Title 30: Professions and Occupations

Part 1901: Authority and Practice

Part 1901 Chapter 1: Administration

Rule 1.1 GENERAL

A. Purpose

The purpose of these regulations is to set forth the minimum qualifications for those who wish to practice social work or marriage and family therapy under the statute. The rules outlined in this section apply to all applicants and licensees in these two disciplines. The rules in Parts 1902 and 1903 of this title also apply to all applicants and licensees as appropriate in their respective disciplines.

B. Legal Authority of the Board

The Board of Examiners for Social Workers and Marriage and Family Therapists is authorized to promulgate these rules under and by virtue of Sections 73-53-1 through 73-54-39 of the Mississippi code of 1972, as amended.

C. Definitions

1. "Board" shall mean the Board of Examiners for Social Workers and Marriage and Family Therapists.

2. "Discipline Specific Committees" shall mean specialty committees, one comprised of members of the social work profession, and one comprised of the marriage and family therapy profession, to carry out the duties and responsibilities set out in the rules and regulations.

3. "Act" means the legislative authority cited in Part 1901, Chapter 1, Rule 1.1, B above in this Section.

4. "Rules" shall mean all licensing guidelines adopted by the Board and contained herein.

Source: Miss. Code Ann. §§73-53-1, 73-53-3(a), 73-53-11(1)(c), 73-54-3, 73-54-5(g) and 73-54-11(1) (2008 & Supp. 2011).

Rule 1.2 BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE & FAMILY THERAPISTS

A. Purpose and Composition

The purpose of the Board of Examiners for Social Workers and Marriage and Family Therapists is to license and regulate social workers and marriage and family therapists.

The Board shall be composed of ten (10) members, six (6) of whom shall be social workers and four (4) of whom shall be marriage and family therapists. All board members must be licensed by their respective disciplines.

The purpose of each Discipline Specific Committee is to develop rules and regulations for the Board to promulgate that are necessary to license and regulate the professions.

Members of the Board from each specialty shall constitute a separate Discipline Specific Committee for their respective specialty.

B. Appointments

The Governor and Lieutenant Governor will make appointments in accordance with the Act from nominations submitted by the Mississippi Chapter of the National Association of Social Workers and the Mississippi Association for Marriage and Family Therapy. Vacancies and new appointments will be filled in a like manner. All appointments shall be made with the advice and consent of the Senate.

Terms of each appointment shall be made in accordance with Section 73-53-8 of the Act. No person may be appointed more than once to fill an unexpired term or more than two (2) consecutive full terms.

C. Chair

Board Chair: The Board shall select one (1) of its members to serve as Board Chair during the term of his/her appointment to the Board. However, no person may serve as Chair of the Board for more than four (4) years.

Discipline Specific Committee Chair: Each Discipline Specific Committee will select one (1) of its members to serve as Chair of the Discipline Specific Committee during the term of his/her appointment. No person may serve as Chair of the Discipline Specific Committee for more than

four (4) years. The Discipline Specific Committee will deal with concerns specific to each discipline.

Actions of each Discipline Specific Committee will then be presented to the full Board for discussion and, if applicable, Board action.

D. Meetings

The Board shall establish a regularly scheduled meeting date and, upon proper public notice, may call and conduct special meetings as necessary. No Board member shall participate in any matter before the Board in which he/she has a pecuniary interest, personal bias or other similar conflict of interest. Board members shall receive no compensation for their services, but shall be reimbursed for their actual and necessary expenses incurred in the performance of official Board business.

E. ADA Acknowledgment

The Board complies with and supports all statues and mandates as set forth in the American's with Disabilities Act with regard to its regulatory responsibilities associated with licensees.

F. Disciplinary Action

The Board may remove any member of the Board or the Chair from his/her position for:

1. Malfeasance in office;

2. Conviction of a felony or a crime of moral turpitude while in office; or

3. Failure to attend three (3) consecutive Board meetings

No board member may be removed from his/her position until after a public hearing of the charges against him/her. At least thirty (30) days prior, written notice must be given to the Board member detailing those charges indicating the date fixed for the hearing.

Source: Miss. Code Ann. §§73-53-1, 73-53-8, 73-53-11, 73-54-3 and 73-54-11(1) (2008 & Supp. 2011); Miss. Code Ann. §§25-41-13 and 25-43-2.104 (Rev. 2010).

Rule 1.3 DUTIES AND POWERS OF THE BOARD

A. General

The Board shall, upon referral from a Discipline Specific Committee, promulgate, administer and enforce the provisions of the Act, which shall from time to time include the adoption of such rules, regulations, and amendments as it may deem necessary to enable it to perform its duties. All rules and regulations shall be adopted in accordance with the Mississippi Administrative Procedures Law:

1. Rules may be revised periodically by the Board and all applicants and licensees are subject to the revised rules once adopted by the Board.

2. Applications received during a particular period of rules will be subject to and processed under those rules.

3. Disciplinary actions taken by the Board may be reported to professional associations and other entities when deemed necessary.

The Board will adhere to all State and Federal laws and regulations including, but not limited to, child support and other areas of enforcement.

B. Personnel

The Board shall have the power to employ, subject to the approval of the Mississippi State Personnel Board, an executive director, and such attorneys, experts and other employees as it may from time to time find necessary for the proper performance of its duties and for which the necessary funds are available.

C. Licensure

Upon recommendation of the Discipline Specific Committee, the Board shall:

1. Examine and pass on the qualifications of all applicants under the Act, initial or renewal and, issue a license to each successful applicant or renewal applicant.

2. Require each applicant for licensure (first time applicant in any licensure category) to complete, through the appropriate governmental authority or authorities as designated by the Board, a criminal history record information check. The Board shall be authorized to charge and collect from the applicant, in addition to all other applicable fees and costs, such amount as may be incurred

by the Board in requesting and obtaining the criminal history records information on the applicant.

3. Obtain, through the appropriate governmental authority or authorities, a criminal history record information check and a check of the Mississippi Sex Offender Registry for each person applying for licensure. The board shall be authorized to charge and collect from the applicant or licensee, in addition to all other applicable fees and costs, such amount as may be incurred by the Board in requesting and obtaining the information required in this paragraph for the applicant or licensee.

4. Suspend and revoke licenses and impose penalties and sanctions upon licensees as prescribed by law and by regulation set forth specifically by each discipline, either social work or marriage and family therapy, as appropriate.

5. Approve all examinations for licensure under the Act.

6. Have other such powers as may be required to carry out licensure requirements prescribed by law and by regulation.

7. Conduct random audits to determine the accuracy of initial and renewal applications, continuing education reports and any other materials submitted to the Board by or on behalf of applicants or licensees.

D. Method of Operation

The Board follows the procedures required by Mississippi Code of 1972 (as amended) §25-43-2.104.

E. Oral Proceedings on Proposed Rules

1. **Scope**. This rule applies to all oral proceedings held for the purpose of providing the public with an opportunity to make oral presentations on proposed new rules and amendments to rules before the Board of Examiners for Social Workers and Marriage and Family Therapists pursuant to §25-43-3.104.

2. **When Oral Proceedings will be Scheduled on Proposed Rules**. The Board will conduct an oral proceeding on a proposed rule or amendment if requested by a political subdivision, an agency or

ten (10) persons in writing within twenty (20) days after the filing of the notice of the proposed rule.

3. **Request Format**. Each request must be printed or typewritten, or must be in legible handwriting. Each request must be submitted on standard business letter-size paper (8-1/2 inches by 11 inches). Requests may be in the form of a letter addressed to the Board and signed by the requestor(s).

4. **Notification of Oral Proceeding**. The date, time and place of all oral proceedings shall be filed with the Secretary of State's office and mailed to each requestor. The oral proceedings will be scheduled no earlier than twenty (20) days from the filing of this information with the Secretary of State.

5. **Presiding Officer**. The Commissioner or his designee, who is familiar with the substance of the proposed rule, shall preside at the oral proceeding on a proposed rule.

6. **Public Presentations and Participation.**

   a. At an oral proceeding on a proposed rule, persons may make oral statements and make documentary and physical submissions, which may include data, views, comments or arguments concerning the proposed rule.

   b. Persons wishing to make oral presentations at such a proceeding shall notify the Board at least one business day prior to the proceeding and indicate the general subject of their presentations. The presiding officer in his or her discretion may allow individuals to participate that have not previously contacted the Board.

   c. At the proceeding, those who participate shall indicate their names and addresses, identify any persons or organizations they may represent, and provide any other information relating to their participation deemed appropriate by the presiding officer.

   d. The presiding officer may place time limitations on individual oral presentations when necessary to assure the orderly and expeditious conduct of the oral proceeding. To encourage joint oral presentations and to avoid repetition, additional time may be provided for persons whose

presentations represent the views of other individuals as well as their own views.

e. Persons making oral presentations are encouraged to avoid restating matters that have already been submitted in writing.

f. There shall be no interruption of a participant who has been given the floor by the presiding officer, except that the presiding officer may in his or her discretion interrupt or end the partisan's time where the orderly conduct of the proceeding so requires.

