

**NORTH DAKOTA MARRIAGE AND FAMILY THERAPY
LICENSURE BOARD**



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December 31, 2021

Representative Jon O. Nelson, Chairman,
Legislative Management's Acute Psychiatric Treatment Committee

Re: Section 1 of Senate Bill No. 2336 (2021) Review

Dear Chairman Nelson,

Please find responses to the requested questions.

1. Mental and behavioral health services provided by licensees;

Marriage and Family Therapists (MFTs) are mental health professionals trained in psychotherapy and family systems, and licensed to diagnose and treat mental and emotional disorders within the context of marriage, couples and family systems. Marriage and family therapists are a highly experienced group of practitioners, with an average of 13 years of clinical practice in the field of marriage and family therapy. They evaluate and treat mental and emotional disorders, other health and behavioral problems, and address a wide array of relationship issues within the context of the family system. Marriage and Family Therapists broaden the traditional emphasis on the individual to attend to the nature and role of individuals in primary relationship networks such as marriage and the family. MFTs take a holistic perspective to health care; they are concerned with the overall, long-term well-being of individuals and their families. MFTs have graduate training (a Master's or Doctoral degree) in marriage and family therapy and at least two years of clinical experience. Marriage and family therapists are recognized as a "core" mental health profession, along with psychiatry, psychology, social work and psychiatric nursing.

2. The frequency of rule review;

The first Administrative 111 Rules Review occurred in 2017 taking effect on January 1, 2018. Presently, the Board is working on Rule Revisions to be submitted to Legislative Council in 2022-2023.

3. Licensing requirements;

111-02-02-02. Educational requirements - Determination of equivalent degree.

1. In determining whether an applicant holds a master's or doctoral degree that is equivalent to degrees described in North Dakota Century Code section 43-53-06, the board shall evaluate the

applicant's transcripts, documentation from the educational institution that describes the substance and purpose of the applicant's academic training, accreditation and other professional recognition of the educational institution by regional accrediting bodies, and other necessary information as determined by the board. All requested documentation must be sent directly from the educational institution to the board.

2. A master's or doctoral degree is equivalent to a master's or doctoral degree in marriage and family therapy if the degree is from a regionally accredited institution, if the degree is in a related subject field, and if the degree contains the following coursework of fifty-four semester hours minimum:

a. Nine semester hours in human development covering human development, human behavior, personality theory, human sexuality, psychopathology, including the etiology and diagnosis of mental illness, and behavior pathology;

b. Three semester hours required in systemic/relational assessment and mental health diagnosis and treatment, covering the development of competency in traditional psychodiagnostic categories, assessment, diagnosis, and treatment of major mental health issues as well as a wide variety of common presenting problems, including addiction; suicide; trauma; abuse; intrafamilial violence; and therapy for individuals, couples, and families managing acute chronic medical conditions, utilizing a systemic/relational philosophy.

c. Six semester hours in marital and family studies covering theories of family development, theories of family functioning, the family life cycle, sociology of the family, families under stress, contemporary family forms, family subsystems, theories of marital and family interaction, theories of child development, lifespan, and theories of gerontology;

d. Twelve semester hours in marital and family therapy covering marital and family communication, family psychology, family therapy, methods of intervention, family assessment, treatment planning, sex therapy, major theories of marital and family therapy such as structural, strategic, transgenerational, experiential, object relations, contextual, systemic therapy, solution-focused therapy, narrative, and biofeedback methodologies;

e. Three semester hours in research covering research design, methods, statistics, and special issues research in marital and family studies or a related field;

f. Three semester hours in professional studies covering professional socialization, professional organizations, legal issues, interprofessional cooperation, professional ethics, and family law;

g. Nine semester hours required to demonstrate courses which include content on issues of diversity (race, gender, sexual orientation, spirituality, class, etc.), and psychopharmacology; and

h. Nine semester hours in a clinical practicum in marriage and family therapy or at least five hundred hours or twelve months of clinical client contact with individuals, couples, and families for the purpose of assessment and intervention. Of the five hundred hours, no more than two hundred fifty hours may be with individuals. This clinical experience must be supervised onsite or at the academic institution by a licensed and family therapist or an American association for marriage and family therapy-approved supervisor.

