

R156. Commerce, Occupational and Professional Licensing.

R156-61a. Behavior Analyst Licensing Act Rule.

R156-61a-101. Title.

This rule is known as the "Behavior Analyst Licensing Act Rule."

R156-61a-102. Definitions.

In addition to the definitions in Title 58, Chapters 1 and 61, as used in Title 58, Chapters 1 and 61 or this rule:

- (1) "BACB" means the Behavior Analyst Certification Board.
- (2) "BCaBA" means the Board Certified Assistant Behavior Analyst.
- (3) "BCBA" means the Board Certified Behavior Analyst.
- (4) "Experiential behavior analyst training" means:
  - (a) practical training experience providing behavior analysis services, including completing assessments, developing programs, implementing programs, training on programs, and ongoing monitoring of programs under supervision of a licensed behavior analyst;
  - (b) participation in at least one supervisory session every two weeks for no less than 5% of the total hours spent completing supervised hours; and
  - (c) does not include attending meetings with little or no behavior-analytic content; providing interventions that are not based in behavior analysis; performing non behavioral administrative activities ; and completing non behavioral assessments (e.g., diagnostic assessments, intellectual assessments), paperwork, documentation, billing or any other activities that are not directly related to behavior analysis.
- (5) "LaBA" means Licensed Assistant Behavior Analyst.
- (6) "LBA" means Licensed Behavior Analyst.
- (7) "Qualified supervisor" means:
  - (a) A LBA or Psychologist that is licensed, in good standing with the Division and has completed the supervision and experience training module administered by the BACB that is supervising a LaBA or supervisee working towards obtaining the required experience to become licensed.
  - (b) A RBS, LBA or Psychologist that is in good standing with the Division that is supervising a RaBS.
- (8) "RaBS" means Registered Assistant Behavior Specialist.
- (9) "RBS" means Registered Behavior Specialist
- (10) "Supervision Contract" means a written contract between the qualified supervisor of a LaBA, RaBS, or a

developed by the BACB. The passing score will be established by BACB.

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**R156-61a-705a. Qualifications for licensure as a LBA - Equivalent Master or Doctorate Degree**

- (1) A master or doctoral degree from an accredited university, that was conferred in behavior analysis or other natural science, education, human services, engineering, medicine or a field related to behavior analysis and approved by the BACB.

**R156-61a-706. Qualified Continuing Education**

- (1) There is hereby established a continuing education requirement for all individuals licensed or certified under Title 58, Chapter 61.
- (2) During each two year period commencing on October 1 of each even numbered year:
  - (a) a LBA shall be required to complete not less than 32 hours of continuing education in applied behavior analysis and directly related to the licensee's professional practice;
  - (b) a RBS shall be required to complete not less than 32 hours of continuing education in applied behavior analysis and directly related to the registeree's professional practice;
  - (c) a LaBA shall be required to complete not less than 20 hours of continuing education in applied behavior analysis and directly related to the licensee's professional practice;
  - (d) a RaBS shall be required to complete not less than 20 hours of continuing education in applied behavior analysis and directly related to the licensee's professional practice;
- (3) The required number of hours of continuing education for an individual who first becomes licensed or registered during the two year period shall be decreased in a pro-rata amount equal to any part of that two year period preceding the date on which that individual first became licensed or registered.
- (4) Continuing education under this section shall:
  - (a) have an identifiable clear statement of purpose and defined objective for the educational program directly related to the practice of behavior analysis;

- (6) A licensee and registeree shall be responsible for maintaining competent records of completed qualified professional education for a period of four years after the close of the two year period to which the records pertain. It is the responsibility of the licensee or registeree to maintain information with respect to qualified continuing education to demonstrate it meets the requirements under this section.

