

State of Utah
Administrative Rule Analysis
Revised May 2023

DAR File No. 56209
Date Filed 11-20-2023

NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal

Title No. - Rule No. - Section No.

Rule or Section Number:

R156-60

Filing ID: Office Use Only

Agency Information

1. Department: Department of Commerce
Agency: Division of Professional Licensing
Room number:
Building: Heber M. Wells Building
Street address: 160 East 300 South
City, state and zip: Salt Lake City UT 84111-2316
Mailing address: PO Box 146741
City, state and zip: Salt Lake City UT 84114-6741

Contact persons:

Name:	Phone:	Email:
Jana Johansen	801-530-6628	janajohansen@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:

Mental Health Professional Practice Act Rule

3. Purpose of the new rule or reason for the change:

The Division in collaboration with the Clinical Mental Health Licensing Board, Marriage and Family Therapist Licensing Board, Social Worker Licensing Board, and the Substance Use Disorder Counselor Licensing Board makes this filing with the intent that the Mental Health Professional Practice Act Rule be repealed and reenacted in each of the professions specific Rules R156-60a, 60b, 60c, and 60d.

4. Summary of the new rule or change:

This rule is being repealed in its entirety due to statute changes in HB 250 from the 2023 Legislative General Session.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:

The proposed changes are not expected to have any fiscal impact on state government revenues or expenditures. The requested changes reflect a repeal and reenactment of current industry standards as approved by the Clinical Mental Health Licensing Board, Marriage and Family Therapist Licensing Board, Social Worker Licensing Board, and the Substance Use Disorder Counselor Licensing Board, and will continue to ensure that the minimum required standards have been met.

B) Local governments:

The proposed changes are not expected to have any fiscal impact on local government revenues or expenditures. The requested changes reflect a repeal and reenactment of current industry standards as approved by the Clinical Mental Health Licensing Board, Marriage and Family Therapist Licensing Board, Social Worker Licensing Board, and the Substance Use Disorder Counselor Licensing Board, and will continue to ensure that the minimum required standards have been met.

C) Small businesses ("small business" means a business employing 1-49 persons):

The proposed changes are not expected to have any fiscal impact on small business revenues or expenditures. The requested changes reflect a repeal and reenactment of current industry standards as approved by the Clinical Mental Health Licensing Board, Marriage and Family Therapist Licensing Board, Social Worker Licensing Board, and the Substance Use Disorder Counselor Licensing Board, and will continue to ensure that the minimum required standards have been met.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

The proposed changes are not expected to have any fiscal impact on non-small business revenues or expenditures. The requested changes reflect a repeal and reenactment of current industry standards as approved by the Clinical Mental Health Licensing Board, Marriage and Family Therapist Licensing Board, Social Worker Licensing Board, and the Substance Use Disorder Counselor Licensing Board, and will continue to ensure that the minimum required standards have been met. None of these changes substantively change the processes for affected persons, so there is no fiscal impact.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an *agency*):

The proposed changes are not expected to have any fiscal impact on affected persons. The requested changes reflect a repeal and reenactment of current industry standards as approved by the Clinical Mental Health Licensing Board, Marriage and Family Therapist Licensing Board, Social Worker Licensing Board, and the Substance Use Disorder Counselor Licensing Board, and will continue to ensure that the minimum required standards have been met. None of these changes substantively change the processes for affected persons, so there is no fiscal impact.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

As described above in Box 5.E for other persons, the proposed changes are not expected to have any compliance costs for affected persons.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Commerce, Margaret W. Busse, has reviewed and approved this fiscal analysis.

The Division of Professional Licensing ("Division") proposes repealing this rule and reenacting the provisions of this rule in existing rules (R156-60a, R156-60b, R156-60c and R156-60d) separated for types of mental health professionals. The new rules will incorporate part of the repealed rule, amend the separate rules in response to the statutory changes made by HB 250 during the 2023 General Session. The new rules incorporate parts of the repealed rule, contain the proposed amendments, make nonsubstantive formatting changes to streamline and update the rules, clarify and update definitions, and comply with the OAR Rulewriting Manual.