7. **Conduct of Oral Proceeding.**

a. Presiding officer. The presiding officer shall have authority to conduct the proceeding in his or her discretion for the orderly conduct of the proceeding. The presiding officer shall (i) call proceeding to order; (ii) give a brief synopsis of the proposed rule, a statement of the statutory authority for the proposed rule, and the reasons provided by the Board for the proposed rule; (ii) call on those individuals who have contacted the Board about speaking on or against the proposed rule; (iii) allow for rebuttal statements following all participants' comments; (iv) adjourn the proceeding.

b. Questions. The presiding officer, where time permits and to facilitate the exchange of information, may open the floor to questions or general discussion. The presiding officer may question participants and permit the questioning of participants by other participants about any matter relating to that rule-making proceeding, including any prior written submissions made by those participants in that proceeding; but no participant shall be required to answer any question.

c. Physical and Documentary Submissions. Submissions presented by participants in an oral proceeding shall be submitted to the presiding officer. Such submissions become the property of the Board and are subject to the Board's public records request procedure.

d. Recording. The Board may record oral proceedings by stenographic or electronic means.

F. Declaratory Opinions

1. **Scope**

These rules set forth the Board of Examiners for Social Workers and Marriage and Family Therapists, hereinafter "Board," rules governing the form and content of requests for declaratory opinions, and the Board's procedures regarding the requests, as required by Mississippi Code § 25-43-2.103. These rules are intended to supplement and be read in conjunction with the provisions of the Mississippi Administrative Procedures Law, which may contain additional information regarding the issuance of declaratory opinions. In the event of any conflict between these rules and the Mississippi Administrative Procedures Law, the latter shall govern.

2. **Persons Who May Request Declaratory Opinions**

Any person with a substantial interest in the subject matter may request a declaratory opinion from the Board by following the specified procedures. "Substantial interest in the subject matter" means: an individual, business, group or other entity that is directly affected by the Board's administration of the laws within its primary jurisdiction. "Primary jurisdiction of the agency" means the agency has a constitutional or statutory grant of authority in the subject matter at issue.

3. **Subjects Which May Be Addressed In Declaratory Opinions**

The Board will issue declaratory opinions regarding the applicability to specified facts of: (1) a statute administered or enforceable by the Board or (2) a rule promulgated by the Board. The Board will not issue a declaratory opinion regarding a statute or rule which is outside the primary jurisdiction of the agency.

4. **Circumstances in which Declaratory Opinions Will Not Be Issued**

The Board may, for good cause, refuse to issue a declaratory opinion. The circumstances in which declaratory opinions will not be issued include, but are not necessarily limited to:

a. A lack of clarity concerning the question presented;

b. There is pending or anticipated litigation, administrative action, or other adjudication which may either answer the question presented by the request or otherwise make an answer unnecessary;

c. The statute or rule on which a declaratory opinion is sought is clear and not in need of interpretation to answer the question presented by the request;

d. The facts presented in the request are not sufficient to answer the question presented;

e. The request fails to contain information required by these rules or the requestor failed to follow the procedure set forth in these rules;

f. The request seeks to resolve issues which have become moot, or are abstract or hypothetical such that the requestor is not substantially affected by the statute or rule on which a declaratory opinion is sought;

g. No controversy exists concerning the issue as the requestor is not faced with existing facts or those certain to arise which raise a question concerning the application of the statute or rule;

h. The question presented by the request concerns the legal validity of a statute or rule;

i. The request is not based upon facts calculated to aid in the planning of future conduct but is, instead, based on past conduct in an effort to establish the effect of that conduct;

j. No clear answer is determinable;

k. The question presented by the request involves the application of a criminal statute or a set of facts which may constitute a crime;

l. The answer to the question presented would require the disclosure of information which is privileged or otherwise protected by law from disclosure;

m. The question is currently the subject of an Attorney General's opinion request or has been answered by an Attorney General's opinion;

n. A similar request is pending before this agency or any other agency or a proceeding is pending on the same subject matter before any agency, administrative or judicial tribunal, or where such an opinion would constitute the unauthorized practice of law.

o. Where issuance of a declaratory opinion may adversely affect the interests of the State, the Board or any of their officers or employees in any litigation which is pending or may reasonably be expected to arise;

p. The question involves eligibility for a license, permit, certificate or other approval by the Board or some other agency, and there is a statutory or regulatory application process by which eligibility for said license, permit, certificate or other approval would be determined.

5. **Written Request Required**

Each request must be printed or typewritten, or must be in legible handwriting. Each request must be submitted on standard business letter-size paper (8-1/2 inches by 11 inches). Requests may be in the form of a letter addressed to the Board.

6. **Where to Send Requests**

All requests must be mailed, delivered or transmitted via facsimile to the Board. The request shall clearly state that it is a request for a declaratory opinion. No oral, telephone requests or email requests will be accepted for official opinions.

7. **Name, Address and Signature of Requestor**

Each request must include the full name, telephone number, and mailing address of the requestor. All requests shall be signed by the person filing the request, who shall attest that the request

complies with the requirements set forth in these rules, including but not limited to a full, complete, and accurate statement of relevant facts and that there are no related proceedings pending before any other administrative or judicial tribunal.

8. **Question Presented**

Each request shall contain the following:

a. A clear and concise statement of all facts on which the opinion is requested;

b. A citation to the statute or rule at issue;

c. The question(s) sought to be answered in the opinion, stated clearly;

d. A suggested proposed opinion from the requestor, stating the answers desired by petitioner and a summary of the reasons in support of those answers;

e. The identity of all other known persons involved in or impacted by the described factual situation, including their relationship to the facts, name, mailing address and telephone number; and

f. A statement to show that the person seeking the opinion has a substantial interest in the subject matter.

9. **Time for Board's Response**. Within forty-five (45) days after the receipt of a request for a declaratory opinion which complies with the requirements of these rules, the Board shall, in writing:

a. Issue a declaratory opinion regarding the specified statute or rule as applied to the specified circumstances;

b. Decline to issue a declaratory opinion, stating the reasons for its action; or

c. Agree to issue a declaratory opinion by a specified time but not later than ninety (90) days after receipt of the written request;

The forty-five (45) day period shall begin running on the first State of Mississippi business day on or after the request is received by the Board, whichever is sooner.

10. **Opinion Not Final for Sixty Days**. A declaratory opinion shall not become final until the expiration of sixty (60) days after the issuance of the opinion. Prior to the expiration of sixty (60) days, the Board may, in its discretion, withdraw or amend the declaratory opinion for any reason which is not arbitrary or capricious. Reasons for withdrawing or amending an opinion include, but are not limited to, a determination that the request failed to meet the requirements of these rules or that the opinion issued contains a legal or factual error.

11. **Notice by Board to third parties**. The Board may give notice to any person, agency or entity that a declaratory opinion has been requested and may receive and consider data, facts, arguments and opinions from other persons, agencies or other entities other than the requestor.

12. **Public Availability of Requests and Declaratory Opinions.** Declaratory opinions and requests for declaratory opinions shall be available for public inspection and copying in accordance with the Public Records Act and the Board's public records request procedure. All declaratory opinions and requests shall be indexed by name and subject. Declaratory opinions and requests which contain information which is confidential or exempt from disclosure under the Mississippi Public Records Act or other laws shall be exempt from this requirement and shall remain confidential.

13. **Effect of a Declaratory Opinion**. The Board will not pursue any civil, criminal or administrative action against a person who is issued a declaratory opinion from the Board and who, in good faith, follows the direction of the opinion and acts in accordance therewith unless a court of competent jurisdiction holds that the opinion is manifestly wrong. Any declaratory opinion rendered by the Board shall be binding only on the Board and the person to whom the opinion is issued. No declaratory opinion will be used as precedent for any other transaction or occurrence beyond that set forth by the requesting person.

G. Public Records Request

All written public records requests pursuant to the statute will be approved or denied in writing within fourteen (14) working days after the written request is received.

A document search will be done personally by individual, firm, or their representative requesting reproduction in the presence of the Board' staff personnel and/or a Board member. Each document will be marked for copying by the searcher. Actual reproduction will be made by the Board's staff and/or Board member.

Some documents are exempt [Miss. Code Ann.25-61-9 and 25-61-11] as a privileged by law and are not available for inspection by the public. Examples are, but not limited to, personnel records, appraisals, attorney communications and work products of attorneys, certain records compiled in the process of detecting and investigation any unlawful activity or alleged unlawful activity, licensure applications and examination records, records maintained by public hospitals, records the release of which would deprive one criminally accused of his/her constitutional right to a fair trial, accident reports.

All written public records request shall be forwarded immediately by the Board and/or staff to counsel for the Board for a determination of the availability of the requested information for inspection and duplication.

Cost of reproductions and certifications will be payable by the requesting individual, firm or their representative in advance of receipt of any requested documents. Copying fee is $1.00 per page plus a fee for staff time.

Source: Miss. Code Ann. §§73-53-8(11), 73-53-11, 73-54-11, 73-54-13 and 73-54-17 (Supp. 2011); Miss. Code Ann. §§ 25-43-2.103, 25-43-2.104 and 25-43-3.104 (Rev. 2010); Miss. Code Ann. 25-61-1 through 25-61-12 (Rev. 2010).

Rule 1.4 FISCAL SUPPORT OF THE BOARD

No appropriations from the State General Fund shall be used to operate the Board. The Board shall be supported by fees collected for license application and renewal and/or other monies raised by the Board.

Fees for initial application and renewal are set forth by the Act and in these rules. Fees for other Board services related to licensure may be set and collected in accordance with regulations in the appropriate Discipline Specific section of these Rules.

Source: Miss. Code Ann. §§73-53-11(1)(c) and (g), 73-53-10, 73-53-15, 73-54-11(1), and 73-54-27(1) (Supp. 2011).

Part 1901 Chapter 2: Character and Fitness

Rule 2.1 MORAL CHARACTER

A. General

1. As used under the Rules and Regulations of the Board of Examiners, "good moral character" means a pattern of behavior conforming to the profession's ethical standards and behavior that indicates honesty and truthfulness, integrity, respect among the community for lawful behavior, respect for the rights of others, and obedience to the lawful directives of public officers or officials or persons charged with the enforcement of the law and showing an absence of moral turpitude.

