

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

MARRIAGE AND FAMILY THERAPY – GENERAL RULES

Filed with the secretary of state on December 16, 2021

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16145, 16148, 16901, 16903, 16909, and 16913 of the public health code, 1978 PA 368, MCL 333.16145, 333.16148, 333.16901, 333.16903, 333.16909, and 333.16913, and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, 445.2001, 445.2011, and 445.2030)

R 338.7202, R 338.7203, R 338.7205, R 338.7207, R 338.7209, R 338.7211, R 338.7213, R 338.7215, and R 338.7219 of the Michigan Administrative Code are amended, and R 338.7204 is added, as follows:

PART 1. GENERAL PROVISIONS

R 338.7202 Training standards for identifying victims of human trafficking; requirements.

Rule 2. (1) Under section 16148 of the code, MCL 333.16148, an individual seeking licensure or registration or who is licensed or registered shall complete training in identifying victims of human trafficking that satisfies the following standards:

(a) Training content must cover all the following:

(i) Understanding the types and venues of human trafficking in Michigan or the United States.

(ii) Identifying victims of human trafficking in health care settings.

(iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.

(iv) Resources for reporting the suspected victims of human trafficking.

(b) Acceptable providers or methods of training include any of the following:

(i) Training offered by a nationally recognized or state-recognized, health-related organization.

(ii) Training offered by, or in conjunction with, a state or federal agency.

(iii) Training obtained in an educational program approved for initial licensure, or by a college or university.

(iv) Reading an article related to the identification of victims of human trafficking that satisfies the requirements of subdivision (a) of this subrule and is published in a peer review journal, health care journal, or professional or scientific journal.

(c) Acceptable modalities of training include any of the following:

- (i) Teleconference or webinar.
- (ii) Online presentation.
- (iii) Live presentation.
- (iv) Printed or electronic media.

(2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:

(a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.

(b) A self-certification statement by an individual. The certification statement must include the individual's name and either of the following:

(i) For training completed under subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.

(ii) For training completed under subrule (1)(b)(iv) of this rule, the title of article, author, publication name of peer review journal, health care journal, or professional or scientific journal, and date, volume, and issue of publication, as applicable.

(3) Under section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply for license renewals beginning with the 2017 renewal cycle and for initial licenses issued after March 17, 2021.

R 338.7203 Limited license.

Rule 3. (1) An individual applying for a limited license under section 16903(3) of the code, MCL 333.16903, shall provide a completed application on a form provided by the department, together with the requisite fee.

(2) In addition to satisfying the requirements of the code, an individual applying for a limited license shall satisfy both of the following requirements:

(a) Satisfy either of the following educational requirements, as specified under section 16909(1)(a)(i) or (ii) of the code, MCL 333.16909:

(i) Possess a master's degree or higher graduate degree from an approved training program in marriage and family therapy that satisfies the accreditation standards in R 338.7211(1).

(ii) Possess a master's degree or higher graduate degree from an approved college or university that satisfies the accreditation standards in R 338.7211(2) and complete the graduate-level courses in section 16909(1)(a)(ii) of the code, MCL 333.16909.

(b) Complete a supervised clinical marriage and family therapy experience, as specified under section 16909(1)(b) of the code, MCL 333.16909, in conjunction with the applicant's educational program. The supervised experience must be obtained either in a clinical practicum during graduate education or in a postgraduate marriage and family institute training program accredited under R 338.7211(2).

(3) A limited license is renewed annually and may not be renewed more than 5 times.

R 338.7204 Telehealth.

Rule 4. (1) A licensee shall obtain consent for treatment before providing a telehealth service under section 16284 of the code, MCL 333.16284.

(2) A licensee shall keep proof of consent for telehealth treatment in the patient's up-to-date medical record and follow section 16213 of the code, MCL 333.16213.

(3) A licensee providing any telehealth service shall do both of the following:

- (a) Act within the scope of the licensee's practice.
- (b) Exercise the same standard of care applicable to a traditional, in-person health care service.

R 338.7205 Licensure requirements.

Rule 5. An applicant for licensure as a marriage and family therapist shall provide a completed application on a form provided by the department, together with the requisite fee. In addition to satisfying the requirements of the code, an applicant for licensure shall satisfy all the following requirements:

(a) Satisfy either of the following educational requirements, as specified under section 16909(1)(a) of the code, MCL 333.16909:

(i) Possess a master's degree or higher graduate degree earned from an approved training program in marriage and family therapy that satisfies the accreditation standards in R 338.7211(1).

(ii) Possess a master's degree or higher graduate degree from an approved college or university that satisfies the accreditation standards in R 338.7211(2) and complete the graduate-level courses in section 16909(1)(a)(ii) of the code, MCL 333.16909.

(b) Complete a supervised clinical marriage and family therapy experience that satisfies the requirements of section 16909(1)(b) of the code, MCL 333.16909, in conjunction with the applicant's educational program. The supervised experience must be obtained either in a clinical practicum during graduate education or in a postgraduate marriage and family institute training program accredited under R 338.7211(2).