Small Businesses (less than 50 employees):

Due to the repeal of this rule and as noted in the separate rules submitted concurrently, the Division does not expect any foreseeable impact on small businesses in the mental health professions in the State of Utah. The proposed amendments are to conform to the requirements of HB 250. The changes are to reenact the rule due to the repeal of Rule R156-60 update the rule to encompass current statutory requirements and practices in the profession. Further, the Division does not foresee any negative impact on small businesses since grammatical and formatting amendments are made to make the rule comport with the OAR Rulewriting Manual.

Regulatory Impact to Non-Small Businesses (50 or more employees):

The Division finds that the non-small businesses in the mental health professions in the State of Utah will not suffer a negative

fiscal impact from the repeal of R156-60 and the proposed incorporation of R156-60 into Rules R156-60a, R156-60b, R156-60c, and R156-60d, along with the statutory amendments. However, these amendments will have no expected fiscal impact for non-small businesses in Utah for the same rationale as described above for small businesses. Further, any of these costs are either inestimable, for the reasons stated above, or there is no fiscal impact.

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Subsection 58-1-106(1)(a)	Subsection 58-1-202(1)(a)	Section 58-60-101

Incorporations by Reference Information

7. Incorporations by Reference (if this rule incorporates more than two items by reference, please include additional tables):

A) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; if none, leave blank):

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

B) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; if none, leave blank):

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	01/17/2024	
B) A public hearing (optional) will be held:		
Date (mm/dd/yyyy):	Time (hh:mm AM/PM):	Place (physical address or URL):
1/16/2024	9:00 AM	160 East 300 South, Conference Room 474, Salt Lake City, Utah and also via Google Meet
		Google Meeting link meet.google.com/yfq-psko-xgt Join by phone (US) +1 304-691-0096 PIN: 605869246

To the agency: If more space is needed for a physical address or URL, refer readers to Box 4 in General Information. If more than two hearings will take place, continue to add rows.

9. This rule change MAY become effective on: 01/24/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

To the agency: Information requested on this form is required by Sections 63G-3-301, 63G-3-302, 63G-3-303, and 63G-3-402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the *Utah State Bulletin* and delaying the first possible effective date.

Agency head or designee and title:	Mark B. Steinagel, Division Director	Date:	11/20/2023
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~~[R156. Commerce, Occupational and Professional Licensing.~~

~~R156-60. Mental Health Professional Practice Act Rule.~~

~~R156-60-101. Title.~~

~~— This rule is known as the "Mental Health Professional Practice Act Rule."~~

~~R156-60-102. Definitions.~~

~~— In addition to the definitions regarding mental health professional practice in Title 58, Chapters 1 and 60, as used in Title 58, Chapters 1 and 60, the following rule definitions supplement the statutory definitions:~~

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

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

~~— (b) 2015 ICD-10-CM for Physicians, Professional Edition published by the American Medical Association; or~~

~~— (c) ICD-10-CM 2019: The Complete Official Draft Code Set published by the American Medical Association.~~

~~— (2) "Client" or "patient" means an individual who if competent requests, or if not competent to request is lawfully provided professional services by a mental health therapist when the mental health therapist:~~

~~— (a) agrees verbally or in writing to provide professional services to that individual; or~~

~~— (b) without an overt agreement does in fact provide professional services to that individual.~~

~~— (3) "Direct supervision" of a supervisee in training, as used in Subsections 58-60-205(1)(f), 58-60-305(1)(f), 58-60-405(1)(f), and 58-60-502(3) means the supervisor meets with the supervisee:~~

~~— (a) when both are physically present in the same room at the same time; or~~

~~— (b) remotely via real time electronic methods that allow for visual and audio interaction between the supervisor and supervisee, in accordance with the requirements of their supervision contract.~~