2. Fitness for service as it relates to moral character must be verified by an appropriate background investigation.

3. A determination of good moral character shall be based on acts that reflect moral turpitude and upon the consideration of all aspects of a person's character as exemplified by his or her behavior and shall include, but not necessarily be limited to, consideration of the following:

a. Evidence, among other things, of having neither a conviction nor a plea of guilty or nolo contendere, probation, pretrial diversion or payment of any fine for a felony or a misdemeanor involving moral turpitude, regardless of whether the matter is under appeal by the applicant.

b. Disciplinary action taken against any professional license, registration or certification held by the applicant by applicable governmental authority of any state, territory or political subdivision of the United States or any other jurisdiction.

c. Whether an applicant has been guilty of conduct or practices in this state or elsewhere which would constitute grounds for disciplinary action under the Board's laws, rules and/or regulations.

d. Civil lawsuits and administrative action bearing upon moral character such as fraud, misrepresentation, theft, assault and battery.

e. The applicant's prior history of unlicensed practice of a regulated profession in this state.

f. Conduct that violates any of the provisions in the code of ethical standards established by the National Association of Social Workers, the American Association of Marriage and Family Therapy and/or other ethical standards adopted by the Board.

g. Conduct involving dishonesty, fraud, or attempted deception.

h. Conduct involving misrepresentation.

i. Conduct that would adversely reflect on a person's fitness to perform as a social worker or marriage and family therapist.

4. In determining a person's good moral character when there is evidence of the conduct described above in subsection 3 of this Rule, the Board will also consider the following factors:

a. The nature of the criminal offense(s) or conduct which gave rise to the disciplinary, civil or administrative action.

b. The age of the applicant at the time of the criminal conviction(s) or conduct which gave rise to the disciplinary, civil or administrative action.

c. The number of criminal convictions or number of disciplinary, civil or administrative actions taken against the applicant.

d. The nature and severity of the sentence or sanction imposed for each criminal conviction that gave rise to the disciplinary, civil or administrative action.

e. Whether the probation period given in a conviction has been completed and fully satisfied to include fines, court costs, and other conditions of probation.

f. Whether restitution ordered by a court in a criminal conviction or civil judgments has been fully satisfied.

g. The date of the criminal conviction(s) or date of the disciplinary action. Whether more than ten (10) years have elapsed from the satisfaction of the terms of any order, judgment, or restitution agreement relating to criminal, administrative or civil action unless the conduct is felonious in nature.

h. The burden of demonstrating that the applicant possesses the good moral character required for licensure shall rest with the applicant.

Source: Miss. Code Ann. §§73-53-11(1)(c), 73-53-13(d)(ii), 73-54-11(1) and 73-54-13(a) (Supp. 2011).

Rule 2.2 SCOPE OF PRACTICE

A. Level of Competency

The license to practice social work or marriage and family therapy does not permit the licensee to either offer or attempt to provide services which are beyond the level of competency they have attained through education, training, supervision or clinical experience, even though the service in question may be provided routinely by other licensed social workers or marriage and family therapists. The Baccalaureate Social Worker (LSW) is prohibited from diagnosing, treating or conducting therapeutic groups or psychotherapy.

B. Responsibility of the Licensee

It is the legal and ethical responsibility of each licensed social worker and licensed marriage and family therapist to limit the scope of their practice to the parameters of their competencies. Further, all licensees are required to inform the Board, through submission in writing on Board designated

forms, of a change of address, name, and other identifying information.

Source: Miss. Code Ann. §§73-53-11(1)(c), (k), (m) and (3), 73-53-13, 73-54-11(1) and 73-54-17 (Supp. 2011).

Part 1901 Chapter 3: Standards and Procedural Rules

Rule 3.1 STANDARDS OF CONDUCT

A. General

Licensees subject to this Act shall conduct their activities, services and practice in accordance with the Act and any rules promulgated by the Board thereto. Licensees may be subject to disciplinary sanction enumerated in VIII below if the Board finds that a licensee is in violation of any of the standards of conduct delineated in this section.

B. Violations

1. Negligence in the practice or performance of professional services or activities.

2. Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public in the course of professional services or activities.

3. Perpetrating or cooperating in fraud or material deception in obtaining or renewing a license or attempting the same.

4. Being convicted of any crime which has a substantial relationship to the licensee's activities and services or an essential element of which is misstatement, fraud or dishonesty.

5. Being convicted of any crime which is a felony under the laws of this state or of the United States.

6. Engaging in or permitting the performance of unacceptable services personally or by assistants working under the licensee's supervision due to the licensee's deliberate or grossly negligent act or acts or failure to act, regardless of whether actual damage or damages to the public is established.

7. Continued practice although the licensee has become unfit to practice social work or marriage and family therapy due to: (i) failure to keep abreast of current professional theory or practice; or

(ii) physical or mental disability; the entry of an order or judgment by a court of competent jurisdiction that a licensee is in need of mental treatment or is incompetent shall constitute mental disability; or (iii) addiction or severe dependency upon alcohol, drugs, or other substance which may endanger the public by impairing the licensees ability to practice and which affects professional competence.

8. Disciplinary action taken against the licensee's license in another state.

9. Engaging in differential, detrimental treatment against any person because of race, color, creed, sex, religion or national origin.

10. Engaging in lewd conduct in connection with professional services or activities.

11. Engaging in false or misleading advertising.

12. Contracting with, assisting or permitting unlicensed persons to perform services for which a license is required under this chapter.

13. Violation of any probationary requirements placed on a licensee by the Board.

14. Failing to inform clients of the fact that the client no longer needs the services or professional assistance of the licensee.

15. Charging excessive or unreasonable fees or engaging in unreasonable collection practices.

16. Any just and sufficient cause which renders a person unfit to practice social work or marriage and family therapy as determined by the Board but not limited to:

    a. An adjudication of mental incompetence by a court of competent jurisdiction.

    b. Practicing in a manner detrimental to the public health and welfare.

    c. Revocation of a license by a licensing agency or certification by a certifying professional organization.

d. Any other violation of this chapter or the code of ethical standards of the National Association of Social Workers, the American Association for Marriage and Family Therapy or other ethical standards adopted by the Board under the provisions of this chapter.

17. Violation of any of the provisions of this Act or any rules or regulations of the Board adopted under the provisions of this Act.

18. Failure to notify the Board of the suspension, probation or revocation of any past or currently held license in Social Work, Marriage and Family Therapy or any other health care field, in this or any other state, or any disciplinary action taken against the licensee by any licensing board or professional association.

19. Making false representations or impersonations or acting as a proxy for another person or allowing or aiding any person to impersonate him/her in connection with any application, examination or renewal of a license, or in any procedure relating to the Board, or in the practice of their profession.

20. Failure to maintain client records securely or to inform all employees of the confidentiality requirements. Client records or other confidential information may not be revealed except with expressed written consent or as mandated by law, except as specifically stated below. Client records must be maintained after the date of termination of the clinical relationship.

    The Confidentiality requirement may be waived under the following conditions:

    a. When the client's communications reveal the contemplation of a crime or a harmful act to oneself or another person, or the licensee has ample reason to believe that such a behavior is highly probable;

    b. When the licensee acquires information involving a minor or elderly person who was the victim or subject of a crime or abuse or neglect and the licensee includes the confidential information in a report filed with the appropriate person or agency as required by law;

    c. When the licensee is required by law to testify in a court or administrative hearing concerning matters of adoption,

adult abuse or neglect, child abuse or neglect, or other matters.

d. When a person waives the confidentiality privilege by bringing charges against or sues the licensee.

21. Payment of commission rebates or other forms of remuneration for referral of clients for professional services.

22. Failure to report to clients all experimental forms of treatment or treatment modalities in which the licensee may not be proficient, before they are used with the client, explaining their potential benefits and risks of such treatment, to obtain the clients prior consent to the treatment, and failure to ensure that the welfare of the client is not compromised by any experiment, research procedure, or treatment modality.

23. Failure to comply with the ethical codes of the applicable profession (NASW or AAMFT) regarding dual relationships with clients, former clients, supervisors, or supervisees that could compromise the well being or increase the risk of exploitation of clients or supervisees, or impair the objectivity and judgment of the client, supervisees, supervisor or licensee. This includes but is not limited to such activities as providing therapy to close friends, former sexual partners, employees or relatives, and engaging in business relationships with clients. .. Licensees must set clear, appropriate, and culturally sensitive boundaries when dual and multiple relationships are unavoidable.

24. Failure to report to the appropriate board known or suspected violations of the laws and regulations governing the practices of mental health professionals.

26. Using a degree as a title to indicate a level of competency unless that degree was earned in their field of professional practice from an accredited college or university as defined in these regulations.

27. Failure of a therapist to inform a client of any conflict of interest, values, attitudes or biases between them that are sufficient to impair their professional relationship and to terminate the professional relationship when it no longer serves the client's needs or interests.

28. Failure of a therapist to prevent an individual or agency paying for their professional services on behalf of a client to exert undue

influence over the therapists work performance and clinical judgment as it relates to that client.

Source: Miss. Code Ann. §§73-53-11(1)(c), (j) and (k), 73-53-17, 73-54-11(1) and 73-54-29 (Supp. 2011).

Rule 3.2 COMPLAINTS

A. General

This Rule sets out the procedures for making and processing complaints and/or inquiries against applicants for licensure and licensed social workers and marriage and family therapists where the complaints and/or inquiries are within the jurisdiction of the Mississippi State Board of Examiners for Social Workers and Marriage and Family Therapists (Board).

