

Associate CMHC license

Mental Health Professional Practice Act

58-60-405 – Qualifications for licensure

(2)

(a) An applicant for licensure as an associate clinical mental health counselor shall comply with the provisions of Subsections (1)(a), (b), (c), and (d).

(b) Except as provided under Subsection (2)(c), an individual's licensure as an associate clinical mental health counselor is limited to the period of time necessary to complete clinical training as described in Subsections (1)(e) and (f) and extends not more than one year from the date the minimum requirement for training is completed.

(c) The time period under Subsection (2)(b) may be extended to a maximum of two years past the date the minimum supervised clinical training requirement has been completed, if the applicant presents satisfactory evidence to the division and the appropriate board that the individual is:

(i) making reasonable progress toward passing of the qualifying examination for that profession;

or

(ii) otherwise on a course reasonably expected to lead to licensure.

General Rule of the Division of Occupational and Professional Licensing

R156-1-308a

(2) The following non-standard renewal terms and renewal or extension cycles are established by license classification in accordance with Subsection

58-1-308(1) and in accordance with specific requirements of the license:

(a) Associate Clinical Mental Health Counselor licenses shall be issued for a three year term and may be extended if the licensee presents satisfactory evidence to the Division and the Board that reasonable progress is being made toward passing the qualifying examinations or is otherwise on a course reasonably expected to lead to licensure.

R156-602a-304. Continuing Education.

(1) Required Hours. In accordance with Subsection 58-60-105(1), during each two year renewal cycle commencing on October 1 of each even numbered year:

(a) a CMHC shall be required to complete a minimum of 40 hours of continuing education. Within the required 40 hours the following are required:

(i) two hours of suicide prevention as described in Subsection R156-60-105;

(ii) six hours of ethics, law, and/or technology education ; and

(b) the required number of hours of continuing education for an individual who first becomes licensed during the two year renewal cycle shall be decreased in a pro-rata amount.

(c) A CMHC that completes more than the required number of hours of continuing education during a two year renewal cycle may carry over up to ten hours of the excess to the next two year renewal cycle.

(d) the Division may defer or waive the continuing education requirements as provided in Section R156-1-308d.

(2) Continuing education under this section shall:

(a) be relevant to the licensee's professional practice;

(c) have a method of verification of attendance and completion;

(d) be prepared and presented by individuals who are qualified by education, training, and experience to provide continuing education; and

(e) be approved by, conducted by, or under the sponsorship of one of the following:

(i) a recognized accredited college or university;

(ii) a mental health agency that provides mental health services;

(iii) a professional association involved in the practice of mental health therapy; or

(iv) the Division of Occupational and Professional Licensing;

(3) Credit for continuing education shall be recognized in accordance with the following:

(a) Each hour of continuing education course credit shall consist of not fewer than 50 minutes of education for the following forms:

(i) lectures;

(ii) seminars;

(iii) conferences;

(iv) training sessions;

(v) specialty certifications;

(vi) certifiable clinical readings.

(b) courses taken for college or university credit if related to the practice of mental health therapy. Licensees shall receive three hours of continuing education for each semester hour, or the equivalent, for courses taken for college or university credit.

(c) lecturing or instructing of a continuing education course under this section. Licensees shall receive one hour of continuing education for one hour of time spent lecturing or instructing a continuing education courses. A maximum of 10 of hours per two year period may be recognized for lecturing or instructing courses;

(d) distance learning. A maximum of 15 hours for distance learning courses that are not real-time and interactive. Real-time, interactive distance learning courses do not have a limit; and

(4) Each licensee shall maintain adequate documentation as proof of compliance with this Section. The licensee shall retain this proof for a period of four years after the end of the renewal cycle for which the continuing education is due. At a minimum, the documentation shall contain the following:

(i) date of the course;

(ii) name of the course provider;

(iii) name of the instructor;

(iv) course title;

(v) number of hours of continuing education credit;

(vi) course objectives; and

(vii) type of continuing education provided, i.e. lecture, distance learning.

R156-60c-402. Duties and Responsibilities of a Supervisor of Clinical Mental Health Counselor.

The duties and responsibilities of a licensee providing supervision to an individual completing supervised clinical mental health counselor training requirements for licensure as a clinical mental health counselor are to:

- (1) be professionally responsible for the acts and practices of the supervisee which are a part of the required supervised training;
- (2) be engaged in a relationship with the supervisee in which the supervisor is independent from control by the supervisee and in which the ability of the supervisor to supervise and direct the practice of the supervisee is not compromised;
- (3) be available for advice, consultation, and direction consistent with the standards and ethics of the profession and the requirements suggested by the total circumstances including the supervisee's level of training, diagnosis of patients, and other factors

known to the supervisee and supervisor;