~~— (4) "Employee" means a W-2 employee as defined 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) applies to individuals who have completed 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 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 supervised by a qualified individual licensed under this chapter, and includes supervision meetings on at least a weekly basis with the supervisee and supervisor physically present in the same room at the same time.~~

~~_____ (7) "Supervision contract" means a written, signed contract between a supervisor and a supervisee to complete supervised training requirements for licensure, which includes the provisions required by Subsection R156-60-302(1).~~

~~_____ (8) "Supervision form" means the form provided by the Division to document ongoing supervision, which at minimum includes:~~

~~_____ (a) the dates and duration of supervisory meetings;~~

~~_____ (b) the format of supervisory meetings;~~

~~_____ (c) the location of supervisory meetings;~~

~~_____ (d) an evaluation of supervisee performance; and~~

~~_____ (e) confirmation that the meetings took place.~~

~~_____ (9) "Verification of supervision form" means the form provided by the Division to document who is providing supervision to the supervisee, which at minimum includes:~~

~~_____ (a) the name and license number of the supervisee;~~

~~_____ (b) the name and license number of the supervisor; and~~

~~_____ (c) the supervisee's place of employment.~~

~~R156-60-103. Authority -- Purpose.~~

~~_____ This rule is adopted by the Division under the authority of Subsection 58-1-106(1)(a) to enable the Division to administer Title 58, Chapter 60.~~

~~R156-60-104. Organization -- Relationship to Rule R156-1.~~

~~_____ The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-107.~~

~~R156-60-105. Continuing Education.~~

~~_____ In accordance with Section 58-60-105, the continuing professional education (CE) requirements for each two year renewal cycle commencing on October 1 of each even numbered year, are established as follows:~~

~~_____ (1) An individual licensed under Title 58, Chapter 60 shall complete at least 40 CE hours, or 20 hours for an SSW or CSW, to include:~~

~~_____ (a) six hours of education in ethics, law, or technology;~~

~~_____ (b) two hours of training in suicide prevention in accordance with Section R156-60-205; and~~

~~_____ (c) for a marriage and family therapist, the following required hours under this subsection shall be directly related to marriage and family therapy:~~

~~_____ (i) at least 15 hours of the 40 CE hours; and~~

~~_____ (ii) at least three hours of the six hours in ethics, law, or technology.~~

~~_____ (2) A licensee who completes more than the required number of CE hours during a two year renewal cycle may carry over excess hours to the next two year renewal cycle, as follows:~~

~~_____ (a) for an SSW or CSW, up to five hours of the excess; and~~

~~_____ (b) for other licensees, up to ten hours of the excess.~~

~~— (3) A licensee may not carry forward any CE hours received prior to being granted a license, including professional upgrades.~~

~~— (4) If a licensee first becomes licensed during the two-year renewal period, the licensee's required number of CE hours shall be decreased proportionately according to the date of licensure.~~

~~— (5) The Division may defer or waive CE requirements in accordance with Section R156-1-308d.~~

~~— (6) CE shall:~~

~~— (a) be relevant to the licensee's scope of practice;~~

~~— (b) have a method of verification of attendance and completion;~~

~~— (c) be prepared and presented by individuals who are qualified by education, training, and experience to provide CE; and~~

~~— (d) be approved by, conducted by, or under the sponsorship of one of the following:~~

~~— (i) a recognized accredited college or university;~~

~~— (ii) a county, state, or federal agency;~~

~~— (iii) a professional association or similar body involved in mental health therapy;~~

~~— (iv) a mental health agency that provides mental health services; or~~

~~— (v) the Division.~~

~~— (7) A licensee may recognize CE credit as follows:~~

~~— (a) for the following forms of education, one CE hour for each 50 minutes of education:~~