History: Effective July 1, 2010; amended effective January 1, 2018. General Authority: NDCC 28-32-02, 43-53-05 Law Implemented: NDCC 43-53-06

111-02-02-03. Experience requirements.

1. The two years (full time, or up to forty-eight months part time) of supervised, postgraduate experience required by subsection 3 of North Dakota Century Code section 43-53-06 must meet the following:
2. In calculating two years of supervised postgraduate experience in marriage and family therapy, the board shall accept a minimum of three thousand hours, of which one thousand five hundred hours of direct clinical client contact, including the assessment, diagnosis, and treatment of mental illness as specified in subsection 3 with two hundred hours of postgraduate supervision by a North Dakota or other approved jurisdiction licensed marriage and family therapist supervisor over a period of not less than twenty-four months, full time, and no more than forty-eight months, part time. All additional work used to complete this two-year experience may be supervised in a legal and ethical manner by a licensed marriage and family therapist credentialed for supervision or a licensed mental health professional as specified in the North Dakota Century Code chapter 43-53 approved supervisor definition.
3. The applicant must demonstrate at least five hundred hours of the direct clinical client contact required in each of the following categories of cases: a. Unmarried couples, married couples, and separating and divorcing couples; b. Family groups, including children; and c. Individual services. This contact shall include experience in the assessment, diagnosis, and treatment of mental illness. The board may consider waiving part of this requirement for good cause shown.
4. The supervision by a North Dakota or other jurisdiction licensed marriage and family therapist shall take place in individual and group settings, according to the following:
 - a. The individual supervision shall take place in a setting in which a supervisor and not more than two supervisees are present.
 - b. The group supervision shall take place in a setting in which a supervisor and not more than six supervisees, but not less than three supervisees, are present.
5. Supervision must involve:
 - a. At least two hundred hours of face-to-face contact between the supervisor and supervisee of which at least one hundred hours must be in individual settings.
 - b. One hundred hours of supervision per year full time or fifty hours per year part time.
 - c. A focus on the raw data from the supervisee's clinical work that is made directly available to the supervisor through means of written clinical materials, direct observation, and audio or video recordings.
 - d. During the period of supervised experience, an associate may be employed on a salary basis or be used within an established supervisory setting. The established settings must be structured

with clearly defined job descriptions and areas of responsibility. The board may require that the applicant provide documentation of all work experience.

e. During the postgraduate supervision, both the supervisor and the associate may have disciplinary actions taken against their licenses for violations of the act or administrative rules.

f. Supervision must be conducted under a supervision agreement, which must be submitted to the board on the official form within sixty days of the initiation of supervision.

g. The associate must receive a minimum of one hour of supervision every two weeks. A supervision hour is fifty minutes. Up to one hundred hours of the two hundred hours of face-to-face supervision may occur via secured telephonic or other electronic media, as approved by the supervisor.

h. An associate may have no more than two board-approved supervisors at a time, unless given prior approval by the board or its designee.

i. The associate may receive credit for up to five hundred clock-hours toward the required three thousand hours of supervised clinical services by providing services via telephonic or other electronic media, as approved by the supervisor.

6. A supervisee must verify the required supervised experience by completing a form supplied by the board. The form must be signed by the applicant's supervisor and be deemed truthful subject to penalties for making a false statement under North Dakota Century Code section 12.1-11-02. The form must include the setting, nature, and extent of the supervised experience, the time period involved, the number of hours of clinical client contact, the number of hours of supervision, and the name and qualifications of each supervisor.

History: Effective July 1, 2010; amended effective January 1, 2018. General Authority: NDCC 23-32-02, 43-53-05 Law Implemented: NDCC 43-53-06

4. History and trends of the licensing of foreign practitioners and any additional licensure requirements for foreign practitioners;

The ND Marriage and Family Therapy Licensure Board has not received any applications for license in North Dakota for Licensed Marriage and Family Therapy.

5. Reciprocity agreements with surrounding states;

111-02-03-06. License by endorsement.

1. The board shall issue a marriage and family therapist license to an applicant who holds a current license as a marriage and family therapist from another state or country if the board determines that the standards for licensure in effect when the individual was licensed in the other state or country are at least equivalent to or exceed the current requirements for licensure in North Dakota. If an applicant for licensure by endorsement was licensed in another state or country without passing the written examination specified in section 111-02-03-02, but meets all other North Dakota requirements, the applicant may submit an application for licensure by endorsement after passing the examination under subsections 1 through 3 of section 111-02-03-

05. All applicants for licensure by endorsement must pass the state examination specified in subsection 4 of section 111-02-03-05.