B. Filing of Complaints

Any person, firm, corporation, member of the Board or public officer may make a complaint to the Board. Complaints will be addressed by the Board upon receipt of a written, signed complaint, or upon the Board's own action.

1. Upon receipt of an inquiry, the Board's administrative staff will forward or advise the potential complainant how to obtain, a complaint form with instructions on how to file the complaint. Except for complaints initiated by the Board, complaints must be submitted in writing under oath upon the official form prescribed by the Board. Only those complaints that are in writing will be formally addressed by the Board. The complaint must specify the statute or rule allegedly violated and must contain a statement of the acts or omissions constituting the alleged violation including the dates of said acts or omissions. Forms are available on the Board's website.

2. Anonymous complaints will not be investigated.

3. Voluntary surrender of license. If a licensee who is the subject of a Board investigation or disciplinary proceeding voluntarily surrenders his or her license, absent unusual circumstances as determined by the Board, the Board will not discontinue the investigation or disciplinary proceeding unless the licensee consents to entry of an order limiting or prohibiting his or her

practice of social work and marriage and family therapy in Mississippi.

C. Procedures for Processing Complaints

1. Upon receipt of a written complaint, or upon the Board's own initiative if the Board has reasonable cause to believe the laws, rules and regulations governing social workers and/or marriage and family therapists are being violated, the Board's Executive Director shall:

   a. Log in the date the complaint is received in the Board office;

   b. Assign a complaint number and set up an individual complaint file. Complaint numbering shall begin in January of each year;

   c. Determine whether the subject of the complaint is a licensed social worker, a marriage and family therapist or applicant or person otherwise within the jurisdiction of the Board;

   d. Forward the complaint to the professional board member who has been designated to review the complaint; and

   e. Send a letter to the complainant confirming receipt of the complaint.

2. If the subject of the complaint is within the jurisdiction of the Board, the Executive Director shall send a copy of the complaint by certified mail to the licensee or applicant in question for his or her written comment. The subject of the complaint (the respondent) will be provided twenty (20) calendar days from the date of the Executive Director's letter or notice in which to file a written response to the complaint together with all documents and exhibits in support of his or her position on the complaint.

3. Requests for the licensee or applicant's response to a complaint shall be considered properly served by the Executive Director when sent to the licensee or applicant's last known address of record at the Board's office. It is the responsibility of the licensee

or applicant to keep the Board informed of his or her current address.

4. At the discretion of the Complaint Committee (investigating Board member and Executive Director) in consultation with Board council, the complainant may be given an opportunity to review and comment upon the response of the licensee or applicant.

5. The Executive Director may grant a reasonable request for extension of time within which a licensee or applicant or affected party may respond to a complaint and/or within which a complainant may comment upon response of the licensee or applicant.

D. Complaint Committee Process

The Executive Director and the investigating Board member will comprise the Complaint Committee and will review the complaints filed in accordance with this Rule.

1. The investigating Board member will review the complaint and meet with the Executive Director and such other personnel as needed.

2. If the allegations in the complaint raise an issue addressed by the Board's laws, rules and/or regulations, the Complaint Committee will recommend a course of action regarding investigation of the complaint.

3. If the Complaint Committee determines that further assistance is needed, the Committee may retain the services of experts, consultants, or private investigators to assist in the investigations of complaints. At any point in its investigation of a complaint, the Complaint Committee may, at its discretion, assign the matter to an expert, consultant or private investigator for review and investigation.

4. The purpose of the investigation is to gather further data regarding the complaint and to verify facts surrounding the complaint. All complaints, unless dismissed for lack of jurisdiction, will be investigated. Investigations may include, but not be limited to: writing letters seeking further information; making phone calls; making onsite visits; and requesting pertinent documents.

5. The Complaint Committee shall oversee the investigation of the complaint.

6. The expert, consultant, or private investigator and/or Complaint Committee shall review and investigate the complaint and prepare a report concerning the complaint. The report shall contain a statement of the allegations, a statement of the facts, and an analysis of the complaint including a description of the circumstances surrounding the complaint, the records reviewed, the witnesses interviewed, and a statement of the expert, private investigator, consultant or Complaint Committee.

7. If the Complaint Committee determines that the Board does not have jurisdiction, both the Complainant and the licensee, applicant or affected party will be notified in writing by certified letter. The letter will explain why the case cannot be accepted for investigation and/or action by the Board or it may state that the complaint can be referred to another agency. The letter will come from the Board and may be signed by the Board chair, the investigating Board member, the Executive Director or other Board designee.

8. To facilitate the disposition of a complaint, the Board or Complaint Committee may provide any person with the opportunity to attend an informal conference, or to appear at a regular meeting of the Board, at any time prior to the Board entering any order with respect to the complaint. Statements made at any informal conference may not be introduced at any subsequent hearing before the Board on the merits of the complaint without the consent of all parties to the hearing.

E. Review by the Full Board

1. A case summary including the alleged violations of the Board's laws, rules and/or regulations will be presented to the Board by the Complaint Committee along with recommendation(s) for disposition of the complaint. Reasonable attempts will be made to not disclose the identity of the licensee or applicant and the complainant by the Complaint Committee until the matter comes before the Board for hearing or final resolution.

2. The investigating Board member shall not vote on the decision regarding the disposition of the complaint and shall not participate in any adjudicatory or administrative hearing before the Board

against the applicant or licensee arising out of the Complaint Committee's investigation.

3. The Board's review shall include the case summary presented by the Complaint Committee and determine if reasonable cause exits to issue a notice of contemplated action or notice of hearing and complaint. If the Board determines that there is not reasonable cause for the issuance of a notice of contemplated action or notice of hearing and complaint, a certified letter from the Board will be sent within thirty (30) calendar days of the Board's decision to the complainant and the licensee or applicant. The letter will set forth the Board's action and reason for its decision.

4. If the Board determines that there is reasonable cause to believe that the licensee or applicant has violated the Board's laws, rules, and/or regulations, the Board may cause a notice of contemplated action or notice of hearing and complaint to be issued for the licensee or applicant.

5. Following the issuance of a notice of contemplated action or notice of hearing and complaint, the Board may authorize the Complaint Committee to confer with the applicant or licensee for the purpose of seeking settlement of the complaint. Such settlement will be subject to approval by the Board, must be with the consent of the applicant or licensee, and must (among other things) include a knowing and intentional waiver by the applicant or the licensee of his or her rights to an administrative hearing and of the Board's ability to act as arbiter in an administrative hearing should settlement fail.

F. Administrative Hearings

1. Pursuant to Chapters 53 and 54 of Title 73 of the Mississippi Code of 1972, as amended, every licensee or applicant shall be afforded notice and an opportunity to be heard before the Board when the Board has cause to believe that he or she has violated any of the laws, rules, or regulations of the Board.

2. The Board's Executive Director's duties shall include:

   a. Issuing a notice of hearing and complaint or notice of contemplated action in the case.

b. Executing notices, scheduling orders, subpoenas, and other routine procedural documents that facilitate the conduct of the administrative proceedings.

c. Maintaining the official record of all papers and pleadings filed with the Board in any matter.

d. Preparing, certifying and filing with the appellate court the record of the case on appeal or review.

3. All hearings shall be conducted by the Board or by a hearing officer designated by the Board.

4. If a hearing officer is designated to hear a case, the hearing officer shall have authority to decide pre-hearing matters, preside over the hearing, and direct post hearing matters in accordance with the requirements of the case in a manner that ensures due process and an efficient and orderly hearing and resolution of the case. If a hearing officer is not designated to hear the case or if the hearing officer is unavailable or unable to proceed, the Board chair or other designee of the Board shall have the authority to decided pre-hearing or preliminary matters.

5. The original of any papers, pleadings or other documents shall be filed with the Board office. Copies must be sent to the hearing officer and attorneys or parties of record.

6. The hearing officer or designee of the Board shall issue appropriate orders to control the course of the proceedings.

7. The hearing officer or the Board designee may order the filing of briefs or other documents and may set oral argument on any matter.

8. No more than two (2) continuances of the hearing will be granted without the approval of the Board for good cause shown.

9. No proposed settlement, consent agreement, voluntary surrender of a license, or other proposal for the resolution of a pending disciplinary case shall be effective unless approved by the Board and executed by the Board and the licensee or applicant. The hearing officer or Board shall have the authority to seek information from the administrative prosecutor and the licensee or applicant concerning circumstances of the case relevant to a

consideration of a proposed settlement or clarification of the proposed terms and conditions. No Board member is presumed to be biased and shall not be excused from participating in the adjudication and deliberation of a case based solely on the reason that the member considered a proposed settlement, consent agreement, or other proposal for resolution of a pending disciplinary or licensure case.

10. A proposal to settle a matter shall not stay the proceedings or vacate the hearing date unless otherwise ordered by the hearing officer or the Board designee upon the filing of a timely motion for continuance.

11. At the conclusion of the hearing, a final decision and order shall be entered by the Board. A Board member hearing officer, the Board chair, or designated Board member shall have the authority to sign the written decision of the Board.

12. The Board Executive Director shall serve the decision of the Board on the licensee or applicant.

13. If a license is restricted, suspended or revoked by the Board, the licensee shall immediately surrender his or her license to the Board as directed by the Board or Board designee.

14. If the licensee's scope of practice is restricted or limited or otherwise conditioned, the license may reflect such restriction, limitation or condition.