~~— (i) lectures;~~

~~— (ii) seminars;~~

~~— (iii) conferences;~~

~~— (iv) training sessions;~~

~~— (v) real time, interactive distance learning courses that are clearly documented as real time and interactive; and~~

~~— (vi) specialty certifications;~~

~~— (b) for college or university credit courses directly related to the licensee's scope of practice, three CE hours per semester hour, or 1.5 CE hours per quarter hour;~~

~~— (c) for distance learning courses that are not real time and interactive, one hour of CE for each hour, up to a maximum of:~~

~~— (i) 15 CE hours for an LCSW;~~

~~— (ii) eight hours for an SSW or CSW;~~

~~— (iii) 15 CE hours for an MFT;~~

~~— (iv) ten CE hours for a CMHC; and~~

~~— (v) 15 CE hours for a SUDC;~~

~~— (d) (i) for each hour of lecturing or instructing a CE course or teaching in a college or university in the licensee's profession, two CE hours, or one hour for an SW, up to a maximum of:~~

~~— (A) ten CE hours for an LCSW;~~

~~— (B) five CE hours for an SSW or CSW;~~

~~— (C) 14 CE hours for an MFT;~~

~~— (D) ten CE hours for a CMHC; and~~

~~— (E) ten CE hours for a SUDC;~~

~~— (ii) credit may be granted for lecturing or instructing the same course up to two times;~~

~~— (e) for each hour of certifiable clinical readings, one CE hour, up to a maximum of:~~

- ~~— (i) 15 CE hours for a MFT;~~
- ~~— (ii) 15 CE hours for a SUDC; and~~
- ~~— (iii) ten hours for a CMHC;~~
- ~~— (f) for each hour of direct supervision of an individual completing the experience requirement for licensure in a mental health therapist classification under Title 58, Chapter 60, one CE hour, up to a maximum of:~~
- ~~— (i) 14 CE hours for a MFT; and~~
- ~~— (ii) ten CE hours for a CMHC; and~~
- ~~— (g) for each hour of volunteer service on boards, committees, or in leadership roles in any state, national, or international organization for the development and improvement of the licensee's profession, one CE hour, in whole or part of which may be counted as regular credit or ethics, law, or technology credit, up to a maximum of six CE hours during each two-year period.~~
- ~~— (8) A licensee shall maintain adequate documentation as proof of compliance with this section for a period of two years after the end of the renewal cycle for which the CE is due. At minimum, the documentation for each course taken shall include:~~
- ~~— (a) name of attendee;~~
- ~~— (b) name of course provider;~~
- ~~— (c) name of instructor;~~
- ~~— (d) date of course;~~
- ~~— (e) title of course;~~
- ~~— (f) number of CE hours;~~
- ~~— (g) course objectives; and~~
- ~~— (h) type of CE albeit a seminar, real-time interactive distance learning, teaching.~~

~~R156-60-205. Qualifications for Licensure and License Renewal — Suicide Prevention Course.~~

- ~~— The minimum two-hour suicide prevention course required as a qualification for licensure by Subsections 58-60-205(1)(c)(iii) for a social worker, 58-60-305(1)(c)(iv) for a marriage and family therapist, 58-60-405(1)(c)(iv) for a clinical mental health counselor, and 58-60-506(5)(b)(ii) for a substance use disorder counselor, and the minimum two-hour suicide prevention course required as a condition of license renewal by Subsection 58-60-105(3), shall meet the following standards:~~
- ~~— (1) The course shall be approved by, conducted by, or under the sponsorship of one of the following:~~
 - ~~— (a) a recognized accredited college or university;~~
 - ~~— (b) a county, state, or federal agency;~~
 - ~~— (c) a professional association or similar body involved in mental health therapy; or~~
 - ~~— (d) a mental health agency that provides mental health services.~~
 - ~~— (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, 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.~~
- ~~———— (3) Each hour of education shall consist of 50 minutes of education in the form of classroom lectures and discussion, workshops, webinars, online self-paced modules, case study review, or simulations.~~
- ~~———— (4) The course provider shall document and verify course attendance and completion.~~
- ~~———— (5) (a) An applicant for licensure shall submit evidence of course completion to the Division as a prerequisite for licensure.~~
- ~~———— (b) A licensee renewing their license shall maintain adequate documentation of course completion as required by Subsection R156-60-105(8).~~

