

NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** New**Rule or section number:****R156-60e****Filing ID:** 57225**Agency Information**

| | | |
|----------------------|----------------------------------|-----------------------|
| 1. Title catchline: | Commerce, Professional Licensing | |
| Building: | Heber M. Wells Building | |
| Street address: | 160 E 300 S. | |
| City, state: | Salt Lake City, UT 84111 | |
| Mailing address: | PO Box 146741 | |
| City, state and zip: | Salt Lake City, UT 84111-6741 | |
| 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:**

R156-60e. Mental Health Professional Practice Act Rule

3. Are any changes in this filing because of state legislative action?

Changes are because of legislative action.

If yes, any bill number and session:

SB 26 (2024 General Session)

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

The Division of Professional Licensing (Division) in collaboration with the new Behavioral Health Board (Board) is filing this new rule in accordance with statutory changes made by SB 26 that passed in the 2024 General Session based on data-driven recommendations from the Office of Professional Licensing Review. SB 26 consolidated the behavioral health boards and committees into a new multiple-professional board to oversee licenses under Title 58, Chapter 60, Mental Health Professional Practice Act, and Title 58, Chapter 61, Psychologist Licensing Act. This rule consolidates and replaces the following rules: Rule R156-60a. Social Worker Licensing Act Rule; Rule R156-60b. Marriage and Family Therapist Licensing Act Rule; Rule R156-60c. Clinical Mental Health Counselor Licensing Act Rule; and Rule R156-60d Substance Use Disorder Counselor Act Rule.

Additionally, this rule includes requirements for three new licenses created by SB 26: behavioral health technician, behavioral health coach, and master addiction counselor (MAC). In accordance with SB 26, this rule includes the requirements for the new exam alternative pathway through increased direct client hours and supervised clinical hours for the following licenses: licensed clinical social worker (LCSW), marriage and family therapist (MFT), clinical mental health counselor (CMHC), and master addiction counselor (MAC). This change reduces the regulatory requirements for licensees and aligns with national standards for licensure.

This rule updates changes made by SB 26 to the scopes of practice for licenses, supervision standards, and requires practitioner disclosures and a criminal background check.

5. Summary of the new rule or change:

Section R156-60e-101.1. This section outlines the Title, Authority, and Organization to the relationship to Rule.

Section R156-60e-102.1. This section outlines definitions applicable to all mental health professionals.

Section R156-60e-102.2. This section outlines definitions specific to social workers.

Section R156-60e-102.3. This section outlines definitions specific to marriage and family therapists.

Section R156-60e-102.4. This section outlines definitions specific to clinical mental health counselors.

Section R156-60e-102.5. This section outlines definitions specific to substance use disorder counselors and master addiction counselors.

Section R156-60e-102.6. This section outlines definitions specific to behavioral health coach and behavioral health technicians.

Section R156-60e-202.1. This section outlines the Utah Behavioral Health Board and its Advisory Committees. Specifically, when the chairperson of an advisory committee must be reelected, clarifies makeup of the qualifications and professional development advisory committee, and defines who is eligible for filling the committee seat on the background and investigations advisory committee filled by a criminal justice professional.

Section R156-60e-302.1. This section outlines the requirements that must be met for an approved suicide prevention course.

Section R156-60e-302.2. This section outlines the requirements specific to social work including a social work practicum, social service worker educational requirements, social service worker supervision, and examination requirements.

Section R156-60e-302.3. This section outlines requirements specific to marriage and family therapists including university accreditation, coursework requirements, supervision for extern licensure, and examination requirements.

Section R156-60e-302.4. This section outlines requirements specific to clinical mental health counselors including deficient coursework, extern supervision, and examination requirements.

Section R156-60e-302.5. This section outlines requirements specific to substance use disorder and master addiction counselor licensure including examination requirements, equivalent degrees, and prerequisite courses.

Section R156-60e-302.6. This section is reserved to allow for future outlining of requirements specific to equivalent language in the licensing act.

Section R156-60e-303.1. This section outlines the requirements specific to use of the alternate examination pathway to licensure created by SB26 legislation.

Section R156-60e-304.1. This section outlines the supervised clinical experience requirements for all mental health license holders.

Section R156-60e-305.1. This section outlines the eligibility required to be a clinical supervisor of a mental health license holder.

Section R156-60e-306.1. This section outlines the requirements of a clinical supervision contract.

Section R156-60e-307.1. This section outlines the duties and responsibilities of a clinical supervisor.

Section R156-60e-308.1. This section outlines the duties and responsibilities of a supervised individual.

Section R156-60e-402.1. This section outlines the continuing education requirements for all mental health license holders.

Section R156-60e-403.1. This section outlines the renewal and reinstatement requirements for externship licenses, associate level licenses, and those expired over 5 years.

Section R156-60e-502.1. This section outlines the general unprofessional conduct related to all mental health license holders.

Section R156-60e-502.2. This section outlines unprofessional conduct specific to social work professionals.

Section R156-60e-502.3. This section outlines unprofessional conduct specific to marriage and family therapy professionals.

Section R156-60e-502.4. This section outlines unprofessional conduct specific to clinical mental health professionals.

Section R156-60e-502.5. This section outlines unprofessional conduct specific to substance use disorder and master addiction professionals.

Section R156-60e-502.6. This section outlines unprofessional conduct specific to behavioral health coach and technician professionals.

Section R156-60e-503.1. This section outlines the administrative penalties that may result from noncompliance with specific sections of 58-1, 58-60, Rule R156-1, and Rule R156-60e.

Fiscal Information**6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

The proposed rule clarifies provisions created by statutory changes from SB 26 and aligns with national educational standards, examinations, and supervision standards. The rule is expected to have zero net impact on state revenues or expenditures because these changes should not result in any additional complaints, investigations, or disciplinary actions or any additional licensing issues. None of the changes are expected to impact state government revenues or expenditures because the proposed rule replaces current rules based on statutory changes that establish an alternative pathway, new licenses, and supervision and education standards that encompass current requirements and practices in the profession.

B. Local governments:

The proposed rule may impact businesses in the mental health industry who employ mental health professionals which may potentially include certain local government entities acting as businesses. However, as described for small businesses, the Division estimates that the proposed rule will have no impact on local government.

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

There are approximately 1,532 small businesses in Utah with licensees engaged in the practice of mental health therapy and who may employ those engaged in the practice of mental health therapy, such as private or group practices, hospitals, or medical centers (NAICS 621112, 621420, 621330, 622210, 623220, 623210). This proposed rule may impact these small businesses. However, the savings are not measurable as they depend on specific characteristics of each employer and employee. The rule is not expected to impact small business as the rule is based on extensive collaboration with the Behavioral Health Licensing Board to incorporate generally accepted professional standards common in the industry, and the proposed rule reflects the SB 26 legislative changes and codifies existing standards already adhered to in the industry.

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

There are approximately 96 non-small businesses in Utah comprising of licensees engaged in the practice of mental health therapy who may employ those engaged in the practice of mental health therapy, such as private or group practices, hospitals, or medical centers (NAICS 621112, 621420, 621330, 622210, 623220, 623210). However, the savings are not measurable as it will depend on specific characteristics of each employer and employee. The proposed rule is not expected to impact non-small businesses as they are based on extensive collaboration with the Behavioral Health Licensing Board to incorporate generally accepted professional standards common in the industry, and the proposed rule reflects the SB 26 legislative changes and codifies existing standards already adhered to in the industry.