Source: Miss. Code Ann. §§73-53-11(1)(c), (f), (h) and (k), 73-53-19, 73-53-21, 73-53-27, 73-54-11(1), 73-54-31 and 73-54-33 (2008 & Supp. 2011).

Rule 3.3 DISCIPLINARY SANCTIONS

A. General

The Board, upon recommendation of the Discipline Specific Committee, after a properly noticed and conducted due process hearing may, by majority vote, impose sanctions, singly or in combination, when it determines that violations have occurred and sanctions are in order. All decisions by the Board will be conveyed to the licensee, in writing, by the Board Chair.

B. Specific Sanctions

1. Revocation of the license.

2. Suspension of the license, for any period of time.

3. Censure of the licensee.

4. Written reprimand to the licensee.

5. Imposition of a monetary penalty of not more than Two Hundred Dollars ($200.00).

6. Placement of a licensee on probationary status and requirement that the licensee submit to any or all of the following:

   a. Regular reports to the board regarding matters which are the basis of probation.

   b. Continue to renew professional education until a satisfactory degree of skill has been attained in those areas which are basis of probation.

   c. Such other reasonable requirement or restrictions as are proper.

7. Refusal to renew a license.

8. Revocation of probation which has been granted previously and imposition of any other disciplinary action in this subsection when the requirements of probation have not been fulfilled or have been violated.

9. Disposition of any formal complaint may be made by consent order or stipulation between the Board and the licensee.

C. Summary Suspension

The Board may summarily suspend a license without a hearing, simultaneously with the filing of a formal complaint and notice of hearing, if the Board determines that the health, safety, or welfare of the general public is in immediate danger.

Suspension of license without a hearing with simultaneous filing of a formal complaint and notice for a hearing provided under this section if

the Board finds that the continued practice in the profession would constitute an immediate danger to the public. If the Board summarily suspends a license under the provisions of this subsection, a hearing must begin within twenty (20) days after such suspension begins, unless continued at the request of the licensee or extraordinary conditions.

The Board may order a licensee to submit to a reasonable physical or mental examination, if the licensee's physical or mental capacity to practice safely is an issue in a disciplinary proceeding. All licensees consent to this procedure as a condition of licensure.

Failure to comply with a Board order to submit to a physical or mental examination shall render a licensee subject to the summary suspension procedures described above.

Source: Miss. Code Ann. §§73-53-11(1)(c), (e) and (k), 73-53-23, 73-54-11(1) and 73-54-29 (Supp. 2011).

Title 30: Professions and Occupations

Part 1902: RULES AND REGULATIONS FOR SOCIAL WORKERS

Part 1902 Chapter 1: General Provisions

Rule 1.1 DEFINITIONS

A. "Social Work Practice" means the professional activity directed at enhancing, protecting or restoring people's capacity for social functioning, whether impaired by physical, environmental, or emotional factors. It is the professional application of social work values, principles, skills, and knowledge directed to one or more of the following ends: helping people obtain tangible services; counseling or psychotherapy with individuals, families, and groups; helping communities or groups to provide and/or improve social and health services; engaging in consulting, research, and teaching relating to those ends and principles; and administering organizations and agencies engaging in such practice and participating in relevant legislative processes.

Social work practice is based on a specific body of knowledge and includes, but is not limited to, a special knowledge of social resources, social systems, human capabilities, and the part that past experiences play in determining present behavior. Social work practice is focused on the client’s interaction with social systems and directed at helping people to achieve more adequate, satisfying, productive, and self-realizing social adjustments.

Social work practice includes, but is not restricted to, casework and the use of social work methodology of a non-medical nature with individuals, families, and groups and other measures to help people modify behavior or personal and family adjustment; providing information and referral services; explaining and interpreting the psycho-social aspects in the situation of individuals, families, or groups; helping communities to analyze social problems and human needs and the direct delivery of human services; and education and research related to the practice of social work. Engaging in activities which may overlap social work practice does not constitute social work practice.

B. Clinical Social Work Practice means the application of social work methods and values in diagnosis and treatment and prevention of psychosocial dysfunction disability or impairment including emotional, mental, and behavioral disorders. It is directed at enhancing, protecting, or restoring people’s capacity for social functioning, whether impaired by

physical, environmental, or emotional factors. Clinical social work has a primary focus on the mental, emotional and behavioral well being of individuals, couples, families and groups. It centers on a holistic approach to psychotherapy and the client's relationship with his or her environment as essential to treatment planning.

C. "Macro social work practice" focuses on changing larger systems, such as communities and organizations. It encompasses a broad spectrum of practice, including planning, program development, community organizing, policy analysis, legislative advocacy, program evaluation, task-oriented group work, community education, and human services management.

D. "Examination" means that test or other measurement which is endorsed and prescribed by the Association of Social Work Boards (ASWB.)

E. "Association of Social Work Boards (ASWB)" is the national Association of Social Work Boards.

F. "Council on Social Work Education" (CSWE) is the national entity which accredits schools, departments, and programs of social work in higher education.

G. "Board of Examiners for Social Workers and Marriage and Family Therapists" (BOE SW/MFT) is the legislatively authorized regulatory board for practitioners in the respective disciplines of social work and marriage and family therapy.

H. "Psychotherapy" is a specialized, formal interaction between a social worker or other mental health professional and a client (either individual, couple, family or group) in which a therapeutic relationship is established to help resolve symptoms of mental disorder, psychosocial stress, relationship problems and difficulties in coping in the social environment.

Source: Miss. Code Ann. §§73-53-3 and 73-53-11(1)(c) and (k) (Supp. 2011).

Part 1902 Chapter 2: Licenses and the Licensing Process

Rule 2.1 Types of Social Work Licenses

A. "LSW" (Licensed Social Worker) is the license held by an individual licensed to practice social work in the state of Mississippi at the

baccalaureate level. (Part 1902, Chapter 3, Rule 3.2, A: Guidelines of Practice LSW.)

B. "LMSW" (Licensed Master Social Worker) is the license held by an individual, with a masters or doctoral degree, who is licensed to practice social work in the state of Mississippi at the masters level. (See Part 1902, Chapter 3, Rule 3.2, A: Guidelines of Practice LMSW.)

C. "LCSW" (Licensed Certified Social Worker) is the license held by an individual who has fulfilled the requirements for LMSW and completed the requirements of the BOE SW/MFT for post-masters professional supervision. This individual is licensed at the certified level. Only licensed certified social workers who have completed clinical supervision and taken the ASWB clinical exam may hold himself/herself out to the public as a "clinical social worker." (See Part 1902, Rule 3.2, C: Guidelines of Practice LCSW.)

Source: Miss. Code Ann. §§73-53-3, 73-53-11(1)(c) and (k) and 73-53-13 (Supp. 2011).

Rule 2.2 REQUIREMENTS FOR LICENSURE

A. Prerequisite to performance of services

All individuals not exempt from licensure are prohibited from performing services for compensation, for which licensure is required by these Regulations. They are also prohibited from holding themselves out to the public by any title or description of services set out in these Regulations or by any title or description of services likely to cause public confusion with any title or description of services set out in these Regulations.

B. General Requirements

An applicant for social work licensure shall meet the following general requirements:

1. Is at least twenty-one (21) years of age;

2. Is of good moral character, as defined in these Rules and Regulations;

3. Has on file a fingerprint criminal history information record check acceptable to the Board.

4. Has on file a Mississippi Sex Offender Registry check acceptable to the Board;

5. Holds United States citizenship or status as a legal resident alien;

6. Is free of conviction of a felony related to the practice of social work within the last ten (10) years;

7. Is mentally competent with no decree of mental incompetence still standing in any court;

8. Is currently free from dependency on alcohol or drugs, other substances or any other type of addiction;

9. Has no pending disciplinary action;

10. Has an acceptable social work degree for level of licensure requested.

C. Specific Requirements

Application shall be made on forms provided by the Board and available on the Board's website. Payment of application fees must be included with an initial licensure application and other supporting documentation as required. (See Schedule of Fees: Part 1902, Chapter 4, Rule 4.3, B)

1. **LSW Level**: An applicant for LSW designation must submit the following to the Board:

   a. An Initial application;

   b. Verification of a baccalaureate degree in social work from a college or university accredited by Council on Social Work Education) (CSWE) or Southern Association of Colleges and Schools (SACS);

   c. A current fingerprint criminal history record information check conducted by the appropriate governmental authority or authorities within one-hundred eighty (180) days of the completed application. This criminal history record information check must be received by the Board directly from the appropriate governmental authority or authorities, not from the applicant;

d. An acceptable Sex Offender Registry check conducted by the Board;

e. Passing scores on the examination from the ASWB basic exam;

f. Full licensure fee (See Part 1902, Chapter 4, Rule 4.3, B).

2. **LMSW Level**: An applicant for LMSW designation must submit the following to the Board:

a. An Initial application;

b. Verification of a master's degree from a school of social work accredited by the Council on Social Work Education (CSWE) or a doctorate in social work (D.S.W. or Ph.D.);

c. A current fingerprint criminal history record information check conducted by the appropriate governmental authority or authorities within one-hundred eighty (180) days of the completed application. This criminal history record information check must be received by the Board directly from the appropriate governmental authority or authorities, not from the applicant;

d. An acceptable Sex Offender Registry check conducted by the Board;

e. Passing scores on the examination from the ASWB intermediate exam;

f. Full licensure fee (Part 1902, Chapter 4, Rule 4.3, B).