~~**R156-60-302. Supervised Training Requirements — Supervision Contract — Duties and Responsibilities of Supervisor and Supervisee.**~~

~~———— The supervised training qualifications for licensure required by Subsections 58-60-204(1)(c)(ii) and (1)(f) for a social worker, Subsections 58-60-305(1)(c)(ii) and (1)(f) for a marriage and family therapist, Subsections 58-60-405(1)(d)(ii) and (1)(e) for a clinical mental health counselor, and Subsections 58-60-506(2)(c) and (5)(c) for a substance use disorder counselor, are established and clarified as follows:~~

- ~~———— (1) Prior to beginning supervised training:~~
 - ~~———— (a) the prospective supervisor and supervisee shall enter into a written supervision contract signed by both parties; and~~
 - ~~———— (b) the prospective supervisor shall submit to the Division:~~
 - ~~———— (i) a complete verification of supervision form; and~~
 - ~~———— (ii) certification that the supervision contract meets the requirements of Section R156-60-302.~~
- ~~———— (2) A supervisee may not count any supervised training towards their supervision requirement until the Division notifies the supervisor it has received the verification of supervision form.~~
- ~~———— (3) A supervision contract shall include at least the following provisions:~~
 - ~~———— (a) duties and responsibilities of the supervisor;~~
 - ~~———— (b) duties and responsibilities of the supervisee;~~
 - ~~———— (c) a plan to ensure accessibility of the supervisor to the supervisee;~~
 - ~~———— (d) a plan for meetings between the supervisor and supervisee, addressing:~~
 - ~~———— (i) frequency;~~
 - ~~———— (ii) duration;~~
 - ~~———— (iii) objectives;~~
 - ~~———— (iv) format, such as individual or small group; and~~
 - ~~———— (v) location, such as face-to-face or remotely;~~
 - ~~———— (e) a plan for documenting the ongoing supervision using the Division provided supervision form, including objective and measurable circumstances where the supervisor will sign supervision forms;~~
 - ~~———— (f) a plan to address potential conflicts between the clinical recommendations of the supervisor and those of the representatives of the agency employing the supervisee;~~

~~— (g) remedies in the event of breach of contract by either the supervisor or supervisee, including procedures for contract termination; and~~

~~— (h) if any part of the supervision will be conducted remotely, plans for:~~

~~— (i) how the supervisor and supervisee will meet via real-time electronic methods allowing visual or audio interaction, and protect the security of electronic, confidential data and information;~~

~~— (ii) how the supervisor will comply with the supervisor's duties and responsibilities as established in rule;~~

~~— (iii) how the supervisor will physically visit the location where the supervisee practices on at least a quarterly basis during the period of supervision, or at such lesser frequency as is approved in advance by the Division in collaboration with the Board; and~~

~~— (iv) how notice will be provided to the supervisee's clients or patients and employer regarding the supervisee's use of remote supervision.~~

~~— (4) A supervisor shall have the following duties and responsibilities:~~

~~— (a) prior to beginning any supervised training:~~

~~— (i) ensure that the supervisor and supervisee:~~

~~— (A) are both appropriately licensed;~~

~~— (B) enter into a written supervision contract together in accordance with Subsection (3);~~

~~— (ii) submit to the Division the verification of supervision form; and~~

~~— (iii) receive notice from the Division that it has received the supervision form;~~

~~— (b) ensure that during the period of supervised training:~~

~~— (i) the supervisee is employed as a W-2 employee by a public or private mental health agency;~~

