fee.

**§27-8-6. Qualifications of Applicants.**

6.1. Education: The education requirements for the licensure of applicants are set forth in W. Va. Code §30-31-9. To meet those requirements, an applicant shall have one of the following degrees:

6.1.a. A master's or doctoral degree from an institution with a program accredited by the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE), Council on

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Accreditation of Counseling and Related Educational Programs (CACREP), the North Central Association of Colleges and Schools (NCACS), the Southern Association of Colleges and Schools (SACS) or a comparable accrediting body as determined by the Board. Applicants shall complete a minimum of 60 semester hours or 90 quarter hours of graduate course work inclusive of a masters or doctoral degree in marriage and family therapy. Pertaining to the educational requirements, a degree in marriage and family therapy shall meet all the following criteria, as determined by the Board:

(1) The program or concentration must clearly be identified as marriage and family therapy. Such a program must specify in pertinent institutional catalogues and brochures its intent to educate and train marriage and family therapists;

(2) The marriage and family therapy curriculum must stand as a recognized entity within the institution and have a marriage and family therapy faculty;

(3) The marriage and family therapy coursework completed must be an organized course of study that includes at least one three hour graduate course in each of these eight areas of marriage and family therapy:

(a) Marriage and family studies: Courses in this area should present a fundamental introduction to marriage and family studies. The student should learn to think across a wide variety of family structures and a diverse range of issues (i.e., gender, culture, and substance abuse). Topic areas may include but are not limited to family development, subsystems, blended families, gender issues in families, and cultural issues in families;

(b) Systems theory: Courses in this area should address the historical development, theoretical and empirical foundations, and contemporary conceptual directions of the field of marriage and family therapy;

(c) Research: Courses in this area should assist the student in understanding and performing research. Topic areas may include research methodology, qualitative and quantitative methods, and statistics;

(d) Professional ethics: Courses in this area shall include the "American Association for Marriage and Family Therapy" (AAMFT) code of ethics, confidentiality and liabilities of clinical practice and research, professional ethics as a marriage and family therapist, professional socialization and the role of the professional organization, licensure or certification legislation, independent practice and inter professional cooperation. Religious ethics courses and moral theology courses do not meet this requirement;

(e) Human growth and development: Courses in this area should provide knowledge of personality development and its normal and abnormal manifestations. The student should have relevant coursework in human development across the lifespan, which includes special issues that should be integrated with systems concepts. Topic areas may include but are not limited to human development, psychopathology, personality theory, human sexuality. Test and measurement courses do not meet this requirement;

(f) Appraisal of individuals and families includes individual and family differences, methods of data gathering and interpretation, individual, family and group testing, and case study;

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(g) Principles of etiology, assessment, diagnosis, treatment planning, and prevention of mental and emotional disorders and dysfunctional behavior; and,

(h) Practicum: Includes a supervised training experience consisting of the provision of marriage and family therapy to clients that is acceptable to the Board;

(i) A minimum of twelve months supervised clinical practicum with three hundred hours of direct contact with individuals, couples, and or families;

(ii) Fifty percent of the three hundred hours shall be with couples and families present.

(4) The marriage and family therapy coursework completed shall include four courses in marriage and family therapy. Courses in this area should have a major focus on advanced marital or family systems and systemic therapeutic interventions. This area is intended to provide a substantive understanding of the major theories of systems change and the applied practices evolving from each theoretical orientation. Major theoretical approaches include but are not limited to strategic, structural, object relations, behavioral, intergenerational, and systemic sex therapy.

(5) Additional or advanced courses in any required curriculum category listed in subdivisions 6.1.a(3) and 6.1.a(4) of this rule or sufficient semester credit hour courses that are marriage and family related elective subjects to equal the semester credit hour course requirements as outlined in subsections 6.1.a(3) and 6.1.a(4) of this rule.

6.1.b. Applicants with other graduate degrees in a mental health field that contain sixty semester hours, or ninety quarter hours must submit written evidence that the degree program and any additional coursework meet standards that are equivalent to a graduate degree in marriage and family therapy set forth in paragraphs 6.1.a(3) and 6.1.a(4) of this rule.

6.1.c. The credentialing committee, composed of the two (2) counselor educators and other Board staff ~~on the Board~~, shall review all matters regarding education requirements. The marriage and family board member may attend credentialing committee meetings at his or her discretion. The credentialing committee may make a final determination regarding the sufficiency of the applicant's education or may refer the matter to the entire Board for determination. Any determination made by the committee or Board may be appealed in accordance with the procedures set forth in 27CSR5 of the Board's rules.

6.2. Supervised post-graduate work experience: The applicant shall have a minimum of 3000 hours of supervised marriage and family therapy experience, after earning a master's degree in marriage and family therapy ~~or its equivalent~~ as determined by the Board; or have earned a doctoral degree in marriage and family therapy ~~or its equivalent~~ as determined by the Board and have a minimum of 1500 hours of supervised marriage and family therapy experience after earning the degree.