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**):

Most of this rule is taken from Rules R156-60a, R156-60b, R156-60c, and R156-60d. This rule should not add any significant burden to license holders. The statutory change from SB 26 to add an alternate examination pathway to licensure found in proposed Section R156-60e-303.1 may reduce burden on applicants for licensure.

F. Compliance costs for affected persons:

As described above for other persons, the proposed Section R156-60e-303.1 allows a person to obtain licensure without passing an examination. This may allow a qualified applicant, who might otherwise make multiple failed attempts to pass the exam, to seek alternate licensure after only one failed attempt. This would reduce the monetary burden to the applicant.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

| Regulatory Impact Summary Table | | | | | |
|--|---------------|---------------|---------------|---------------|---------------|
| Fiscal Cost | FY2026 | FY2027 | FY2028 | FY2029 | FY2030 |
| State Budget | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Governments | \$0 | \$0 | \$0 | \$0 | \$0 |
| Small Businesses | \$0 | \$0 | \$0 | \$0 | \$0 |
| Non-Small Businesses | \$0 | \$0 | \$0 | \$0 | \$0 |

| | | | | | |
|------------------------------|---------------|---------------|---------------|---------------|---------------|
| Other Persons | \$0 | \$0 | \$0 | \$0 | \$0 |
| Total Fiscal Cost | \$0 | \$0 | \$0 | \$0 | \$0 |
| Fiscal Benefits | FY2026 | FY2027 | FY2028 | FY2029 | FY2030 |
| State Budget | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Governments | \$0 | \$0 | \$0 | \$0 | \$0 |
| Small Businesses | \$0 | \$0 | \$0 | \$0 | \$0 |
| Non-Small Businesses | \$0 | \$0 | \$0 | \$0 | \$0 |
| Other Persons | \$0 | \$0 | \$0 | \$0 | \$0 |
| Total Fiscal Benefits | \$0 | \$0 | \$0 | \$0 | \$0 |
| Net Fiscal Benefits | \$0 | \$0 | \$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 regulatory impact analysis.

Citation Information**7. 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 58-60-201 |
| Section 58-60-301 | Section 58-60-401 | Section 58-60-501 |

Incorporation by Reference Information**8. Incorporation by Reference :**

A. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

| | |
|---|--|
| Official Title of Materials Incorporated (from title page) | Model Standards of Practice for Child Custody Evaluation |
| Publisher | Association of Family and Conciliation Courts (AFCC) |
| Issue Date | May 2006 |

B. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

| | |
|---|--|
| Official Title of Materials Incorporated (from title page) | NASW Code of Ethics |
| Publisher | National Association of Social Workers |
| Issue Date | Revised 2021 |

C. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

| | |
|---|---|
| Official Title of Materials Incorporated (from title page) | Standards for Technology in Social Work Practice |
| Publisher | National Association of Social Workers, Association of Social Work Boards, Council on Social Work Education, and Clinical Social Work Association |
| Issue Date | 2017 |

D. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

| | |
|---|--|
| Official Title of Materials Incorporated (from title page) | AAMFT Code of Ethics |
| Publisher | American Association for Marriage and Family Therapy |
| Issue Date | January 1, 2015 |

E. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

| | |
|---|---|
| Official Title of Materials Incorporated (from title page) | ACMHC Code of Ethics |
| Publisher | American Mental Health Counselors Association |
| Issue Date | Revised 2020 |

F. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

| | |
|---|--|
| Official Title of Materials Incorporated (from title page) | NAADAC/NCC AP Code of Ethics |
| Publisher | The Association for Addiction Professionals and National Certification Commissions for Addiction Professionals |
| Issue Date | January 1, 2021 edition |

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

| | | |
|--|--------------|--|
| A. Comments will be accepted until: | | 07/15/2025 |
| B. A public hearing (optional) will be held (The public may request a hearing by submitting a written request to the agency, as outlined in Section 63G-3-302 and Rule R15-1.): | | |
| Date: | Time: | Place (physical address or URL): |
| 07/09/2025 | 10:00 a.m. | Anchor location at the Heber M. Wells Building at 160 E. 300 S., 4th floor, Room 474, Salt Lake City, UT, and also via Google Meet Google Meet joining info Video call link: https://meet.google.com/msq-ruug-qmq Or dial: (US) +1 260-577-6897 PIN: 220 087 357# More phone numbers: https://tel.meet/msq-ruug-qmq?pin=2270840649212 |

10. This rule change MAY become effective on: 07/22/2025

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

| | | | |
|---|--------------------------------------|--------------|------------|
| Agency head or designee and title: | Mark B. Steinagel, Division Director | Date: | 04/04/2025 |
|---|--------------------------------------|--------------|------------|

R156. Commerce, Professional Licensing.

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

R156-60e-101.1. Title - Authority - Relationship to Rule R156-1.

(1) This rule is known as the "Mental Health Professional Practice Act Rule."

- (2) This rule is adopted by the Division under Subsection 58-1-106(1)(a), to enable the Division to administer Title 58, Chapter 60, Mental Health Professional Practice Act.
- (3) The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-101.

R156-60e-102.1. Definitions Applicable To All Mental Health Professionals.

Terms used in this rule are defined in Title 58, Chapter 1, Division of Professional Licensing Act, and Title 58, Chapter 60, Mental Health Professional Practice Act. In addition:

- (1) "Accredited institution of higher education," unless otherwise specified in this rule, means an educational institution that has accreditation recognized by the Council for Higher Education Accreditation (CHEA).
- (2) "Approved diagnostic and statistical manual for mental disorders" means one of the following:
- (a) Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, Text Revision (DSM-5-TR), published by the American Psychiatric Association; or
- (b) International Classification of Diseases, Tenth Revision, Clinical Modifications (ICD-10-CM), published as the ICD-10-CM: The Complete Official Codebook by the American Medical Association.
- (3) "APRN" means an advanced practice registered nurse licensed under Subsection 58-60-102(15)(b).
- (4) "CHEA" means the Council for Higher Education Accreditation.
- (5) "CSWE" means the Council on Social Work Education.
- (6) "Client" or "patient" means:
- (a) an individual who is competent to request mental health services; or
- (b) an individual who is not competent to request mental health services but is lawfully provided professional services by a mental health therapist who:
- (i) agrees orally or in writing to provide professional services to that individual; or
- (ii) without an overt agreement, provides professional services to that individual.
- (7) "Clinical supervision form" means the form provided by the Division for use by a supervisor and a supervised individual to document who is providing supervision to a supervised individual and includes at least the following:
- (a) name and license number of the supervised individual;
- (b) name and license number of the supervisor; and
- (c) supervised individual's place of employment.
- (8) "Independent of control" as used in Subsections R156-60e-307.1(2)(b) and R156-60e-308.1(1)(e) means the supervisor is not employed by the supervised individual, an agency owned in total or part by the supervised individual, or an agency in which the supervised individual has a controlling interest.
- (9) "Internship" means one or more courses completed as part of a graduate program at an accredited institution of higher education where the internship hours are obtained:
- (a) at a public agency or private clinic;
- (b) while the individual is engaged in the clinical practice of mental health therapy as defined in Subsection 58-60-102(17); and
- (c) under supervision of a qualified mental health training supervisor as defined in Section R156-60e-305.1.
- (10) "Mild to moderate behavioral health symptoms or disorders" as used in Subsections 58-60-202(1)(a)(ii)(A), 58-60-202(1)(a)(v)(B), 58-60-502(6)(c)(iii)(B), 58-60-601(4)(c)(v)(A), 58-60-601(4)(c)(vi)(A), and 58-60-601(4)(d)(iii)(B), means symptoms that:
- (a) cause clinically significant disturbances in an individual's cognition, emotion regulation, or behavior that reflect a dysfunction, but are not so severe as to be debilitating or require hospitalization or medications;
- (b) satisfy the legal definition of a disability or equivalent; and
- (c) can be treated with brief, solution-focused therapy.
- (11) "NASW" means the National Association of Social Workers.
- (12) "On-the-job training program" as used in Subsections 58-1-307(1)(c) and 58-60-107(2)(g) means a program that:
- (a) applies to an individual who has completed courses required for graduation in a degree or formal training program that qualifies the individual for licensure under Title 58, Chapter 60, Mental Health Professional Practice Act;
- (b) starts immediately upon completion of coursework required for graduation;
- (c)(i) ends 60 days from the date it begins or upon licensure, whichever is earlier; and
- (ii) may not be extended or repeated a second time;
- (d) is completed while the individual is providing clinical mental health services as an employee of a public agency or private clinic; and
- (e) is supervised by a mental health training supervisor qualified under Section R156-60e-305.1 who conducts supervision meetings at least weekly in circumstances where the supervisor is physically present in the same room at the same time as the supervised individual.
- (13) "Practicum" means one or more courses completed as part of a graduate program at an accredited institution of higher learning where the practicum hours are obtained:
- (a) at a public agency or private clinic;
- (b) while engaged in the clinical practice of mental health therapy as used in Subsection 58-60-102(17), 58-60-202(2), 58-60-302(2), 58-60-502(7), or Section 58-60-402; and
- (c) under supervision of a qualified mental health training supervisor as defined in Section R156-60e-305.1.