**R156-61a-710. Unprofessional Conduct**

- (1) Failing to meet the requirements of R156-61a-102 (6) while acting as a qualified supervisor.
- (2) Accepting supervision from an individual that does not meet the requirements of R156-61a-102 (6).
- (3) Acting as a qualified supervisor of a LaBA, RaBS, or supervisee working towards obtaining the required experience to become licensed without first entering into a supervision contract as defined R156-61a-102 (9).
- (4) Accepting supervision from a qualified supervisor without first entering into a supervision contract as defined in R156-61a-102 (9).
- (5) Acting as a qualified supervisor and failing to maintain supervision forms as defined in R156-61a-102 (10).

As outlined in Subsection 58-60-105 (3) a licensee, in addition to their profession specific continuing education requirement, must complete two hours of suicide prevention training that meet the following standards:

- (1) The course provider shall meet the requirements of this section and shall be one of the following:
  - (a) a recognized accredited college or university;
  - (b) a county, state or federal agency; or
  - (c) a professional association or organization involved in mental health therapy.
- (2) A course provider shall have a method of verification of attendance and completion.
- (3) The content of the course shall be relevant to mental health therapy, crisis intervention, suicide prevention, intervention and postvention, consistent with the laws of this state and include one or more of the following components:
  - (a) suicide concepts and facts;
  - (b) suicide risk assessment, crisis intervention and first aid;
  - (c) evidence based intervention for suicide risk;
  - (d) continuity of care and follow-up services for suicide risk; and
  - (e) therapeutic alliances for intervention in suicide risk.
- (4) A licensee shall be responsible for maintaining competent records of completed education for a period of four years.
- (5) Each hour of education shall consist of 50 minutes of education in the form of classroom lectures and discussion, workshops, webinars/ on-line self-paced modules, case study review and simulations.
- (6) Licensees who lecture in continuing education courses meeting these requirements shall receive two hours of continuing education for each hour spent lecturing. However, no continuing education credit will be given for participation in a panel discussion.

The 2 hour pre-licensure suicide prevention courses required by Subsections 58-60-205 (1) (e) (iii), 58-60-305 (1) (e) (iv), 58-60-405 (1) (e) (iv) and 58-620-506 (5) (b) (ii) must meet the following standards:

- (1) The course provider shall meet the requirements of this section and shall be one of the following:
  - (a) a recognized accredited college or university;
  - (b) a county, state or federal agency; or
  - (c) a professional association or organization involved in mental health therapy.
- (2) The content of the course shall be relevant to mental health therapy, suicide prevention, consistent with the laws of this state and include one or more of the following components:
  - (a) suicide concepts and facts;
  - (b) suicide risk assessment and first aid;
  - (c) evidence based intervention;
  - (d) continuity of care and follow-up services; and
  - (e) therapeutic alliances for intervention in suicide risk.
- (3) Each hour of education shall consist of 50 minutes of education in the form of classroom lectures and discussion, workshops, webinars/ on-line self-paced modules, case study review and simulations.
- (4) A course provider shall have a method of verification of attendance and completion.
- (5) An applicant for licensure is responsible for submitting evidence of course completion.

# Summary of Supervisee Restrictions for Mental Health Professionals in Twelve States

July 1, 2015

## Background

In Utah, clinical mental health counselors, marriage and family therapists, social workers, substance use disorder counselors, and psychologists are required to complete a certain number of supervised hours for licensure. For each profession, supervisors are limited to three supervisees, unless they receive board approval (see R156-60(a-d) and R156-61). This raises the question, do other states have similar limitations?

## Methodology

Twelve states were chosen as a comparison to Utah. Some of the states were chosen for their proximity or similarity to Utah. Because this sample was not a random sample, it is possible that the 12 states researched are not a representative sample of all 50 states.

For each state, the statutes and rules were read for mental health professions similar to clinical mental health counselors, marriage and family therapists, social workers, substance use disorder counselors, and psychologists. Any rules specifying the number of supervisees permitted per supervisor were recorded. The size of group supervision and individual supervision, and the number of supervisors permitted per supervisee were recorded as additional information.

The findings are located in the excel document entitled “Supervisee Restrictions for Mental Health Professionals in Twelve States – State by State Comparison.” All statute and rule references are also located in this file.