6.2.a The applicant may receive up to 600 hours credit toward the 3000 hour minimum requirement in subsection 6.2 of this rule for the work completed in their practicum and internship from his or her master's program. The credentialing committee shall determine the number of hours that may be granted. There are no credit hours granted for the doctoral supervision hour requirement.

6.2.b. The master's level marriage and family therapy work experience shall be obtained in not less than two years and the doctoral degree marriage and family therapy work experience shall be obtained in not less than one year.

6.2.c. The Board may not credit an applicant with more than 1500 hours of experience in any twelve-month period.

6.2.d. At least 50% of the supervised marriage and family therapy experience shall be in the direct provision of therapy to individuals, couples, or families.

6.2.d.1. Applicants should apply systemic theories and treatment with all clients and make every effort to work with as many couples and families as possible. At least 50% of the 1500 hours in subdivision 6.2.c. of this rule shall be with couples and families present.

6.2.e. The applicant shall remain under professional supervision satisfactory to the Board and may not be called a licensed marriage and family therapist, or in any way be represented as a licensed marriage and family therapist, until the applicant is duly licensed by the Board.

6.2.f. The professional supervisor shall determine the applicant's activities. A minimum of one (1) hour of direct individual supervision is required for every twenty (20) hours of practice unless the professional supervisor considers additional supervision is necessary. When the professional supervisor is not a full-time employee of the same firm or agency as the applicant, this supervision shall occur at least twice in each calendar month while maintaining the minimum hourly requirement, unless the professional supervisor considers additional supervision is necessary. The supervisor shall be reasonably available to the applicant for telephone consultation. An approved professional supervisor may not supervise more than four (4) individual applicants. Supervision can be conducted in-person or via any secured, encrypted telecommunication modality.

6.2.g. The professional supervisor shall be pre-approved by the Board and shall provide post-graduate degree supervision for applicants provided he or she is a licensed marriage and family therapist or licensed professional counselor, ~~or other qualified supervisor as determined by the Board.~~ At a minimum, the professional supervisor shall have been licensed for a period of two (2) years and shall have five (5) years therapy/counseling experience. The professional supervisor shall document to the Board that he or she has a current license and has completed Board approved training in therapy/counseling supervision that includes content and experiences relevant to the professional and clinical supervision of marriage and family therapists. The professional supervisor shall provide the Board with a statement detailing his or her therapy philosophy, supervision experience and therapy experience. The professional supervisor shall demonstrate a stable employment history and skills necessary to address core areas of practice as outlined in subdivision 6.1.a of this rule and the AAMFT Code of Ethics.

6.2.g.1. The training in therapy/counseling supervision in subdivision 6.2.g. of this rule shall be one of the following:

6.2.g.1.A. Successful completion of a one-semester graduate course in marriage and family therapy clinical supervision from an accredited institution; or

6.2.g.1.B. A 30 hour continuing education course in clinical supervision offered by a board approved provider.

6.2.h. In lieu of meeting the qualifications set forth in subdivision 6.2.g. of this rule, a licensed mental health professional is an acceptable professional supervisor if the licensed mental health

professional has been designated as an approved supervisor by the American Association for Marriage and Family Therapy (AAMFT) before the licensed mental health professional provides any supervision.

6.2.i. The applicant shall provide the Board with verification of completion of supervised marriage and family therapy experience on forms provided by the Board.

6.3. Standardized certification examination in marriage and family therapy: The applicant shall provide the Board with verification that he or she has attained a successful score on a certification examination in marriage and family therapy approved by the Board. The successful score is valid for five (5) years from the date of examination.

#### **§27-8-7. Provisional License**

7.1. An applicant shall obtain a provisional license before the applicant begins his or her supervisory experience. Hours obtained by an unlicensed person in any setting shall not count toward the supervised experience requirements.

7.2. The Board shall issue a provisional license to an applicant who:

7.2.a. has filed a licensure ~~packet~~ application in accordance with subsection 3.1 of this rule;

7.2.b. has met all the licensure requirements, including the academic requirements in section 6 of this rule; and passed the required examination in section 6.3 of this rule;

7.2.c. has signed a statement, included in the application ~~packet~~, that the applicant has read and understands the MFT Code of Ethics, and the board rules as defined in this Series;

7.3. Any applicant with post-degree supervision hours completed and documented in another state may have those supervision hours considered by the Board toward the supervision requirement in this state if the supervisory requirements for licensure are equal to or greater than this board's supervisory requirements.