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(14) "Public agency or private clinic," as used in Subsections 58-60-308(2)(a)(i), 58-60-407(2)(a)(i), 58-60-502(12), 58-60-512(2)(a), R156-60e-102.1(9)(a), R156-60e-102.1(12)(d), R156-60e-102.1(13)(a), R156-60e-304.1(1)(b), R156-60e-307.1(1)(b), and R156-60e-308.1(1)(c), means one of the following:

- (a) mental health agency;
- (b) in-patient or out-patient hospital;
- (c) educational institution;
- (d) non-profit organization; or
- (e) government agency.

(15) "Supervision contract" as used in Subsections 58-60-102(8) and (9) means a written contract between a clinical supervisor and a supervised individual that is signed by both parties, facilitates the experience requirements for licensure, and includes the provisions required by Section R156-60e-306.1.

R156-60e-102.2. Definitions Specific To Social Work.

Terms used in this rule are defined in Title 58, Chapter 1, Division of Professional Licensing Act, and in Title 58, Chapter 60, Part 2, Social Worker Licensing Act. In addition:

- (1) "ASWB" means the Association of Social Work Boards.
- (2) "Clinical social work concentration and practicum," "casework," "group work," or "family treatment course sequence with a clinical practicum," as used in Subsections 58-60-205(1)(c)(ii), 58-60-205(1)(g), and 58-60-205(2)(c)(ii), mean a track of professional education that is specifically established to prepare an individual to practice or engage in clinical mental health therapy.
- (3) "CSW" means a licensed certified social worker.
- (4) "General supervision" as used in Subsection 58-60-202(1)(a) means that the supervisor is available for consultation with the supervised individual:
 - (a)(i) when both are physically present in the same room at the same time; or
 - (ii) remotely via a synchronous electronic method that provides real-time communication through interactive technology that enables a supervisor at a distant site and a supervised individual at an originating site to interact simultaneously through two-way audio and video transmission; and
- (b) within a reasonable time and consistent with the acts and practices in which the supervised individual is engaged.
- (5) "Human growth and development" as used in Subsection 58-60-205(3)(c)(iii)(A)(II) means a course completed from a CSWE-accredited bachelor's degree in social work program that includes an emphasis on human growth and development across the lifespan and from conception to death.
- (6) "LCSW" means a licensed clinical social worker.
- (7) "Social welfare policy" as used in Subsection 58-60-205(3)(c)(iii)(A)(I) means a course completed from a CSWE-accredited bachelor's degree in social work program that includes an emphasis on the following:
 - (a) local, state, and federal social policies and how those policies impact individuals, families, and communities; and
 - (b) the diverse needs of social welfare recipients.
- (8) "Social work practice methods" as used in Subsection 58-60-205(3)(c)(iii)(A)(III) means a course from a CSWE-accredited bachelor's degree in social work program that includes an emphasis on the following:
 - (a) generalist social work practice at the individual, family, group, organization, and community levels;
 - (b) planned client change processes and social work roles at various levels;
 - (c) application of key values and principles of the NASW Code of Ethics and resolution of ethical dilemmas; and
 - (d) evaluation of programs and direct practice in the social work field.
- (9) "SSW" means a licensed social service worker.

R156-60e-102.3. Definitions Specific To Marriage and Family Therapy.

Terms used in this rule are defined in Title 58, Chapter 1, Division of Professional Licensing Act, and Title 58, Chapter 60, Part 3, Marriage and Family Therapist Licensing Act. In addition:

- (1) "AAMFT" means the American Association for Marriage and Family Therapy.
- (2) "AMFT" means an associate marriage and family therapist.
- (3) "AMFT-Extern" means an associate marriage and family therapist extern under Section 58-60-117.
- (4) "Deficiency" as used in Subsections 58-60-117(1)(d) and R156-60e-302.3(3)(a) relating to MFT licensure means the applicant's completed and required educational degree for licensure lacks no more than six semester credit hours or eight quarter credit hours that covers the coursework listed in Subsections R156-60e-302.3(2)(a) through (g).
- (5) "MFT" means a marriage and family therapist.

R156-60e-102.4. Definitions Specific To Clinical Mental Health Counselor.

Terms used in this rule are defined in Title 58, Chapter 1, Division of Professional Licensing Act, and Title 58, Chapter 60, Part 4, Clinical Mental Health Counselor Licensing Act. In addition:

- (1) "ACMHC" means an associate clinical mental health counselor.
- (2) "ACMHC-Extern" means an associate clinical mental health counselor extern under Section 58-60-117.
- (3) "CMHC" means a clinical mental health counselor.

(4) "Deficiency" as used in Subsections 58-60-117(1)(d) and R156-60e-302.4(2) relating to CMHC licensure means that the applicant's completed and required educational degree for licensure lacks no more than 12 semester credit hours or 18 quarter credit hours of the hours required under Subsection 58-60-405(1)(c)(ii) but still meets the coursework requirements of Subsection R156-60e-302.4(1).

(5) "Equivalent field" as used in Subsection 58-60-405(1)(c)(i)(B) means that the educational program:

(a) prepares students to practice mental health counseling through the study of generally recognized clinical mental health counseling principles, methods, and procedures;

(b) meets the requirements of Subsection R156-60e-302.4(1); and

(c) has adequately prepared the applicant for practice as demonstrated by the applicant passing the NBCC's National Counselor Examination (NCE) to verify education.

(6) "NBCC" means the National Board for Certified Counselors.

R156-60e-102.5. Definitions - Specific To Substance Use Disorder Counselor and Master Addiction Counselor.

Terms used in this rule are defined in Title 58, Chapter 1, Division of Professional Licensing Act, and Title 58, Chapter 60, Part 5, Substance Use Disorder Counselor Act. In addition:

(1) "AMAC" means associate master addiction counselor.

(2) "AMAC-Extern" means an associate master addiction counselor extern under Section 58-60-117.

(3) "ASAM" means the American Society of Addiction Medicine.

(4) "ASUDC" means an advanced substance use disorder counselor.

