

## **CHAPTER 111-02-03**

### **LICENSURE PROCESS FOR LICENSED MARRIAGE AND FAMILY THERAPISTS**

#### **Section**

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#### **111-02-03-01. Process.**

The process of licensure by the board as a marriage and family therapist is divided into two separate parts, admission to written examination and admission to licensure.

**History:** Effective July 1, 2010.

**General Authority:** NDCC 28-32-02, 43-53-05

**Law Implemented:** NDCC 43-53-06, 43-53-07

#### **111-02-03-02. Examination.**

1. To be admitted to written examination, an applicant must submit to the board the following information:
  - a. The applicant must submit a completed application for admission to written examination on a form provided by the board. The application must include an affirmation by the applicant that the statements made in the application are true and correct to the best knowledge of the applicant:
  - b. The applicant must submit the required nonrefundable fee for application for admission to written examination specified in subdivision c of subsection 3 of North Dakota Century Code section 43-53-06 made payable to the North Dakota marriage and family therapy licensure board.
  - c. The applicant must submit official transcripts of all graduate education of the applicant, including verification of the degree granted. The transcripts must be sent directly to the board from the institution granting the degree.
    - (1) The applicant must demonstrate to the board, by a preponderance of the evidence, that the degreed program documented by the applicant's transcripts meets the requirements of subdivisions a and b of subsection 3 of North Dakota Century Code section 43-53-06.
    - (2) The institution granting the degree must be regionally accredited at the time the degree is granted.
  - d. An applicant for licensure must inform the board within thirty days of any changes in name, residential address, or cell, business, and residential telephone numbers.
2. The board has authority to investigate or contact persons to verify the authenticity of the information in the application for admission to written examination and to require the applicant to provide verification.
3. An applicant's file shall be closed if the applicant fails to complete the application for admission to written examination and provide all information required within six months from the date the board receives the application.

4. An applicant shall be admitted to the first regularly scheduled written, objective part of the examination that occurs in the next testing window after the applicant has met the requirements of subsection 1, unless admission is denied under subsection 5. Admission to the examination shall be complete only after receipt of the examination fee by the board from the applicant.
5. The board shall deny an applicant admission to written examination if the applicant has not met the education requirements of subdivision a of subsection 3 of North Dakota Century Code section 43-53-06. The board shall notify the applicant of the denial in writing and state the reasons for the denial.
6. An application for admission to written examination submitted after denial shall be considered a new application for admission to written examination which must be accompanied by the fee for application for admission to written examination.

**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, 43-53-07, 43-53-09

**111-02-03-03. Procedures for admission to licensure.**

1. To be eligible for admission to licensure, an applicant must submit to the board the following information:
  - a. The applicant must submit evidence of having passed the written part of the examination in subdivision c of subsection 3 of North Dakota Century Code section 43-53-06.
  - b. The applicant must submit a completed application for licensure on a form provided by the board. The application must include an affirmation by the applicant that the statements in the application are true and correct to the best knowledge of the applicant and an agreement by the applicant that the applicant will conduct all professional activities as a licensed marriage and family therapist according to the code of ethics in section 111-02-03-02.
  - c. The applicant must submit the required, nonrefundable application for initial licensure fee specified in subsection 4 of section 111-02-04-01, payable to the North Dakota marriage and family therapy licensure board.
  - d. The applicant must submit a completed form provided by the board, verifying the applicant's postgraduate, supervised experience, conforming to the requirements for primary source verification of subsection 3 of North Dakota Century Code section 43-53-06.
  - e. The applicant must submit three endorsements attesting to the applicant's good moral character. The endorsements must be completed and signed by individuals who meet the requirements for endorsers under subsection 2. The endorsements must be truthful, and are subject to the penalties of perjury.
2. Requirements for endorsement.
  - a. For an endorsement to meet the requirements of subdivision e of subsection 1, the endorser must:
    - (1) Be licensed by the board; or

- (2) Be licensed to practice marriage and family therapy by another jurisdiction whose licensure standards are at least equivalent to or exceed the requirements for licensure in North Dakota.
- b. An endorser must not be an employee, independent contractor, patient, or former patient, or be related in any way to the applicant.
3. The board has authority to investigate or contact persons to verify the authenticity of the information in the application for licensure and to require the applicant to provide verification.
4. An applicant who fails to meet all the requirements in subsection 1 shall be denied licensure. An applicant who is denied licensure shall be informed in writing of the denial and the reasons for it. An application for licensure submitted following denial is a new application for licensure which must be accompanied by the fee for application for licensure specified in subsection 3 of North Dakota Century Code section 43-53-06.

**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, 43-53-07, 43-53-08, 43-53-09

#### **111-02-03-04. Concurrent applications for examination and licensure.**

An applicant may file both the application for admission to written examination and the application for licensure at the same time if the experience requirements in subdivision b of subsection 3 of North Dakota Century Code section 43-53-06 have been met.

**History:** Effective July 1, 2010.

**General Authority:** NDCC 28-32-02, 43-53-05

**Law Implemented:** NDCC 43-53-06, 43-53-07

#### **111-02-03-05. Examination methods - Subjects and procedures.**

1. Examination of an applicant for a license as a marriage and family therapist shall be composed of:
  - a. A written, objective part designed and scored by a professional examination service approved by the Association of marriage and family therapy regulatory boards; and
  - b. A state part conducted by members of the board.
2. An applicant who is admitted to written examination must pay the written examination fee to the North Dakota marriage and family therapy licensure board or its designee before taking the examination.
3. The written examination is the examination approved by the association of marriage and family therapy regulatory boards. The written examination shall be offered on dates established by the association of marriage and family therapy regulatory boards.
4. The state examination of an applicant shall be held according to those methods determined by the board to be the most practical and expeditious in testing the applicant's qualifications for licensure. The state examination of an applicant shall take place after the applicant's application for licensure has been accepted by the board and before the applicant is approved for licensure. The state examination of an applicant shall cover:
  - a. The applicant's knowledge of the laws governing marriage and family therapists;
  - b. The applicant's knowledge of the code of ethics;

- c. The applicant's awareness of the responsibilities to the board and to the public; and
  - d. Other practice-related areas.
5. The board shall notify an applicant in writing of admission to either part of the examination at least thirty days before either part of the examination is scheduled to take place. The notice shall state the date, time, and place where the applicant is scheduled to be examined.
  6. The passing score of the written part of the examination is the passing score determined by the association of marriage and family therapy regulatory boards. The passing score for the state examination shall be determined by the board. An applicant must pass both parts of the examination to qualify for licensure as a marriage and family therapist.
  7. An applicant who has failed a part of the examination may be reexamined on the part the applicant failed, but not more than five times without a variance. An applicant who is reexamined on the written part of the examination must pay the written examination fee.

**History:** Effective July 1, 2010.

**General Authority:** NDCC 28-32-02, 43-53-05

**Law Implemented:** NDCC 43-53-04, 43-53-07

#### **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