7.4. Supervision during the provisional licensing period shall be continuous, and any interruption in supervision of more than six (6) weeks shall be reported to the Board, in writing, ~~the provisional licensee shall report any interruption in supervision of more than within 30 days to the Board, in writing, within the first month~~ of the interruption. Interruptions not reported in a timely manner may result in termination of the provisional license or other disciplinary action or sanctions as determined appropriate by the Board.

7.5. ~~Any change in the supervisory agreement, including the approved supervisor or the therapy position, must be reported to the Board by the provisional licensee, in writing, prior to the change and approved by the Board. Changes not reported to and approved by the Board in a timely manner may result in termination of the provisional license or other disciplinary action or sanctions as determined appropriate by the Board. The Board must be notified in writing of any changes in supervision, to include change of Board approved supervisor and/or job positions, and the changes approved before the change(s) occur. Failure to obtain approval of such changes will nullify any hours accrued between the termination of one supervisor and/or job change and the approval of the other.~~

7.6. Provisionally licensed marriage and family therapists are not permitted to operate their own private practice or practice in a contract labor position in any setting and may practice only as part of their licensure supervisory requirement as outlined in subsection 6.2 of this rule.

7.7. A provisional license is valid for 36 months. A provisional licensee who does not complete the supervised therapy experience during the 36-month licensure period may renew his or her provisional license once for an additional 24 months by written request and payment of a fee equal to the current initial application fee.

**§27-8-8. Issuance of License.**

8.1 A license authorizing the holder to engage in the practice of marriage and family therapy shall be issued by the Board to each successful applicant for licensure as a marriage and family therapist.

8.2 Each license issued by the Board shall contain the licensee's name, license number, the date of issuance and a statement indicating the license ~~the~~ expiration date of June 30.

8.3 Official licenses shall be signed, in person or electronically, by the Chairperson and Secretary of the Board, and be affixed with the official seal of the Board.

8.4 All licenses issued by the Board remain the property of the Board and shall be surrendered ~~on~~ upon demand.

8.5 Once all requirements for licensure have been determined, the Board shall ~~mail~~ send notification of the license to the applicant's last known ~~physical address or~~ email address.

~~8.6 The Board shall replace a license that is lost, damaged, or needs revision upon written request from the licensee.~~

**§27-8-9. Professional Disclosure**

9.1. A licensee shall display a professional disclosure statement at the place where he or she performs services and make a copy of the statement available to clients upon request. The Board shall provide the professional disclosure statement form when a license is originally issued. A licensee may obtain additional forms through the Board office or website.

9.2. The following information shall be included on the professional disclosure statement:

9.2.a. The name, title, business address, and business phone number of the licensee performing the service;

9.2.b. The formal professional education of the licensee, including academic degrees, the institutions awarding those degrees and the dates they were received;

(1) Formal professional education means the licensee's academic training related to marriage and family therapy which meets the educational requirements for licensure as a marriage and family therapist; and,

(2) Academic degrees that do not meet the requirements for licensure is not formal professional education as defined in this Rule and shall not be listed.

9.2.c. The licensee's areas of competence in marriage and family and the services they provide, as follows, as is appropriate: The practice of marriage and family therapy and the delivery of those

services are defined in sections §27-8-2.3. and §27-8-6.1.a. of this rule. The marriage and family therapist areas of competence and services are required to be listed on the professional statement; and

9.2.d. The Board's name, current address, and telephone number. The following statement shall appear just above the Board's information: Any questions, concerns or complaints relating to the delivery of service by the marriage and family therapist listed above, may be directed to.

9.3. The following legal and ethical principles apply to the licensee in providing this disclosure statement:

9.3.a. The provision of the professional disclosure statement is the sole responsibility of the licensee. The licensee shall submit a copy of the professional disclosure statement to the Board;

9.3.b. The purpose of professional disclosure is to provide sufficient information to aid the consumer public in making informed judgments and choices on matters that concern it; and,

9.3.c. Areas of competence and provided services listed on the professional disclosure statement shall not exceed those professional qualifications possessed.

9.4. In listing areas of competence and services provided on the professional disclosure statement, the licensee shall adhere to the scope of practice of marriage and family therapy and delivery of services as defined in W. Va. Code §30-31-3(g), and as cited in Section 9 of this rule.

**§27-8-10. Code of Ethics.**

10.1. The Board adopts the current version of the American Association for Marriage and Family Therapy's Code of Ethics as part of this rule and all provisions of the Code of Ethics have the effect as if it were a specifically promulgated rule of the Board.

10.2. The Board may take disciplinary action against a licensee who fails to comply with the Code of Ethics cited in subsection 10.1. of this rule.

**§27-8-11. Responsibilities of Licensees.**

11.1. Licensees shall familiarize themselves with the most current provisions of the W. Va. Code 30-31-1 et seq, the Code of Ethics of the American Association for Marriage and Family Therapy and practice therapy in accordance with the law and all rules promulgated by the Board.