(5) "General supervision" as used in Subsection 58-60-502(3) means experience gathered under the general supervision of a licensed individual who meets the requirements of Section 58-60-508.

(6) "Human growth and development" as used in Subsection R156-60e-302.5(3)(b)(1) means a course at an accredited institution of higher education that includes an emphasis on human growth and development across the lifespan and from conception to death.

(7) "IC&RC" means the International Certification and Reciprocity Consortium.

(8) "Initial assessment" means the procedure of gathering psycho-social information from a client or patient that:

(a) includes the application of the Addiction Severity Index (ASI) as the basis for recommending a level of treatment to assist the mental health therapist supervisor in the information collection process; and

(b) that may include a referral to an appropriate treatment program.

(9) "MAC" means Master Addiction Counselor.

(10) "NAADAC" means the Association for Addiction Professionals.

(11) "NCC AP" means the National Certification Commissions for Addiction Professionals.

(12) "Prerequisite courses" as used in Subsections 58-60-506(6)(a)(iii) and R156-60e-302.5(3)(b) means courses that shall be completed before an individual may qualify for licensure.

(13) "SASSI" means Substance Abuse Subtle Screening Inventory.

(14)(a) "Screening" as used in Subsections 58-60-502(6)(b) and 58-60-502(9)(b)(i) means a brief interview with the client that is conducted in person or by other electronic means and is used to determine the potential of a substance abuse problem.

(b) The screening may also include the following:

(i) a preliminary ASAM Criteria recommendation to expedite the subsequent assessment and evaluation process;

(ii) screening instruments such as the SASSI; or

(iii) if a potential problem is identified, a referral for an initial assessment or a substance use disorder evaluation.

(15) "Substance use disorder evaluation" means the process used to interpret information gathered from a client during an initial assessment, other instruments as needed, and a face-to-face interview with the client by a licensed mental health therapist to determine if the client or patient meets the DSM-5-TR or ICD-10-CM criteria for substance abuse or dependence and requires an individualized treatment plan.

(16) "Substance use disorder education program" as used in Subsections 58-60-502(13) and 58-60-506(6)(b) means college or university coursework at a regionally accredited institution.

(17) "Supervised experience" as used in Subsections 58-60-506(4)(c)(ii) and (6)(c) means experience gathered under the general supervision of a licensed individual who meets the requirements of Section 58-60-508.

(18) "SUDC" means a substance use disorder counselor.

R156-60e-102.6. Definitions - Specific To Behavioral Health Coach and Behavioral Health Technician.

Terms used in this rule are defined in Title 58, Chapter 1, Division of Professional Licensing Act, and Title 58, Chapter 60, Part 6, Behavioral Health Coach and Technician Licensing Act.

R156-60e-202.1. Utah Behavioral Health Board -- Advisory Committees.

(1) Under Subsection 58-60-102.5(3)(b), the Board shall hear advisory committee reports and make determinations based upon those reports regarding any Division action to be taken on an individual's license or on an application for licensure.

(2) Under Subsection 58-60-102.5(4)(b)(i), the Board shall annually elect a member to serve as chair on each advisory committee that reports to the Board.

(3) Under Subsection 58-60-102.5(4)(c)(i), a member of the Qualifications and Professional Development Advisory Committee may be both a licensed individual and an educator.

(4) Under Subsection 58-60-102.5(4)(c)(ii), a criminal justice professional is an individual who is actively employed or who has retired from employment in at least one of the following capacities:

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- (a) as a member of law enforcement including a police officer, sheriff, patrol officer, police investigator, police detective, state trooper, or federal agent;
- (b) as an attorney in criminal law court including a city attorney, county attorney, district attorney, attorney general, assistant attorney general, city public defender, county public defender, or judge who is a member of the attorney Bar;
- (c) in corrections including as a corrections officer, probation officer, parole officer, or warden; or
- (d) as an instructor of a criminal justice program from a regionally accredited institution of higher education.

R156-60e-302.1. Qualifications for Licensure or Certification - Suicide Prevention Course.

Under Subsections 58-60-205(1)(f), 58-60-305(1)(f), 58-60-405(1)(f), 58-60-506(1)(c), and 58-60-506(6)(b)(ii), the Division approved two-hour suicide prevention course required to obtain licensure shall be:

- (1) approved, sponsored, or conducted by one of the following:
 - (a) an accredited institution of higher education;
 - (b) county, state, or federal agency;
 - (c) professional association, or similar body, involved in clinical mental health therapy; or
 - (d) mental health agency that provides clinical mental health services;
- (2) relevant to mental health therapy and suicide prevention that is consistent with the laws of this state and includes 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) completed in not less than 50-minute blocks of time in one of the following formats:
 - (a) classroom lecture and discussion;
 - (b) workshop;
 - (c) synchronous webinar;
 - (d) asynchronous online self-pace module;
 - (e) case study review; or
 - (f) simulation; and
- (4) certified as complete via an official document that contains at least the following:
 - (a) course attendance;
 - (b) title, objective, or official description of the course as outlined in Subsection (2);
 - (c) hours completed;
 - (d) name of provider; and
 - (e) date of completion.

R156-60e-302.2. Qualifications Specific to Social Work Licensure.

- (1) Under Subsections 58-60-205(1)(c)(ii) and 58-60-205(2)(c)(ii), a doctoral degree that contains a clinical social work concentration and practicum qualifying an applicant for LCSW licensure or CSW licensure shall include professional education that is specifically established to prepare an individual to practice or engage in clinical mental health therapy.
- (2) Under Subsection 58-60-205(3)(c)(ii), a master's degree qualifying an applicant for SSW licensure shall be from a regionally accredited institution of higher education in one of the following areas of study:
 - (a) clinical mental health counseling;
 - (b) education and human development;
 - (c) human and social services;
 - (d) marriage and family therapy;
 - (e) psychology;
 - (f) social, behavioral, or health sciences; or
 - (g) social work.
- (3) Under Subsection 58-60-205(3)(c)(iii)(B), the supervised individual's 2,000 hours of supervised qualifying experience for SSW licensure shall be performed:
 - (a) as an employee of an agency providing social work services and activities;
 - (b) according to a written social work job description approved by a licensed mental health therapist supervisor; and
 - (c) under the general supervision of an SSW, CSW, or master's level mental health license holder.
- (4) Under Subsection 58-60-205(1)(h)(i), an applicant for LCSW licensure shall pass the ASWB Clinical Exam.
- (5) Under Subsection 58-60-205(4), an applicant requesting additional testing time shall complete an ASWB application for non-standard testing arrangements.

R156-60e-302.3. Qualifications Specific to Marriage and Family Therapy Licensure.

- (1) Under Subsection 58-60-305(1)(c)(ii), an applicant for AMFT licensure or MFT licensure shall produce certified transcripts evidencing completion of a clinical master's degree or higher in marriage and family therapy or equivalent from an institution that was accredited by a professional accrediting body approved when the applicant obtained the education.