3. **LCSW Level**: An applicant for LCSW designation must be a current LMSW in good standing who has completed the Supervision process as outlined in Part 1902, Chapter 2, Rule 2.3 as verified by Board records, and must submit to the Board:

a. An Initial application for LCSW license;

b. Supervision Plan and Contract for Supervision as outlined by the MS Board of Examiners for Social Workers in the LMSW Guide for Supervision;

c. Four evaluations (1 approximately every six months for 24 months) not to exceed thirty-six (36) months for the supervision process to be completed;

d. Termination of Supervision Contract;

e. A current fingerprint criminal history record information check conducted by the appropriate governmental authority or authorities within one-hundred eighty (180) days of the completed application. This criminal history record information check must be received by the Board directly from the appropriate governmental authority or authorities, not from the applicant;

f. An acceptable Sex Offender Registry check conducted by the Board;

g. Three character/professional references from persons in current professional contact with applicant; references may be from disciplines related to social work, but at least one(1) must be from a LCSW other than the applicant's supervisor;

h. Passing scores from the ASWB examination on either the Clinical level or Advanced level;

i. Applicable fees: No additional licensure fee is required, if upgrading from LMSW status in good standing.

Note: All licensees are required to inform the Board, through submission of a Change of Status Form, of a change of address, name, and etc.

4. <u>Licensure by Reciprocity/Endorsement</u>:

Applicants for licensure by reciprocity/endorsement who hold a valid license from another state may be eligible for licensure in Mississippi provided:

a. The examination completed for licensure is the same examination endorsed or prescribed by the Association of Social Work Boards (ASWB) for the license level for which reciprocity/endorsement is being requested.

b. The applicant has a comparable license in good standing or registration from another state or territory of the United States that imposes qualifications equal to or greater than the current requirements of the Mississippi Board of Examiners. Exams administered by individual states are not considered equal.

c. Applicants, who have complaints or disciplinary action pending against them in another state, will not be granted a Mississippi license until such complaints are resolved to the satisfaction of the Board.

d. The applicant has the required degree for licensure according to the current Rules and Regulations of the Board.

D. Abandonment of Application

An application for licensure as a LSW or a LMSW shall be considered abandoned if the ASWB exam has not been attempted within six (6) months from the date on which the application was received by the Board.

An application for licensure as a LCSW shall be considered abandoned if the ASWB exam has not been attempted within six (6) months from the date on which termination of supervision was approved by the Board and the applicant was approved to take the ASWB exam at the Clinical or Advanced level.

Any subsequent application shall be treated as a new application.

E. Exemptions from Licensure

No provision in the law or these Regulations shall be construed to:

1. Prevent individuals licensed or certified by this state, whose activities overlap with the practice of social work, from carrying out the functions covered by their respective licenses or certificates, or to prevent duly ordained or licensed members of the clergy from carrying out the functions for which they have been trained, provided that such clergy or individuals shall not hold themselves out to the public by any title set out in these Regulations.

2. Apply to or in any way interfere with any office, officer, agency, or employee of the United States, while such office, officer,

agency, or employee is engaging in the performance of official duties within the course and scope of such employment or duties.

3. Apply to or in any way interfere with an individual who performs services described by these Regulations solely for the benefit of a member of that individual's immediate family without compensation.

4. Apply to or in any way interfere with the activities and services of a student while pursuing a course of professional education qualifying as education under these Regulations, if these activities or services constitute a part of such student's supervised course of study and such activities are supervised by an individual licensed under these Regulations.

Source: Miss. Code Ann. §§73-53-1, 73-53-5, 73-53-7(1), 73-53-11(1)(c),(d), (k), (*l*), (u) and (3), 73-53-13 and 73-53-15(2) and (6) (Supp. 2011).

Rule 2.3 PROFESSIONAL SUPERVISION REQUIREMENTS FOR LCSW LICENSURE

A. Purpose

Professional supervision for the LCSW candidate is intended to enhance professional development and competency and equip the applicant for autonomous practice. Supervision means the direct review, for the purpose of training or teaching by a supervisor, of the supervisee's interaction with a client or client system. The purpose of supervision shall be to promote the development of the supervisee's social work skills. Supervision occurs through multiple methods, including live supervision, video/audiotape review and case report. It must be a process clearly distinguishable from personal psychotherapy and is conducted in order to serve professional goals.

Interactions which do not constitute supervision include: peer supervision; supervision by current or former family members or any other person with whom the nature of the personal relationship prevents or makes difficult the establishment of a professional supervisory relationship; or a primarily didactic process wherein techniques or procedures are taught in a group setting, classroom, seminar, staff development, orientation or role-playing as a substitute for current social work practice.

B. Prior Approval

All plans for professional post-Master's supervision must be approved by the Board prior to the beginning of said supervision, i.e., no retroactive approval of professional supervision will be granted.

Supervisor Approval: An LCSW who is providing post-Master's supervision to an LCSW candidate must be a Board-approved LCSW Supervisor, having met all requirements for Supervisors and submitted the applicable fee.

LCSW Candidate Approval for Supervision: An LMSW seeking to become licensed at the LCSW must meet all requirements, have submitted all fees and receive written approval by the Board prior to initiating the supervision experience.

C. Approval Procedure

LMSW's wishing to apply for LCSW status must:

1. Hold an LMSW license in good standing as evidenced in Board records;

2. Submit an Application to Enter into Contract for Supervision toward LCSW Status and processing costs (See Schedule: Part 1902, Chapter 2, Rule 2.3, A)

3. Submit a Plan of Supervision which meets all points required by the Board (See Part 1902, Chapter 2, Rule 2.3, B) and the Outline for the Plan for Supervision provided by the Board in the Guide for Supervision (which may be accessed on the Board's website). All points must be covered in sufficient detail for review by the Social Work Credentials Committee and subsequent Board approval.

D. Supervisor's Qualifications and Responsibilities

Supervision for the LCSW candidate must be provided by an LCSW who is a Board-approved LCSW Supervisor.

1. Certification as a Supervisor requires:

   a. a minimum of two years of verifiable practice at the LCSW level,

   b. completion of a Board approved supervision course for a minimum of sixteen (16) hours for initial approval as a supervisor and, thereafter, two (2) hours continuing

education in supervision during each biennial renewal period No supervision continuing education is required for the first renewal period. All supervision training must be approved by the Board in order to be considered for this purpose. Supervision trainers must be an approved LCSW supervisor. Effective April 1, 2009, all Board-approved supervisors must have completed the Board-approved supervision training required by this paragraph on or before July 1, 2011, in order to maintain their status as Board-approved supervisors. If supervisory training requirements were not met by July 1, 2011, approved supervisor status expired on that date and the licensee is required to meet all requirements set forth in these Rules and Regulations to become an approved supervisor.

c. submission of an application for supervisory designation,

d. approval from the Board, and

e. payment of the required processing costs *(See Schedule: Part 1902, Chapter 4, Rule 4.3, B).*

2. The LCSW Supervisor must maintain his/her license as a LCSW in accordance with licensure laws of the State of Mississippi. Board approved supervisor status remains in effect contingent upon the supervisor maintaining a current license in good standing with the Board and completing the Board-approved supervisor training required by these Rules and Regulations, during each license biennial renewal period.

3. Initial supervisor approval expires on the date the licensee's regular license next expires. Thereafter, renewal of supervisor approval begins and expires on the same date for the supervisor's regular social worker's license. To renew the approved supervisor status, a supervisor must document at the time of license renewal that during the concluding license period the supervisor completed a Board approved supervision course for a minimum of sixteen (16) hours and two (2) hours continuing education in supervision.

4. It shall be considered unethical for an LCSW without clinical expertise to supervise a LMSW candidate seeking to become a clinician.

5. Supervisor may not supervise more than five (5) LMSWs who are in candidacy for the LCSW at any one time. No plan of

supervision will be approved if the contracted supervisor is supervising more than five (5) licensed master social workers who are in pursuit of the LCSW licensure designation.

6. The LCSW Supervisor may provide supervision utilizing the following acceptable modes:

   a. Individual supervision shall mean a maximum of two (2) supervisees meeting with one supervisor;

   b. Group supervision shall mean a maximum of five (5) supervisees meeting with one supervisor.

E. The Supervisory Experience

1. Supervision must occur within an agency, institution, or group practice setting. A LMSW practicing independent of an agency, institution, or group practice setting will be practicing outside Board regulations, not be considered a candidate for LCSW supervision, and face disciplinary action.

2. In order to be approved by the Social Work Discipline Specific Committee of the Board, the supervision application and experience must include the following:

   a. A contractual agreement between social worker and supervisor;

   b. A Plan of Supervision, approved by the Board, utilizing the plan outline provided by the Board;

   c. The supervisee having a minimum of one hour per week face-to-face supervision with the LCSW supervisor for a minimum of one hundred (100) hours. The supervision period must be for a minimum period of twenty-four (24) months and may not exceed thirty-six (36) consecutive months. Supervisees may receive up to four (4) hours credit for developing the supervision plan collaboratively with their prospective supervisor;

      For supervisors and supervisees who are not employed within the same agency, there must be a written plan approved by the Board to address how the LCSW Supervisor will insure that the face-to-face supervision is observed or carried out. Such face-to-face supervision must

include on-site visits to the supervisees practice location at least once per six (6) month supervision period;

Supervision may include alternate means of supervision by audio or audiovisual electronic device provided there is direct, interactive, live exchange between the supervisor and supervisee or provided that communication is verbally or visually interactive between the supervisor and the supervisee. No more than one-fourth (1/4) of the required hours may be by alternate means to direct face-to-face contact for a total of twenty-five (25) hours;

d. During the supervision period, the LMSW must complete a minimum of one-thousand (1,000) hours of face-to-face client contact;

e. Evaluations should document personal growth and improvement in specific areas from one evaluation period to the next evaluation period. Written evaluations from the supervisor must be submitted to the Board for review at six month intervals and approved by the Board before beginning the next six (6) month supervision and evaluation period. A copy of each evaluation must be maintained in the LCSW Supervisor's file for a period of three (3) calendar years.