(c) Obtain not less than 1,000 direct client contact hours in a supervised marriage and family therapy experience, as required under section 16909(1)(c) of the code, MCL 333.16909.

(d) Pass the examination under R 338.7209.

R 338.7207 Examinations; eligibility.

Rule 7. (1) To establish eligibility for the examination under R 338.7209, an applicant shall provide a completed application on a form provided by the department, together with the requisite fee.

(2) To be eligible to sit for the examination in marital and family therapy, an applicant shall satisfy either R 338.7203(2)(a) and (b) or R 338.7205(a) and (b).

R 338.7209 Examination adoption.

Rule 9. The Marital and Family Therapy National Examination conducted and scored by the Association of Marital and Family Therapy Regulatory Boards (AMFTRB) is approved and adopted. The passing score for the Marital and Family Therapy National Examination is the passing score established by the AMFTRB.

R 338.7211 Adoption of standards by reference.

Rule 11. (1) The accreditation standards of the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE) are adopted by reference. The standards are set forth in the publication entitled “Accreditation Standards Graduate & Post-Graduate Marriage and Family Therapy Training Programs Version 12.5,” published December 2020, which is available at no cost from the commission’s website at <http://www.coamfte.org/>. Copies of the standards also are available for inspection and distribution at a cost of 10 cents per page from the Board of Marriage and Family Therapy, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan 48909.

(2) A higher education institution is considered approved if it is accredited by the accrediting body of the region in which the institution is located, and the accrediting body satisfies either the recognition standards and criteria of the Council for Higher Education Accreditation (CHEA) or the recognition procedures and criteria of the United States Department of Education. The procedures and criteria for recognizing accrediting agencies of the United States Department of Education, effective July 1, 2010, as contained in 34 CFR part 602, and the “Recognition of Accrediting Organizations, Policies and Procedures of the Council for Higher Education Accreditation, CHEA,” effective September 28, 2018, are adopted by reference. Copies of the policies and procedures of CHEA as well as the procedures and criteria of the United States Department of Education are available for inspection and distribution at a cost of 10 cents per page from the Board of Marriage and Family Therapy, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan 48909. The CHEA recognition standards may also be obtained at no cost from the council’s website at <http://www.chea.org/>. The federal recognition criteria may also be obtained at no cost from the website for the U.S. Department of Education Office of Postsecondary Education, at <https://www2.ed.gov/about/offices/list/ope/index.html>.

R 338.7213 Licensure by endorsement.

Rule 13. (1) An applicant for a marriage and family therapy license by endorsement who satisfies the requirements of the code and this rule satisfies the requirements of section 16186 of the code, MCL 333.16186. The department shall issue a marriage and family therapist license to an applicant who satisfies all the following requirements:

(a) Provides the required fee and a completed application on a form provided by the department.

(b) Holds a current and full marriage and family therapist license in another state or in a province of Canada.

(c) Completed the educational requirements for a marriage and family therapist license in a province of Canada or another state to obtain licensure as a marriage and family therapist in a province of Canada or another state.

(d) Received a passing score on either of the following examinations for a marriage and family therapist license in a province of Canada or another state to obtain licensure as a marriage and family therapist in a province of Canada or another state:

(i) The examination adopted under R 338.7209.

(ii) The Licensed Marriage and Family Therapist California Clinical Examination.

(2) An applicant who is or has been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country shall disclose that fact on the application form. The applicant shall satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application. If licensure is granted and it is determined that sanctions have been imposed, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

R 338.7215 Relicensure.

Rule 15. (1) An applicant may be relicensed within 3 years after the expiration date of the license under section 16201(3) of the code, MCL 333.16201, if the applicant satisfies all of the following requirements:

(a) Provides the required fee and a completed application on a form provided by the department.

(b) Establishes good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.

(2) An applicant may be relicensed more than 3 years after the expiration date of the license under section 16201(4) of the code, MCL 333.16201, if the applicant satisfies all of the following requirements:

(a) Provides the required fee and a completed application on a form provided by the department.

(b) Establishes good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.

(c) Provides fingerprints as required under section 16174(3) of the code, MCL 333.16174.

(d) Satisfies either of the following requirements:

(i) Possesses a current unrestricted license in a province of Canada or another state.

(ii) Documents that the applicant has achieved a passing score on the examination approved under R 338.7209.

(3) An applicant who is or has been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country shall disclose that fact on the application form. The applicant shall satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of

application. If licensure is granted and it is determined that sanctions have been imposed, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

R 338.7219 License renewal; requirements.

Rule 19. (1) An applicant for license renewal who has been licensed for the 2-year period immediately preceding the application for renewal shall provide the required fee and a completed application on a form provided by the department.

(2) A license renewed within 60 days after the expiration date is subject to the requirements set forth under section 16201(2) of the code, MCL 333.16201.