- (2) Under Subsection 58-60-305(1)(c)(ii), certified transcripts evidencing completion of a degree shall include the following:
- (a) six semester hours or nine quarter hours of coursework in theoretical foundations of marital and family therapy;
 - (b) nine semester hours or 12 quarter hours of coursework in assessment and treatment in marriage and family therapy including the most current diagnostic statistical manual;
 - (c) six semester hours or nine quarter hours of course work in human development and family studies that include ethnic minority issues, and gender issues including sexuality, sexual functioning, and sexual identity;
 - (d) three semester hours or four quarter hours in professional ethics;
 - (e) three semester hours or four quarter hours in research methodology and data analysis;
 - (f) three semester hours or four quarter hours in electives in marriage and family therapy; and
 - (g) a supervised clinical practicum that includes at least 400 hours as follows:
 - (i) at least 100 hours of direct clinical supervision; and
 - (ii) at least 300 hours of clinical mental health therapy practice under direct clinical supervision with at least 150 hours in couple or family therapy with two or more clients participating.
- (3)(a) An individual who is deficient in educational requirements as defined in Subsection R156-60e-102.3(4) post-degree under this section and qualifies for AMFT-Extern licensure under Section 58-60-117 may engage in marriage and family therapy under supervision as outlined in Section R156-60e-304.1.
- (b) No hour earned under Subsection (3)(a) may be counted toward an internship, practicum, or associate-level licensure.
- (4) Under Subsection 58-60-305(1)(g)(i), an applicant for MFT licensure shall pass one of the following exams:
- (a) Examination in Marital and Family Therapy administered by the Association of Marital and Family Therapy Regulatory Boards (AMFTRB); or
 - (b) Licensed Marriage and Family Therapist Clinical Examination by the California Board of Behavioral Sciences (BBS).

R156-60e-302.4. Qualifications Specific to Clinical Mental Health Counselor Licensure.

- (1) Under Subsection 58-60-405(1)(c), an applicant for ACMHC licensure or ACMHC-Extern licensure shall provide certified transcripts evidencing completion of a degree that includes the following:
- (a) at least three semester credit hours or four quarter credit hours of graduate-level courses in the following subjects:
 - (i) mental status examination, the appraisal of diagnostic and statistical manual maladaptive, and psychopathological behavior; and
 - (ii) professional and counseling ethics; and
 - (b) a practicum or internship that includes at least 700 documented hours of supervised clinical mental health counselor training of which at least 240 hours consist of providing clinical therapy directly to clients under the direction of an educational institution.
- (2) Under Subsection 58-60-117(1)(d), an individual applying for ACMHC-Extern licensure whose completed educational degree is deficient as defined in Subsection R156-60e-102.4(4) may apply for an ACMHC-Extern license while completing the missing coursework post-degree to obtain an ACMHC license if the courses are taken:
- (a) for full credit;
 - (b) through one institution; and
 - (c) from a master's or doctoral program in:
 - (i)(A) clinical mental health counseling, clinical rehabilitation counseling, or counselor education and supervision; and
 - (B) a program that is accredited by the Council for Accreditation of Counseling and Related Education Programs (CACREP); or
 - (ii) clinical mental health counseling or an equivalent field as defined in Subsection R156-60e-102.4(5), from an institution accredited by CHEA.
- (3)(a) An individual who qualifies to complete educational requirements post-degree under this section and qualifies for ACMHC-Extern licensure under Section 58-60-117 may engage in clinical mental health counseling under supervision as outlined in Section R156-60e-304.1.
- (b) No hour obtained under Subsection (2)(a) may be counted toward an internship, practicum, or associate-level licensure.
- (4) Under Subsection 58-60-405(1)(g)(i), an applicant for CMHC licensure shall pass the National Clinical Mental Health Counseling Examination (NCMHCE) from the NBCC.

R156-60e-302.5. Qualifications Specific to Substance Use Disorder and Master Addiction Counselor Licensure.

- (1) Under Subsections 58-60-506(1)(h)(i) and 58-60-506(4)(c)(iii), an applicant for MAC licensure or ASUDC licensure shall pass one of the following examinations:
- (a) Advanced Alcohol and Drug Counselor (AADC) Examination administered by the IC&RC;
 - (b) National Certified Addiction Counselor, Level II (NCAC II) Examination administered by the NCC AP;
 - (c) Master Addiction Counselor (MAC) Examination administered by the NCC AP; or
 - (d) Examination for Master Addiction Counselors (EMAC) administered by the National Board of Certified Counselors NBCC.
- (2) Under Subsection 58-60-506(6)(a)(ii), the completion of the equivalent of an associate's degree for SUDC licensure shall include at least 90 quarter credit hours or 60 semester credit hours of coursework from a regionally accredited institution of higher education or four years of work experience in a related field including:
- (a) human and social services;
 - (b) psychology;
 - (c) social work;
 - (d) social, behavioral, and health sciences; or
 - (e) as otherwise determined by the Board.

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(3)(a) Under Subsection 58-60-506(6)(a)(iii), an applicant for SUDC licensure shall complete each prerequisite course at a regionally accredited institution of higher education.

(b) The prerequisite courses shall:

(i) cover the following subjects:

(A) human growth and development across the lifespan and from conception to death; and

(B) general psychology; and

(ii) include a two-hour suicide prevention course as described in Section R156-60e-302.1.

R156-60e-302.6. Qualifications Specific To Behavioral Health Coach and Behavioral Health Technician Licensure.

Reserved.

R156-60e-303.1. Qualifications for Licensure or Certification - Alternate Examination Pathway.

An applicant for licensure using an alternate examination pathway under Subsection 58-60-205(1)(h)(ii) as an LCSW, 58-60-305(1)(g)(ii) as an MFT, 58-60-405(1)(g)(ii) as a CMHC, or 58-60-506(1)(h)(ii) as an MAC, shall submit the following:

(1) proof that the applicant attempted the qualifying professional examination after May 1, 2024, except an applicant for CMHC licensure who uses the NBCC's National Counselor Examination (NCE) to verify education in an equivalent field under Subsection R156-60e-102.4(5) may not use the NCE to qualify for licensure under the alternate examination pathway;

(2) a signed alternate exam pathway supervisor association form provided by the Division verifying that the applicant is choosing to use the alternate exam pathway before starting any hours toward the alternate exam pathway 500-hour requirement;

(3) a signed form provided by the Division verifying that the applicant's 500 hours of direct client care hours were obtained under one supervisor;

(4) a recommendation letter from the direct clinical supervisor that contains the following information:

(a) the applicant's:

(i) clinical competency;

(ii) consistency and accuracy of diagnosing;

(iii) orderly decision-making skills;

(iv) use of population-appropriate practices and modalities; and

(v) ability to efficiently and effectively:

(A) screen patients;

(B) make clinical assessments;

(C) draft appropriate treatment plans;

(D) use proper case management;

(E) use proper discharge procedures;

(F) apply ethics and legal standards including managing crises and required reporting;

(G) work within the professional scope of practice;

(H) document treatment; and

(I) use knowledge of profession-relevant laws and rules; and

(b) any ethical violation or concerning behavior by the applicant that occurred during supervision; and

(5) a letter of recommendation from a mental health professional approved by the applicant's direct clinical supervisor who observed the applicant's direct client care and includes the following information:

(a) observed practice including any concern regarding the applicant's work; and

(b) any ethical violation or concerning behavior by the applicant.

R156-60e-304.1. Supervised Clinical Experience Requirements.

(1) Under Subsections 58-60-102(3) and (7), 58-60-205(1)(d) and (e), 58-60-305(1)(d) and (e), 58-60-405(1)(d) and (e), and 58-60-506(1)(e) and (f), an applicant shall submit proof that the direct clinical supervision and direct client care hours were obtained as follows:

(a)(i) in Utah as an employee providing clinical mental health services;

(ii) in a state, district, or territory of the United States as an employee providing clinical mental health services if legally obtained under the current law of that state, territory, or district; or

(iii) internationally if:

(A) while the applicant obtained the supervision hours, the license was in a regulated mental health profession, active, and in good standing; or

(B) the applicant was unlicensed, with proof that the applicant's supervision hours were legally obtained as a mental health professional;

(b) in a public agency or private clinic;

(c) after the applicant received a master's or doctoral degree in mental health; and

(d) while the applicant holds an active Utah associate or CSW license, or the out-of-state equivalent.