3. The applicant seeking LCSW designation must submit with the final evaluation forms, three (3) form letters of reference from appropriate professionals which indicate that applicant's conduct is congruent with social work law and ethics and that there are no violations of standards of practice as set forth in the statute and the regulations. Forms are available on the Board's website.

F. How To Change Supervisors

1. If it is necessary for supervision to be terminated, prior to the completion of the supervision experience between an LCSW candidate and their LCSW supervisor, the terminating supervisor is responsible for completing a current evaluation form and a Termination of Supervision Form on which the LCSW supervisor shall verify the total number of supervised hours. The documents must be submitted to the Board for review within thirty (30) days of the termination of supervision.
2. The Board shall review the supervision record along with the termination contract to determine the extent to which the

supervision process is completed up to the date submitted to the Board.

3. If supervision is to be continued with another LCSW supervisor, the LMSW in candidacy for the LCSW must submit to the Board:

   a. a new Application to Enter Into Contract for Supervision toward LCSW status, listing the prospective LCSW Board approved supervisor;

   b. the supervisory contract signed by the new LCSW Board approved supervisor; and

   c. any revisions necessary to the plan under the new supervision agreement.

Source: Miss. Code Ann. §§73-53-11(1)(c),(d), (k) and (*l)* and 73-53-13(c)(ii) (Supp. 2011).

Rule 2.4 EXAMINATIONS

A. Applications for Exams

The ASWB requires verification by the Board of Examiners for applicants to sit for the ASWB exam for each licensure level. Therefore, applicants must receive written approval from the Board to sit for the ASWB examination. The approval to sit for the ASWB examination expires one (1) year from the date of the Board's approval.

1. **Student Applications:**

Baccalaureate social work majors, who have been certified as having already attained senior standing, in colleges or universities accredited by Council on Social Work Education (CSWE) and/or Southern Association of Colleges and Schools (SACS) in accordance to the standards of the particular college or university, may apply to take the licensure exam. Certification must be provided by the social work program director on forms provided by the Board on the Board's website. Verification of the social work degree is required before the license can be issued.

Graduate MSW students, who have been certified as being in the final year of the program, in colleges or universities accredited by the Council on Social Work Education (CSWE), and certified by the director of the social work program, may apply to take the

licensure exam. Certification must be provided on forms provided by the Board. Verification of the social work degree is required before the license can be issued.

Students in social work doctoral programs in colleges or universities accredited by Council of Social Work Education (CSWE) may take the exam in the final year of school, if not already licensed with the LMSW. Verification of the social work degree is required before the license can be issued.

2. **Applications from Degreed Persons:**

Persons holding a degree in social work from institutions as specified in MS Code annotated, l972, Sections 73-54-1 et.seq. may apply to take the basic exam at any time following graduation. The Verification of Degree form must be submitted with the application for license.

B. Application Process

After receipt of the application form, the verification of education form, and applicable processing cost, the candidate will be sent an ASWB Candidate Handbook. All necessary information about application for the examination is contained in the Handbook, along with a 1-800 number for information and registration.

C. Cost of Exams

Cost is determined by ASWB and the testing service. The Candidate Handbook will contain all information about costs. Testing costs are paid directly to ASWB at the time of registration.

D. Frequency of Examinations

The Board will accept the exam score from its designee, the Association of Social Work Boards and its subcontractors, which schedule the exam weekly.

Licensed Social Worker (Basic) and Licensed Master Social Worker (Masters): Applicants for LSW and LMSW licenses may take the exam every ninety (90) days and as many times as necessary to attain a passing score.

Licensed Certified Social Worker (Clinical or Advanced): Applicants for LCSW status may take the exam every ninety (90) days and as many times

as necessary to attain a passing score. However, the applicant may continue to practice under the LMSW license provided all requirements for renewal have been met.

Note: Applicants who are unable to attain a passing score within one (1) year of the initial application date must reapply for licensure with all applicable fees.

E. Examination Levels

1. LSW applicants are examined at the BASIC level.

2. LMSW applicants are examined at the MASTERS level.

3. LCSW applicants are examined at the ADVANCED or CLINICAL level.

1. Scores

1. Official notice of examination scores will be made to the Board by the ASWB. Applicants will be notified of scores at the exam site.

2. A minimum score of 70 is necessary to pass the exam at each of the three levels of licensure - LSW, LMSW, LCSW.

3. The Board reserves the right to accept the decision of the testing service regarding the validity of any test score or scores.

Note: Licensee's are encouraged to check the status of their application to ensure applications are being processed accordingly.

Source: Miss. Code Ann. §§73-53-11(1)(c), (g), (k) and (*l*) and 73-53-15(4)(Supp. 2011).

Rule 2.5 Issuance of Licenses

Professional licenses may be issued by the Board during any regular meeting at which there is a quorum present. Board staff may not issue licenses independently of Board action.

Change in Name: It is the responsibility of the licensee to notify the Board promptly, no later than 30 days following the change of name, of any change in their name and to request a new certificate of licensure showing the appropriate name. All requests for a name changed must be made in writing, signed and notarized, and accompanied by a certified copy of the legal document which changed the name, and the appropriate fee or administrative cost. Licensees will

be in violation of the standards of practice if they practice using a name different from the one appearing on their license certificate, and will be subject to disciplinary action by the Board.

Source: Miss. Code Ann. §§73-53-1 and 73-53-11(1)(c), (g) and (k) (Rev. 2011).

Rule 2.6 Status of License

A. **Active or in Good Standing**: The licensee has met all requirements for licensure, has renewed before the license expiration date and paid all fees and administrative costs on time, has maintained the necessary requirements for his/her license and there are no disciplinary actions against the licensee. Licensees on active status and in good standing may utilize the Board's online renewal system.

B. **Probationary:** The probationary status is issued to a licensee who is non-compliant with social work regulations, whether it be failure to acquire and verify continuing education or an appropriate end to a disciplinary procedure.

When probation is the result of a continuing education deficiency, Probationary Status will continue until the next regular renewal cycle.

No probationary license will be renewed unless all continuing education deficiencies are collected AND current renewal requirements are met. For example, if a probationer lacks 15 continuing education hours, the probationer would require 55 continuing education hours to renew at the next renewal cycle. No licensee may go through a second renewal cycle without bringing all educational requirements up to date.

C. **Emergency-** The Board provides for licensure for volunteer social workers entering the State that are licensed to practice in other states. Social workers actively licensed in other states who assist other that have been affected by a hurricane or other natural disasters can practice in Mississippi for a maximum of ninety (90) days, without applying for a regular license. Volunteers who take paid positions in the practice of social work in the State of Mississippi must be licensed by the Board. Any applicant seeking emergency certification must submit an application to the Board using forms located on the Board website.

Emergency Provisional Permit for Social Workers. During a lawfully declared local, state or national disaster or emergency, the Board may grant a social worker who holds a license to practice such profession in another state or territory of the United States an emergency temporary social worker permit to practice in Mississippi ***to the extent authorized by***

this rule as if the individual were licensed in this state. To qualify for an emergency provisional permit, an individual must meet the requirements described below:

1. The individual seeking an emergency provisional permit must:

    a. hold a current license in good standing as a social worker in another state or territory of the United States,;

    b. possess a license that is equivalent to that of the Mississippi license and have no existing or history of disciplinary action against any license held in any jurisdiction;

    c. be sponsored by a social worker with an active license in good standing in Mississippi; and

    d. adhere to the scope of practice for a similarly licensed individual established by the licensing provisions, practice acts, or other laws, rules or regulations of the State of Mississippi.

2. The individual seeking an emergency provisional permit must :

    a. Submit a complete, signed and notarized Application for Emergency Provisional Permit and proof of his or her identify, which must include a copy of a drivers' license, passport, or other photo identification issued by a governmental entity;

    b. Submit an application fee of $50.00, payable by cashier's or money order and made payable to MBOE;

    c. Submit verification of licensure for each state or territory in which licensure has been issued;

    d. Provide the Board with the location where he or she will practice; and

    e. Provide any other information required by the Board.

3. An emergency provisional permit shall be valid for a period as determined by the Board or its designee not to exceed ninety (90) days. The Board or its designee may renew the provisional permit for an additional ninety (90) days, if the lawfully declared disaster

or emergency still exists. Provided however, that an emergency provisional permit shall expire at the time designated by the Board or whenever the lawfully declared disaster or emergency no longer exists, whichever comes first.

4. A holder of an emergency provisional permit (i) may only practice in the location on file at the Board's office; and (ii) must notify the Board in writing prior to beginning employment in another location.

5. An emergency provisional permit may be immediately suspended or revoked upon discovery of any falsification, omission, or withholding of information.

6. An individual wishing to practice as a social worker beyond the expiration of an emergency provisional permit or any extension thereof must apply for and obtain a social worker or marriage and family therapist license in accordance with the laws, rules and regulations governing said license *in the State of Mississippi*.

D. **Inactive**: Upon written request and submission of the annual renewal application and renewal fee, the Board may grant inactive status to a licensee who:

1. Holds a license which is current and in good standing. All requirements for licensure must be met, including continuing education requirements.

2. Does not practice as a social worker for compensation in the State of Mississippi.

3. Does not hold himself or herself out as a social worker or by any title set out in these Regulations that is likely to cause public confusion.