2. An individual who holds a current license as a marriage and family therapist from another state or country must file a completed application for licensure by endorsement and must pay the fee for an original license in North Dakota. The application must be on a form provided by the board. The application must include a statement that the information in the application is true and correct to the best knowledge of the applicant and an agreement by the applicant that the applicant will conduct all professional activities according to the code of ethics in section 111-02-01-05.

3. If an applicant for licensure by endorsement has been licensed continuously as a marriage and family therapist in a United States jurisdiction for the five years preceding the application, the educational requirements for licensure are considered satisfied. If licensed for any period less than five years, the board will determine whether educational requirements are satisfied.

4. The applicant must direct the board of examiners of the state or country in which the license is held to send to the board directly a statement that the license is in effect and in good standing on a form provided by the board, and a copy of the state's current licensing law and rules.

5. The board may refuse to grant a license or may impose disciplinary action for:

a. Revocation, suspension, restriction, limitation, or other disciplinary action against the applicant's license in another state or jurisdiction;

b. Failure to report to the board that charges regarding the applicant's license have been brought in another state or jurisdiction; or

c. Having been refused a license by another state or jurisdiction.

6. The burden is on the applicant to establish, by a preponderance of the evidence, that the standards for licensing in effect when the individual was licensed in the other state or jurisdiction are at least equivalent to or exceed the current licensing requirements in North Dakota.

History: Effective July 1, 2010; amended effective January 1, 2018. General Authority: NDCC 28-32-02, 43-53-05 Law Implemented: NDCC 43-53-08

6. Fees charged by the board;

111-02-04-01. Renewal of license and fees.

4. The original license fee is four hundred fifty dollars. The renewal license fee is three hundred sixty dollars. These fees must accompany the original and renewal applications to be complete. The licensed associate original fee is one hundred eighty dollars per year. The renewal associate fee is ninety dollars per year.

Other fees:

- a. Application for admission to the written examination fee shall be the current rate as established by the association of marriage and family therapy regulatory boards and a written examination fee in accordance with the current contracted examination fee.
- b. Application for original licensure by endorsement fee, five hundred fifty dollars.
- c. Oral examination fee, seventy-five dollars.
- d. Duplicate license fee, thirty dollars. Duplicate wallet renewal card, fifteen dollars.
- e. Sponsor's application for approval of a continuing education course fee, one hundred dollars.
- f. Late fee for renewal, three hundred dollars postmarked one through ninety days late, four hundred dollars postmarked ninety-one through three hundred sixty-five days late. Licensed associate late fee, one hundred dollars postmarked one through three hundred sixty-five days late.
- g. Renewal application fee for a licensed associate marriage and family therapy license fee, forty dollars. Renewal application fee for a licensed marriage and family therapist, forty dollars.
- h. Renewal of associate marriage and family therapy license annual fee, ninety dollars. May be renewed up to four years or three renewals.
- i. The cost of background checks are the burden of the applicant.
- j. The one-time emeritus license fee, two hundred dollars.
- k. License verification fee, twenty-five dollars.

History: Effective July 1, 2010; amended effective January 1, 2018. General Authority: NDCC 28-32-02, 43-53-05 Law Implemented: NDCC 43-53-06, 43-53-09

7. Training requirements for board members and executive directors;

Board members are expected to attend the fall Attorney General's office training for all Board members appointed by the Governor's office. This has been done virtually the past two years. Also the online training for Board members to comply with the North Dakota Bureau of Criminal Investigation security awareness training. Other training is provided by the Association of Marriage and Family Therapy Regulatory Board (AMFTRB) on topics such as disciplinary process, endorsement process, education and experience requirements across the jurisdictions AMFTRB.

Executive director turnover trends;

The ND Marriage and Family Therapy Licensure Board has had one Executive Director, Rev. Larry J. Giese, since 2016. His tenure followed a full two terms as a Board member and President of the Board.

and

8. The average length of service of board members.

An average length of service of Board members is 6 years. Most have served a full two terms of eight years plus.

Sincerely submitted,

Larry J. Giese, Board Administrator
North Dakota Marriage and Family Therapy Licensure Board
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