(2) An applicant who is exempt from licensure under Subsection 58-1-307(1)(a) or (j) may obtain supervision hours while exempt from licensure.

(3) An applicant who is exempt from licensure under Subsection 58-1-307(1)(b) or (c) may not obtain supervision hours while exempt from licensure.

R156-60e-305.1. Clinical Supervisor Eligibility.

(1) Under Subsection 58-60-102(4), to be eligible to oversee the clinical supervision of a master's level license holder, the supervisor shall:

(a) be an active license holder in good standing in one of the following classifications:

(i) APRN specializing in the practice of clinical mental health therapy under Subsection R156-31b-302e(2);

(ii) CMHC;

(iii) LCSW;

(iv) MFT;

(v) physician who is board certified or board eligible in psychiatry;

(vi) psychologist; or

(vii) MAC;

(b)(i) hold a master's degree or higher; and

(ii) be licensed under Subsection (1)(a) for at least two years before providing supervision; and

(c) engaged in the lawful practice of providing clinical mental health therapy.

(2) A training supervisor shall comply with the duties and responsibilities established in Sections R156-60e-306.1 and R156-60e-307.1.

R156-60e-306.1. Supervision Contract.

Under Subsections 58-60-102(8) and (9), the supervision contract required for an individual to obtain clinical supervision for licensure is established and clarified as follows:

(1) before accruing clinical supervised experience, an individual shall enter a written supervision contract with an eligible supervisor that both parties sign; and

(2) a supervision contract shall include at least the following provisions:

(a) a plan to ensure the supervised individual has access to the supervisor;

(b) a plan for meetings between the supervisor and the supervised individual that addresses the following meeting parameters:

(i) frequency;

(ii) duration;

(iii) objectives;

(iv) format, such as individual or small group;

(v) location, such as face-to-face or remotely; and

(vi) HIPAA and other confidentiality compliance in technology use including artificial intelligence (AI) in practice;

(c) a plan for documenting the ongoing supervision including objective and measurable goals;

(d) a plan to address potential conflicts between the supervisor's clinical recommendation and the clinical recommendation of the supervised individual's employer;

(e) remedies in the event of a breach of contract by either the supervisor or the supervised individual including procedures for contract termination;

(f) reasons why clinical supervision hours may not meet a clinical supervision requirement;

(g) procedure for ensuring the supervisor signs the clinical supervision hours at least monthly;

(h) who to contact in an emergency;

(i) how notification will be provided to the supervised individual's clients or patients regarding the supervised individual's live or recorded direct client care; and

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

(i) how the supervisor and supervised individual will:

(A) meet remotely via synchronous electronic method that provides real-time communication through interactive technology that enables a supervisor at a distant site and a supervised individual at an originating site to interact simultaneously through two-way audio and video transmission; and

(B) protect the security of electronic confidential data and information;

(ii) how the supervisor will comply with the supervisor's duties and responsibilities;

(iii) in rural settings, how the supervisor will physically visit the location where the supervised individual practices;

(A) on at least a quarterly basis; or

(B) 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 supervised individual's clients or patients and employer regarding the supervised individual's use of remote supervision.

R156-60e-307.1. Duties and Responsibilities of a Clinical Supervisor.

(1) Before providing clinical supervision, a supervisor shall:

(a) enter a written supervision contract with the supervised individual; and

(b) ensure that during the period of supervised experience, the supervised individual is an employee providing clinical mental health services at a public agency or private clinic.

(2) A clinical supervisor shall have the following duties and responsibilities:

(a) ensure that during the period of clinical supervision:

(i) the clinical supervisor and supervised individual remain appropriately licensed; and

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- (ii) comply with the terms of the supervision contract;
- (b) maintain a relationship with the supervised individual in which the clinical supervisor is independent of control, and the ability of the clinical supervisor to supervise and direct the practice of the supervised individual is not compromised;
- (c) be available to the supervised individual for advice, consultation, and direction that is consistent with the standards and ethics of the profession and the requirements suggested by the totality of the circumstances including consideration of the supervised individual's level of training, diagnosis of patients, and other factors known to the supervisor;
- (d) periodically review the client records assigned to the supervised individual;
- (e) comply with the confidentiality requirements of Section 58-60-114;
- (f) monitor the supervised individual's performance for compliance with the laws, rules, standards, and ethics of the profession, and report any violation to the Division;
- (g) be professionally responsible for the acts and practices of the supervised individual that are a part of the required clinical supervision; and
- (h) upon completion of the clinical supervised training, submit the following to the Division on forms provided by the Division:
 - (i) documentation of the clinical supervision hours completed by the supervised individual; and
 - (ii) the supervisor's evaluation of the supervised individual concerning the quality of the work performed and the supervised individual's competency to practice in the profession.
- (3)(a) If a clinical supervisor does not support the Division's issuance of a license to a supervised individual to practice unsupervised, or if the clinical supervisor has another concern regarding the supervised individual that the clinical supervisor believes requires input from the Division and Board, then the clinical supervisor shall submit the following to the Division:
 - (i) a current clinical supervision hours reporting form; and
 - (ii) a written explanation outlining the clinical supervisor's concerns.
- (b) After the Division receives a clinical supervisor's written concerns, the Division:
 - (i) shall provide the supervised individual with an opportunity to respond to the Division in writing regarding the clinical supervisor's concerns;
 - (ii) shall review the written statements from the clinical supervisor and supervised individual with the Board; and
 - (iii) in consultation with the Board, may require the supervised individual to obtain additional clinical supervised hours, education, or training before the supervised individual may be licensed.
- (4) A clinical supervisor shall notify the Division in writing within 30 days of the following changes:
 - (a) termination of a supervision contract;
 - (b) a change in the supervised individual's place of employment; or
 - (c) disciplinary action taken against a supervised individual at their place of employment.

R156-60e-308.1. Duties and Responsibilities of a Supervised Individual.

- (1) A supervised individual shall have the following duties and responsibilities:
 - (a) before beginning any clinical supervised training:
 - (i) enter a written supervision contract with the clinical supervisor under Section R156-60e-306.1; and
 - (ii) submit to the Division a signed clinical supervisor association form provided by the Division;
 - (b) maintain required licensure;
 - (c) maintain employment providing clinical mental health services at a public agency or a private clinic;
 - (d) comply with the terms of the supervision contract;
 - (e) maintain a relationship with the clinical supervisor in which the clinical supervisor is independent of control from the supervised individual, and the ability of the clinical supervisor to supervise and direct the practice of the supervised individual is not compromised;
 - (f) comply with the confidentiality requirements of Section 58-60-114; and
 - (g) comply with the applicable laws, rules, standards, and ethics of the profession.
- (2) A supervised individual shall notify the Division in writing within 30 days of the following changes:
 - (a) termination of a supervision contract;
 - (b) a change in the supervised individual's place of employment; or
 - (c) disciplinary action taken against a supervised individual at their place of employment.

R156-60e-402.1. Ongoing Professional Development - Continuing Education.

- (1) Under Subsection 58-60-102.5(5)(d), and Sections 58-60-105 and 58-60-205.5, and subject to Subsection (9), the hours of ongoing professional development requirements or continuing education requirements for each two-year renewal cycle shall:
 - (a) be completed by a licensed individual based on the educational degree used for licensure or the equivalent as follows:
 - (i) 40 hours for a master's degree or higher;
 - (ii) 20 hours for a bachelor's degree; or
 - (iii) ten hours for an associate's degree; and
 - (b) include:
 - (i) six hours of professional ethics, law, or ethics of technology; and
 - (ii) two hours in suicide prevention through a course that meets the requirements of Section R156-60e-302.1.