~~— (ii) the supervisor and supervisee remain appropriately licensed; and~~

~~— (iii) the supervisor supervises no more than the maximum number of supervisees allowed by the licensee's licensing act or rule;~~

~~— (c) comply with the terms of the supervision contract;~~

~~— (d) maintain 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;~~

~~— (e) be available to the supervisee for advice, consultation, and direction consistent with the standards and ethics of the profession and the requirements suggested by the total circumstances, including consideration of the supervisee's level of training, diagnosis of patients, and other factors known to the supervisee and supervisor;~~

~~— (f) periodically review the client records assigned to the supervisee;~~

~~— (g) comply with the confidentiality requirements of Section 58-60-114;~~

~~— (h) monitor the supervisee's performance for compliance with the laws, rules, standards, and ethics of the profession, and report violations to the Division; and~~

~~— (i) upon completion of the supervised training, submit to the Division on the Division provided supervision forms;~~

~~— (i) documentation of the training hours completed by the supervisee; and~~

~~— (ii) an evaluation of the supervisee with respect to the quality of the work performed and the supervisee's competency to practice in the profession.~~

~~— (5) A supervisee shall have the following duties and responsibilities:~~

~~— (a) prior to beginning any supervised training:~~

~~— (i) enter into a written supervision contract with the supervisor in accordance with Subsection (3); and~~

~~— (ii) ensure the required verification of supervision form is received by the Division;~~

~~— (b) maintain required licensure;~~

~~— (c) maintain employment as a W-2 employee with a public or private mental health agency;~~

~~— (d) comply with the terms of the supervision contract;~~

~~— (e) maintain a relationship with the supervisor in which the supervisor is independent from the supervisee's control, and in which the ability of the supervisor to supervise and direct the practice of the supervisee is not compromised;~~

~~— (f) be professionally responsible for the acts and practices of the supervisee that are a part of the required supervised training;~~

~~— (g) comply with the confidentiality requirements of Section 58-60-114; and~~

~~— (h) comply with applicable laws, rules, standards, and ethics of the profession.~~

~~— (6) A supervisor shall notify the Division in writing of any of the following changes, within 30 days of the change:~~

~~— (a) termination of a supervision contract; or~~

~~— (b) a change in the supervisee's placement of employment.~~

~~— (7)(a) If a supervisor does not support issuance of a license to a supervisee to practice unsupervised, or if the supervisor has other concerns regarding the supervisee that the supervisor believes requires input from the Division and Board, the supervisor shall submit to the Division a written explanation outlining the supervisor's concerns.~~

~~— (b) Upon receipt of written concerns from a supervisor with respect to a supervisee, the Division:~~

~~— (i) shall provide the supervisee an opportunity to respond in writing to the Division regarding the supervisor's concerns;~~

~~— (ii) shall review the written statements from the supervisor and supervisee with the Board; and~~

~~— (iii) in consultation with the Board, may require the supervisee to obtain additional supervised hours, education, and training.~~

~~R156-60-502. Unprofessional Conduct.~~

~~— "Unprofessional conduct" includes:~~

~~— (1) if providing services remotely:~~

~~— (a) failing to practice according to professional standards of care in the delivery of services remotely;~~

~~_____ (b) failing to protect the security of electronic, confidential data and information; or~~
~~_____ (c) failing to appropriately store and dispose of electronic, confidential data and information;~~
~~_____ (2) failing to follow the Model Standards of Practice for Child Custody Evaluation of the Association of Family and Conciliation Courts (AFCC) May 2006, which is incorporated by reference; or~~
~~_____ (3) violating a provision of Section R156-60-302 regarding supervised training.~~

~~KEY: licensing, mental health, therapists~~

~~Date of Enactment or Last Substantive Amendment: May 1, 2023~~

~~Notice of Continuation: February 26, 2019~~

~~Authorizing, and Implemented or Interpreted Law: 58-1-106(1)(a); 58-1-202(1)(a); 58-60-101]~~