## Findings

There are between four to six relevant mental health professions in each of the 12 states researched, leading to a combination of 52 sets of relevant rules. Out of these 52 rules, 52 require supervision prior to licensure, but only eight (or 15.4%) specify the maximum number of supervisees permitted per supervisor.

Three of the eight rules with a supervisee maximum only permit up to three supervisees. The remaining five rules with a supervisee maximum range from allowing five supervisees all the way to 12 supervisees.

## Conclusion

From the above sample of 12 US states, it appears that the majority do not limit the total number of supervisees a supervisor may have. It also appears that out of the rules that limit the number of supervisees, the maximum number of supervisees was on average more than double Utah's supervisee limitation. Therefore, if Utah wants to follow the example of the majority of the twelve researched states, it should increase its supervisee maximum, or remove it.

However, it is possible that the professions without a supervisee maximum rely on other rules to accomplish the same effect as the supervisee maximum. For example, a high required number of individual supervision hours could limit the number of supervisees per supervisor. Therefore, prior to removing or increasing Utah's supervisee maximum, it would be wise to compare Utah's rules to the twelve researched states to see if any rules that would indirectly limit the number of supervisees are missing.

State	Profession	Rules specify the number of Supervisee	Number of Supervisees permitted per supervisor	Group Supervision	Individual Supervision	Number of supervisors permitted for each supervisee
Alabama	Psychologist	No				
	Social Worker	No				
	Marriage and Family Therapist	No		6 supervisees, regardless of the number of	Up to 2 supervisees per supervisor	No more than 2 supervisors
	Counselor	Yes	Max 5 supervisees, 3 supervising associates			
Nevada	Psychologist	Yes	assistants			supervisors
	Social Worker	Yes	(unless more are granted by board			
	Marriage and Family Therapist	Yes	primary supervisors, 10 supervisees for secondary supervisors			Must have at least 2 supervisors
	Alcohol, Drug, and Gambling Counselor	No				
Alaska	Psychologist	No				
	Social Worker	No				
	Therapist	No				
	Counselor	No				
Idaho	Psychologist	No				
	Social Worker	No		supervisees and 1	supervisees and 1	No more than 2 supervisors
	Marriage and Family Therapist	Yes	unless the primary work role of an individual is as a	supervisees and 1 supervisor	supervisees and 1 supervisor	
	Counselor	Yes	unless the primary work role of an individual is as a			
Indiana	Psychologist	No				have at least 2 supervisors and 2
	Social Worker	No				
	Marriage and Family Therapist	No			supervisees and 1 supervisor	
	Counselor	No				
	Addiction Counselor	No				
Virginia	Psychologist	No				
	Social Worker	No				
	Therapist	No				
	Substance Abuse Counselor	No		supervisees and 1		
Arizona	Psychologist	No				
	Social Worker	No				
	Therapist	No				

	Counselor	No				
	Counselor	No				
	Behavioral Health Professionals	No		6 supervisees and 1		
Montana	Psychologist	Yes	Max 3 supervisees			
	Social Worker	No		supervisees and 1		
	Marriage and Family Therapist	No		supervisees and 1		
	Counselor	No				
North Dakota	Psychologist	No				
	Social Worker	No		6 supervisees and 1	and 1 supervisor	
	Marriage and Family Therapist	No		6 supervisees and 1 supervisor	supervisees and 1 supervisor	supervisors (unless board approval is received)
	Counselor	No				
	Addiction Counselor	No				
Washington	Psychologist	No				Internships must have two supervisors
	Social Worker	No		supervisees and 1	and 1 supervisor	
	Marriage and Family Therapist	No		supervisees and 1	supervisees and 1	
	Mental Health Counselor	No		supervisees and 1	supervisees and 1	
Arkansas	Psychologist	No				
	Social Worker	No		supervisees		
	Marriage and Family Therapist	No		5 supervisees and 1		
	Counselor	No				
Texas	Psychologist	No				
	Social Worker	No		6 supervisees and 1		
	Therapist	Yes	Max 12 supervisees			
	Counselor	No				