(2) A licensed individual who completes more than the required number of ongoing professional development hours during a two-year renewal cycle may carry over excess hours to the next two-year renewal cycle based on educational degree used for licensure or equivalent as follows:

- (a) up to ten hours for a master's degree or higher;
- (b) up to five hours for a bachelor's degree; or
- (c) up to five hours for an associate's degree.

(3) Under Subsection 58-60-102.5(5)(d) and Sections 58-60-105 and 58-60-205.5, a licensed individual shall complete the ongoing professional development hours required under Subsection (1) through courses that are:

(a) approved, conducted, or under the sponsorship of one of the following:

- (i) an accredited institution of higher education;
- (ii) county, state, or federal agency;
- (iii) professional association, or similar body, involved in clinical mental health therapy or substance use disorder treatment; or
- (iv) mental health agency that provides clinical mental health services or substance use disorder treatment;

(b) completed in one of the following formats:

(i) college or university lecture and discussion, up to three ongoing professional development hours per semester hour or one and one-half hours per quarter hour;

(ii) professional conference;

(iii) lecture or instruction, up to two times per course and up to five hours;

(iv) seminar;

(v) training session;

(vi) synchronous distance learning course that is clearly documented as real-time and interactive;

(vii) asynchronous distance learning course that is not real-time or interactive, up to 10 hours;

(viii) specialty certification;

(ix) certifiable clinical readings, up to ten hours;

(x) direct clinical supervision of a licensed individual completing the experience requirements for advanced licensure, up to ten hours;

(xi) volunteer service on a board, committee, or in a leadership role in any state, national, or international organization for the development and improvement of the licensed individual's profession up to six hours;

(xii) volunteer service providing mental health services, up to ten hours;

(xiii) peer case consultation, up to ten hours; or

(xiv) peer direct observation, up to ten hours;

(c) prepared and presented by an individual who is qualified by education, training, and experience to provide ongoing professional development;

(d) relevant to the licensed individual's scope of practice; and

(e) is verified by:

(i) a certificate of course completion that shall include the following:

(A) name of the attendee;

(B) name of course provider;

(C) name of instructor;

(D) date of the course;

(E) title of the course;

(F) number of course hours;

(G) course objectives; and

(H) format of professional development under Subsection (3)(b); or

(ii) a letter from:

(A) a peer who also participated; or

(B) an individual who oversaw the licensee's volunteer service.

(4) A licensed individual shall maintain adequate documentation as proof of compliance for two years after the end of the renewal cycle for which the ongoing professional development is due.

(5) An individual may only carry forward ongoing professional development hours completed after the renewed license was initially granted including any professional upgrade.

(6) Ongoing professional development hours shall be increased or decreased proportionately based on the date of licensure within the two-year renewal cycle.

(7) Under Section R156-1-308d, the Division may defer or waive ongoing professional development requirements.

(8) The Division shall randomly audit a licensed individual's ongoing professional development hours during each two-year renewal window.

(9) To maintain approval, Division-approved clinical supervisors shall complete an additional six hours of ongoing professional development specifically related to supervision during each two-year renewal cycle.

R156-60e-403.1. Renewal and Reinstatement of License.

(1) Under Subsection 58-1-308(1), the renewal date for the two-year renewal cycle applicable to licenses under Title 58, Chapter 60, Mental Health Professional Practice Act, is established in Section R156-1-308a.

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(2) Under Section 58-60-117, the Division may extend a current externship license or reinstate an expired externship license for one additional three-year term if the licensed individual completes the following:

- (a) submits an application;
- (b) pays the application fee; and
- (c) has attempted the profession-specific exam at least once while holding the previous extern license.

(3) Under Sections 58-60-304, 58-60-404, and 58-60-504, the Division may reinstate an associate license for one additional three-year term if the licensed individual completes the following:

- (a) submits an application;
- (b) pays the application fee;
- (c) has completed at least 40 hours of ongoing professional development under Section R156-60e-402.1 during the preceding two years;

- (d) has attempted the specific mental health profession exam at least once while holding the previous associate license; and
- (e) has completed at least one-half of the supervision hours required to advance licensure.

(4) Under Subsections 58-60-102.5(4)(d)(iii), 58-60-102.5(4)(e)(iii), and 58-60-102.5(4)(f)(iii), reinstatement procedures shall be in accordance with this section and Sections R156-1-308a through R156-1-308l, except as provided in Subsection (5).

(5) Under Subsection 58-1-308(6)(a) and Section R156-1-308g, an applicant for reinstatement of licensure whose unencumbered license has been expired between two and five years shall, upon Division request:

- (a) meet with the Behavioral Health Board's Qualification and Professional Development Advisory Committee to evaluate the applicant's ability to safely and competently practice within the scope for the license held; and
- (b) if recommended by the Behavioral Health Board's Qualification and Professional Development Advisory Committee with the concurrence of the Behavioral Health Board, complete one or more of the following:

(i) establish a plan of clinical supervision under an approved supervisor which may include up to 1,200 hours of direct client care while holding an associate's level license or CSW license before qualifying for reinstatement of full master's level licensure; or

(ii) complete up to 40 hours of continuing education in subjects determined by the Behavioral Health Board's Qualification and Professional Development Advisory Committee.

(6) Under Subsections 58-1-308(5)(a) and (6)(a) and Section R156-1-308h, an applicant for reinstatement of licensure whose license was suspended, revoked, or otherwise disciplined shall, upon Division request:

(a) meet with the Behavioral Health Board's Background and Investigations Advisory Committee to evaluate the applicant's ability to safely and competently practice within the scope for the license held; and

(b) if recommended by the Background and Investigations Advisory Committee with the concurrence of the Behavioral Health Board, agree to one of the following:

- (i) a three-year probationary license with conditions set by the Behavioral health Board; or
- (ii) a five-year probationary license with conditions set by the Behavioral Health Board.

R156-60e-502.1. Unprofessional Conduct Affecting All Mental Health License Holders.

Under Subsection 58-60-110(2), "unprofessional conduct" includes:

(1) using one of the following abbreviated titles without the required licensure:

- (a) ACMHC;
- (b) ACMHC-Extern;
- (c) AMAC;
- (d) AMAC-Extern;
- (e) AMFT;
- (f) AMFT-Extern;
- (g) ASUDC;
- (h) BHC unless licensed has a behavioral health coach;
- (i) CMHC;
- (j) CSW;
- (k) LCSW;
- (l) MAC;
- (m) MFT;
- (n) SSW; or
- (o) SUDC;

(2) acting as a supervisor or accepting supervision from a supervisor without complying with or ensuring compliance with Subsections 58-60-102(2), (4), and (7) through (10), and Sections R156-60e-306.1, R156-60e-307.1, and R156-60e-308.1;

(3) directing one's clinical supervisor to engage in a practice that would violate any statute, rule, or generally accepted professional or ethical standard of the supervisor's profession;

(4) directing a supervised individual to engage in a practice that would violate any statute, rule, or generally accepted professional or ethical standard of the supervised individual's profession;

(5) engaging in, aiding, or abetting:

- (a) conduct or a practice that is dishonest, deceptive, or fraudulent;
- (b) deceptive or fraudulent billing practices;