11.2. A licensee shall notify the Board within thirty (30) days of any change of his or her legal name, primary address, telephone number, email address or similar change of location or status via a modality approved by the Board ~~on a form provided by the board and available on the board's website.~~

11.3. A licensee shall notify the Board in writing within thirty (30) days of witnessing what may constitute, in his or her best judgment, professional misconduct by another marriage and family therapist.

**§27-8-12. Expired License.**

A person whose license has expired and who continues to hold himself or herself out as marriage and family therapist or who engages in marriage and family therapy without a license is in violation of W. Va. Code 30-31-1.

**§27-8-13. Relations with the Public and Other Professions.**

13.1. A licensee shall neither misrepresent nor accept the misrepresentation by other persons of the efficacy of his or her professional services.

13.2. A licensee shall not, under normal circumstances, offer professional services to clients already receiving services from another professional, unless agreed upon by all parties. ~~except with the knowledge of the other professional.~~

13.3. A licensee shall not distribute advertisements, announcements, or information that is false, inaccurate, misleading, partial, out of context, or deceptive.

13.4. A licensee shall clearly state his or her licensure status using the title "Licensed Marriage and Family Therapist or "LMFT" in all professional correspondence, documents, advertisements and announcements.

13.5. A licensee shall display his or her original current license certificate and disclosure statement in a prominent place in the primary location of their practice.

13.6. A licensee shall distinguish between public statements made as a private citizen and those made as a representative of the profession and be aware that any statement he or she makes may be interpreted as being representative of their profession.

13.7. A licensee shall not give or accept a commission, rebate, or other form of remuneration for referral of clients for professional services.

**§27-8-14. Violations of Child Support.**

14.1. The Board shall revoke or suspend the license of a licensee or impose other sanctions against a licensee or refuse to renew a license or approve an application for license, after receiving a valid circuit court order indicating that the licensee has violated a child support ruling and, as a result, has endangered his or her professional license.

14.2. The Board shall reinstate, remove sanctions against or allow renewal of or application for a license after receiving a valid circuit court order to reinstate or renew a license previously suspended, revoked or sanctioned because of a similar order of the court.

**§27-8-15. Retirement Status**

15.1 Before the Board may consider the licensee for retirement status, the licensee shall submit, no sooner than two (2) weeks prior to June 30 of every even numbered year, a retirement application packet, in a format designated by the Board, containing all the following information:

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15.1.a. A completed retirement status application on a form provided by the board; and,

15.1.b. A copy of the recording form documenting all the individual continuing education offerings completed by the licensee. Form provided by the board; and,

15.1.c. Copies of all certificates of completion corresponding with the documentation provided on the recording form; and,

15.1.d. The appropriate fee, as set forth in 27CSR9 MFT Fee Rules.

15.2. Upon approval for the retirement status designation, the licensee in Retirement Status (LMFT-R) shall only work in a voluntary position for renewal of the retired licensee;

15.2.a. Shall complete 20 contact hours each renewal cycle;

15.2.b. Shall complete 3 of the 20 contact hours in ethics based on the American Association for Marriage and Family Therapy's Code of Ethics;

15.2.c. May complete all 20 contact hours in home study including the ethics; and,

15.2.d. Shall pay the appropriate fee, as set forth in, §27-9, LMFT Fee Rules.

**§27-8-16. Inactive Status.**

16.1. Inactive status shall only be granted to licenses in good-standing and meeting additional requirements as outlined by the Board.

16.1.a. The licensee shall submit to the Board a completed inactive status application on a form provided by the board with the fee, prior to June 16 of the year the application is being submitted;

16.1.b. A copy of the recording form documenting all individual continuing education offerings completed by the licensee on a form provided by the board when applicable.

16.1.c. Copies of all certificates of completion corresponding with the documentation provided on the recording form when applicable; and,

16.1.d. The appropriate fee, as set forth in, 27CSR2 LMFT Fee Rules.

16.2. Upon approval for the inactive status designation, the LMFT in inactive Status (LMFT-I) may NOT provide counseling services of any kind.

16.2.a. The licensee is NOT required to obtain continuing education credits during approved inactive status period;

16.2.b. Shall complete 35 hours of continuing education credits in the two years preceding an application to return to active status;

16.2.c. Shall complete three (3) of the thirty-five (35) continuing education credits in Ethics based on the American Association for Marriage and Family Therapy's Code of Ethics;

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16.2.d. Shall complete two (2) of the twenty (20) continuing education credits required in mental health conditions specific to veterans and family members of veterans as cited in 27CSR3, Renewal Rule section 27-3-4.1.b.;

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16.2.e. For a license that is inactive for more than five (5) years, to return to active status, you may be subject to additional continuing education, supervision and/or completion of additional course work, and;

16.2.f. Shall pay the appropriate fee, as set forth in, 27CSR2 LMFT Fee Rules.