- (4) provide periodic review of the client records assigned to the supervisee;
- (5) comply with the confidentiality requirements of Section 58-60-114;
- (6) monitor the performance of the supervisee for compliance with laws, standards, and ethics applicable to the practice of clinical mental health counseling and report violations to the Division;
- (7) supervise only a supervisee who is an employee of a public or private mental health agency;
- (8) submit appropriate documentation to the Division with respect to all work completed by the supervisee evidencing the performance of the supervisee during the period of supervised clinical mental health counselor training, including the supervisor's evaluation of the supervisee's competence in the practice of clinical mental health counseling;
- (9) ~~supervise not more than three supervisees at any given time unless approved by the Board and Division; and not begin supervision of an ACMHC until entering a supervision contract as defined in Subsection R156-60-102 (7).~~
- (10) assure each supervisee is licensed as a licensed associate clinical mental health counselor or licensed associate clinical mental health counselor extern prior to beginning the supervised training of the supervisee as required under Subsection 58-60-405(1)(e) and (f).
- (10) a supervisor who does support an ACMHC being issued a license to practice unsupervised shall submit a written explanation outlining the concerns to the division;
- (11) The division shall:
 - (a) provide the ACMHC an opportunity to respond to the supervising LCSW's concerns in writing; and
 - (b) review the written responses from the supervisor and supervisee with the Board; and
- (12) The division in consultation with the Board may require the supervisee to obtain additional supervised hours, education and/or training.

R156-60-102. Definitions.

In addition to the definitions in Title 58, Chapters 1 and 60, as used in Title 58, Chapters 1 and 60, or this rule:

(1) "Approved diagnostic and statistical manual for mental disorders" means the following:

(a) Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition: DSM-5 or Fourth Edition: DSM-IV published by the American Psychiatric Association;

(b) 2013 ICD-9-CM for Physicians, Volumes 1 and 2 Professional Edition published by the American Medical Association;

or

(c) ICD-10-CM 2013: The Complete Official Draft Code Set published by the American Medical Association.

(2) "Client or patient" means an individual who, when competent requests, or when not competent to request is lawfully provided professional services by a mental health therapist when the mental health therapist agrees verbally or in writing to provide professional services to that individual, or without an overt agreement does in fact provide professional services to that individual.

(3) "Direct supervision" of a supervisee in training, as used in Subsection 58-60-205(1)(f), 58-60-305(1)(f), and 58-60-405(1)(f), means:

(a) a supervisor meeting with the supervisee when both are physically present in the same room at the same time; or

(b) a supervisor meeting with the supervisee remotely via real-time electronic methods that allow for visual and audio interaction between the supervisor and supervisee under the following conditions:

(i) the supervisor and supervisee shall enter into a written supervisory agreement which, at a minimum, establishes the following:

(A) frequency, duration, reason for, and objectives of electronic meetings between the supervisor and supervisee;

(B) a plan to ensure accessibility of the supervisor to the supervisee despite the physical distance between their offices;

(C) a plan to address potential conflicts between clinical recommendations of the supervisor and the representatives of the agency employing the supervisee;

(D) a plan to inform a supervisee's client or patient and employer regarding the supervisee's use of remote supervision;

(E) a plan to comply with the supervisor's duties and responsibilities as established in rule; and

(F) a plan to physically visit the location where the supervisee practices on at least a quarterly basis during the period of supervision or at a lesser frequency as approved by the Division in collaboration with the Board;

(ii) the supervisee submits the supervisory agreement to the Division and obtains approval before counting direct supervision completed via live real-time methods toward the 100 hour direct supervision requirement; and

(iii) in evaluating a supervisory agreement, the Division shall consider whether it adequately protects the health, safety, and welfare of the public.

(4) "Employee" means an individual who is or should be treated as a W-2 employee by the Internal Revenue Service.

(5) "General supervision" means that the supervisor is available for consultation with the supervisee by personal face to face contact, or direct voice contact by telephone, radio, or some other means within a reasonable time consistent with the acts and practices in which the supervisee is engaged.

(6) "On-the-job training program" means a program that:

(a) is applicable to individuals who have completed all courses required for graduation in a degree or formal training program that would qualify for licensure under this chapter;

(b) starts immediately upon completion of all courses required for graduation;

(c) ends 45 days from the date it begins, or upon licensure, whichever is earlier, and may not be extended or used a second time;

(d) is completed while the individual is an employee of a public or private agency engaged in mental health therapy or substance use disorder counseling; and

(e) is under supervision by a qualified individual licensed under this chapter which includes supervision meetings on at least a weekly basis when the supervisee and supervisor are physically present in the same room at the same time.

(7) "Supervision contract" means a written contract between the qualified supervisor and the supervisee working towards obtaining the required experience to become licensed that includes at a minimum the following:

(a) the responsibilities of the supervisor and supervisee;

(b) plan to ensure accessibility of the supervisor to the supervisee;

(c) frequency, duration, reason for, and objectives of meetings between the supervisor and supervisee;

(d) the objective and measurable circumstances under which the supervisor will sign the supervision forms as defined in Subsection R156-60-102 (8); and

(e) the consequences should the parties not adhere to their responsibilities, including proper termination of the contract; and

(f) if applicable a plan to address potential conflicts between clinical recommendations of the supervisor and the representatives of the agency employing the supervisee.

(8) "Supervision form" means a form to document ongoing supervision that includes at a minimum the following:

(a) the date of each supervisory meeting;

(b) the duration of each supervisory meeting;

(c) the format of meeting (i.e. individual, small group, face-to-face, or remotely);

(d) an evaluation of supervisee performance; and

(e) a signature and date lines for supervisor and supervisee indicating when the form was completed and signed.