- (c) sexual harassment or any conduct that is exploitive or abusive concerning a student, trainee, employee, or colleague with whom the licensed individual has supervisory or management responsibility; or
- (d) physical contact with a client when there is a risk of exploitation or potential harm to the client resulting from the contact;
- (6) engaging in a dual relationship or multiple relationships with a client or former client in violation of the standards set by the licensee's professional code of ethics as established in this rule;
- (7) knowingly engaging in a sexual activity or sexual contact with a client's relative or another individual with whom the client maintains a relationship in violation of the standards set by the licensee's professional code of ethics as established in this rule;
- (8) exploiting one of the following for personal gain:
 - (a) a client;
 - (b) a former client; or
 - (c) an individual who has a personal relationship with a client;
- (9) failing to:
 - (a) establish and maintain professional boundaries with a client or former client;
 - (b) exercise professional discretion and impartial judgment required for the performance of professional activities, duties, and functions;
- (c) provide impartial, objective, and informed services, recommendations, or opinions concerning:
 - (i) custodial or parental rights;
 - (ii) divorce;
 - (iii) domestic relationships;
 - (iv) adoption;
 - (v) mental competency;
 - (vi) mental health; or
 - (vii) another determination concerning an individual's civil or legal rights;
- (d) maintain client records including records of assessment, treatment, progress notes, and billing information, for at least ten years from the documented termination of services to the client;
- (e) provide client records in a reasonable time upon written request of the client or the client's legal guardian;
- (f) obtain informed consent from the client or the client's legal guardian before recording or permitting a third-party observation of a client's activities or records;
- (g) protect the confidences of an individual named or identified in the client records;
- (h) 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;
- (i) cooperate with the Division during an investigation;
- (j) obtain a thorough working knowledge of the Code of Ethics specifically related to the licensed individual's professional practice;
- (k) as a supervisor, obtain a thorough working knowledge of the Code of Ethics specifically related to any supervised individual's professional practice; or
- (l) provide notification as required under Subsection 58-60-110(1)(e) on each agency or practitioner website, or if no website exists, provide notification by paper or electronic document to each individual receiving mental health services;
- (10) when providing services remotely, failing to:
 - (a) practice according to professional standards of care in the delivery of services;
 - (b) protect the security of electronic confidential data and information; or
 - (c) appropriately store and dispose of electronic confidential data and information; or
- (11) violating:
 - (a) Section R156-60e-304.1 regarding supervised experience;
 - (b) Section R156-60e-307.1 as a supervisor; or
 - (c) Section R156-60e-308.1 as a supervised individual.

R156-60e-502.2. Unprofessional Conduct Specific To Social Work Licensed Professionals.

- Under Subsection 58-60-110(2), "unprofessional conduct" includes:
 - (1) failing to abide by the following:
 - (a) NASW Code of Ethics as approved by the 1996 NASW Delegate Assembly and revised by the 2020 and 2021 NASW Delegate Assembly, which is incorporated by reference; and
 - (b) NASW, ASWB, CSWE, and Clinical Social Work Association (CSWA) Standards for Technology in Social Work Practice as approved by the 2017 NASW Delegate Assembly, which is incorporated by reference; or
 - (2) engaging in the supervised practice of clinical mental health therapy as a licensed CSW if the licensed individual:
 - (a) has not completed a clinical practicum while obtaining a master's degree accredited by CSWE or the Canadian Association of Schools of Social Work; or
 - (b) is not in compliance with Subsection 58-60-110(1)(b) and Sections R156-60e-306.1 and R156-60e-308.1.

R156-60e-502.3. Unprofessional Conduct Specific To Marriage and Family Therapy Licensed Professionals.

- Under Subsection 58-60-110(2), "unprofessional conduct" includes:
 - (1) failing to abide by the AAMFT Code of Ethics, effective January 1, 2015, which is incorporated by reference; or

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(2) engaging in the supervised practice of clinical mental health therapy as a licensed AMFT or AMFT-Extern if the licensed individual:

(a) has not completed a clinical practicum while obtaining a master's degree accredited by the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE); or

(b) is not in compliance with Subsection 58-60-110(1)(b) and Sections R156-60e-306.1 and R156-60e-308.1.

R156-60e-502.4. Unprofessional Conduct Specific To Clinical Mental Health Counselor Licensed Professionals.

Under Subsection 58-60-110(2), "unprofessional conduct" includes:

(1) failing to abide by the American Mental Health Counselors Association's ACMHC Code of Ethics, Revised 2020, which is incorporated by reference; or

(2) engaging in the supervised practice of clinical mental health therapy as a licensed ACMHC or ACMHC-Extern if the licensed individual:

(a) has not completed a clinical practicum while obtaining a master's degree accredited by CHEA or the Council for Accreditation of Counseling and Related Educational Programs (CACREP); or

(b) is not in compliance with Subsection 58-60-110(1)(b) and Sections R156-60e-306.1 and R156-60e-308.1.

R156-60e-502.5. Unprofessional Conduct Specific To Substance Use Disorder and Master Addiction Counselor Licensed Professionals.

Under Subsection 58-60-110(2), "unprofessional conduct" includes:

(1) failing to abide by the NAADAC/NCC AP Code of Ethics, January 1, 2021 edition, which is incorporated by reference;

(2) engaging in the supervised practice of substance use disorder treatment as a licensed ASUDC if the licensed individual:

(a) has not completed a substance use disorder education program accredited by CHEA; or

(b) is not in compliance with Subsection 58-60-110(1)(b) and Sections R156-60e-306.1 and R156-60e-308.1; or

(3) engaging in the supervised practice of clinical mental health or substance use disorder therapy as a licensed AMAC or AMAC-Extern if the licensed individual:

(a) has not completed a clinical practicum while obtaining a master's degree accredited by:

(i) CHEA; or

(ii) the National Addiction Studies Accreditation Commission (NASAC); or

(b) is not in compliance with Subsection 58-60-110(1)(b) and Sections R156-60e-306.1 and R156-60e-308.1.

R156-60e-502.6. Unprofessional Conduct Specific To Behavioral Health Coach and Behavioral Health Technician Licensed Professionals.

Under Subsection 58-60-110(2), "unprofessional conduct" includes:

(1) failing to abide by the following:

(a) NASW Code of Ethics as approved by the 1996 NASW Delegate Assembly and revised by the 2020 and 2021 NASW Delegate Assembly, which is incorporated by reference; and

(b) NASW, ASWB, CSWE, and Clinical Social Work Association (CSWA) Standards for Technology in Social Work Practice as approved by the 2017 NASW Delegate Assembly, which is incorporated by reference; or

(2) engaging in the supervised practice of providing mental health or substance use disorder services as a licensed behavioral health coach if the licensed individual:

(a) has not completed a practicum while obtaining a bachelor's degree from a regionally accredited institution of higher education;
or

(b) is not in compliance with Subsection 58-60-110(1)(b) and Subsections 58-60-601(4) and (6)(a).

KEY: licensing, social worker, therapist, marriage and family therapist, counselor, mental health, clinical mental health counselor, substance use disorder counselor, master addiction counselor, behavioral health coach, behavioral health technician

Date of Last Change: 2025

Authorizing, and Implemented or Interpreted Law: 58-1-106(1)(a); 58-1-202(1)(a); 58-60-201; 58-60-301; 58-60-401; 58-60-501

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or section number:

R477-8

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Agency Information

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|----------------------------|--|
| 1. Title catchline: | Government Operations, Human Resource Management |
| Building: | Taylorsville State Office Building |
| Street address: | 4315 S 2700 W |
| City, state: | Taylorsville, UT |