Social Workers may request in writing on forms provided by the Board that their licenses be placed on inactive status. The Board will consider the request and will notify the licensee of its decision in writing within 60 days of receiving the written request for inactive status.

Those granted inactive status shall be excused from paying renewal fees until they notify the Board in writing of their intention to resume active practice. If a licensee fails to return to

active status within two (2) years of being placed on inactive status, the licensee may request an extension in writing on forms provided by the Board (this form is available on the Board's website) for an additional two (2) years. If the licensee does not request an extension in writing on forms provided by the Board or no extension has been granted by the Board, the license will be considered as lapsed at the end of the renewal period following the end of the inactive status period, and be subject to the requirements for lapsed licenses.

All licensees on inactive status must provide evidence of having obtained the acceptable continuing education hours that would have been required had they been licensed in an Active status before returning to active status. At the Board's discretion, the continuing education requirements may be waived up to half the amount required per license period.

The regular active license and ID card must be surrendered to the Board within thirty days from the date of approval for inactive status. A return to active status will call for adherence to all rules and regulations for regular license as set forth in this document.

Disciplinary action will be taken against a licensee on inactive status who performs social work services for compensation or presents him/herself as a licensed social worker. One may continue to use academic indicators of degrees such as B.S.W., M.S.W., Ph.D., etc. Disciplinary action may include revocation of license for a period to be determined by the Board.

E. **Retired:** Licensees who are in good standing, may request retirement status designation from the Board. Retired, in this instance, means no longer receiving monetary compensation as a practitioner in the field of social work. Upon approval of such status, the licensee must surrender his/her regular license for a license bearing a status of "Retired". The retiree must complete and submit to the Board a signed affidavit of retirement as supplied by the Board on the Board's website or by contacting the Board office. Note: Individuals, who hold a Retired license may not engage in social work practice for compensation.

In order to receive "Retired" status, an individual must meet all licensing requirements, including continuing education and pay the processing fee. If a licensee does not meet these requirements, then a "Retired" license will not be granted.

All re-licensure requirements are waived for a "Retired" license, but processing costs will be charged for issuing the retired license. (See schedule in Part 1902, Chapter 4, Rule 4.3, B)

F. **Retiree Reinstatement:** Retirees who wish to reinstate within two (2) years of their retirement may follow the reinstatement process.

Licensees holding a “Retired” status who wish to return to the active practice of social work after two (2) years of obtaining “Retired” status must comply with the following:

1. Submit an application for reinstatement to the MS BOE SW/MFT.

2. A request must be made in writing to the Board in order to return to active status. The request must include the following:

   a. An explanation of the circumstances of the new practice setting;

   b. A description of the practitioner's proposed duties;

   c. A description of the agency’s environment;

If the request for re-instatement is granted by the Board, the licensee will be expected to earn the full number of continuing education hours (40) for the licensure period in question.

Note: Failure to complete all steps in the retiree reinstatement process will result in the surrender of the applicant's license.

G. **Denied:** An applicant will be denied a license or renewal license when the Board: (1) determines the applicant does not meet the requirements for licensure; (2) has substantial evidence the applicant has violated the standards of conduct, the Code of Ethics or is not of good moral character; (3) has pending disciplinary action against the licensee; (4) has not received an criminal history records information check and a report based on a check of the Mississippi Sex Offender Registry; (5) has not received a complete and correct application or renewal application within the timeframe allowed; (6) has received documentation the licensee has a current (active) addiction to alcohol or drugs, other substances, or any other type of addiction; or (7) has received a declaration of mental incompetence by the court or licensed qualified professional for the licensee.

H. **Revoked:** The Board may revoke or suspend a license on grounds set forth in these regulations. The person may not practice social work during the time the license is revoked.

I. **Lapsed:** Licensees who fail to renew their license biennially before the expiration date shall have the licenses lapsed. A licensee may not practice social work during the lapsed period. The licensee may be reinstated within a two year period by following the reinstatement process. A license that has lapsed for more than two (2) years cannot be renewed or reinstated. The licensee must apply for a new license under the requirements set forth in the Rules and Regulations that are in effect at the time the new application is received by the Board.

J. **Re-instatement:** Licensees, who have had licenses placed in lapse or inactive status, may apply for reinstatement within two (2) years for lapsed license or within four (4) years for inactive status by completing the following steps:

1. Making application for reinstatement on Board prescribed forms available on the Board's website.

2. Paying all applicable costs.

3. Providing the Board with fingerprint criminal history records information check and a check of the Mississippi Sex Offender Registry

4. Satisfactory documentation of completion of all continuing education requirements specified by Board Rules and Regulations that that would have been required to maintain a current license for the entire period the license has been lapsed or inactive;

K. **Reinstatement after revocation**

If the revocation or lapse has lasted more than two years or the inactive status lasted more than four (4) years, a completely new application is required, including retaking the exam and the application is subject to the Rules and Regulations in effect at the time of the new application.

Providing documentation that previous infractions have been addressed/corrected, i.e., treatment for mental illness, alcohol and/or drug addiction or abuse or other substance addiction or type of abuse, if applicable.

Source: Miss. Code Ann. §§73-53-11(1)(c), (d), (e), (k), (n) and (2), 73-53-15 and 73-53-

23(1)(f) and (4) (Supp. 2011).

Part 1902 Chapter 3 Professional Standards of Practice and Code of Conduct

Rule 3.1 PROFESSIONAL IDENTIFICATION

A. Titles and Abbreviations

Persons issued a license to practice social work in Mississippi may use the title as appropriate to each level of licensure:

- "Licensed Social Worker",
- "Licensed Master Social Worker",
- "Licensed Certified Social Worker" and "Clinical Social Worker".

Academic titles such as B.S.W.,"M.S.W., M.S.S.W., "D.S.W.," and Ph.D. denote academic degrees and not levels of licensure.

B. Production and Display of License

A person issued a license to practice social work by the Board of Examiners will be issued a licensure ID card which should be in his/her possession at all times. The certificate of licensure shall be displayed at all times in the licensee's place or places of practice. Duplicates are available from the Board. (See Schedule: Part 1902 of this title).

Source: Miss. Code Ann. §§73-53-11(1)(c) and (k) and 73-53-13 (Supp. 2011).

Rule 3.2 GUIDELINES OF PRACTICE ***(See also MS Code Annotated, l972, Sections 73-54- 1 et seq.)***

It is the legal and ethical responsibility of each licensed social worker to limit the scope of professional practice to the parameters of the licensee’s competencies. Client systems for all levels of licensure may be individuals, groups, families, organizations, and communities.

A. Licensed Social Worker (LSW)

The entry level of social work practice usually includes a wide range of direct services under the supervision of a Licensed Master Social Worker or other qualified professional. The LSW generally provides basic problem solving interventions. Professional tasks may include data

gathering, assessment, planning and contracting, various generalist interventive methodologies, conducting educational and supportive groups and evaluation of own practice. LSWs should not provide clinical social work services, psychotherapy, or engage in autonomous practice.

B. Licensed Master Social Worker (LMSW)

The LMSW may provide services to individuals, couples, families, organizations and communities. Such services shall be guided by knowledge of social work theory, social resources, social systems, human behavior, ethics, and methods to restore or enhance social, psychosocial or bio-psychosocial functioning. Scope of practice includes, but is not limited to, assessment, treatment implementation and evaluation, case management, information and referral, mediation, education, psychotherapy, advocacy, supervision of employees, consultation, research, community organization and development, administration of social policies, programs and activities.

A LMSW may provide clinical social work services within a recognized setting such as social, medical and governmental agencies and organizations only when under the supervision of a LCSW or other licensed or certified clinical professions such as a psychiatrist, or PhD, or PsyD level clinical psychologist. A LMSW may only work as an employee in an agency or organizational setting and cannot engage in autonomous practice.

Supervision of a LMSW for LCSW certification can only be provided by a LCSW as specified in Section IV. LMSWs must not provide unsupervised clinical services and cannot hold him/her self out as a Licensed Clinical Social Worker.

C. Licensed Certified Social Worker (LCSW)

The LCSW is qualified to perform all services included in the LMSW scope of practice in Section B above and those specified for the LCSW herein. The LCSW shall be qualified to function independently and shall demonstrate special knowledge and skill in his/her practice areas.

Clinical Social Work Practice means the application of social work methods and values in diagnosis and treatment and prevention of psychosocial dysfunction disability or impairment including emotional, mental, and behavioral disorders. It is directed at enhancing, protecting, or restoring people's capacity for social functioning, whether impaired by physical, environmental, or emotional factors. Clinical social work has a primary focus on the mental, emotional and behavioral well being of individuals, couples, families and groups. It centers on a holistic approach

to psychotherapy and the client's relationship with his or her environment as essential to treatment planning.

The LCSW specializing in clinical practice may independently engage in the use of a variety of psychotherapeutic techniques. The clinician is legally and ethically bound to practice only in the parameters of his/her expertise.

The LCSW in macro practice shall demonstrate skill in supervision and management at the macro level.

Source: Miss. Code Ann. §§73-53-1, 73-53-11(1)(c), (k), (2) and (3) and 73-53-13 (Supp. 2011).

Rule 3.3 Standards of Ethical Conduct ***(See also Section 73-53-17 ff, MS Code Annotated, l972.)***

A. The social worker's primary responsibility is to clients.

B. The social worker must respect the privacy of clients and hold in confidence all information obtained in the course of professional services except as required by law.

C. Social work fees must be fair, reasonable, considerate, and commensurate with the services performed.

D. The social worker must uphold and advance the values, ethics, knowledge, and mission of the profession.

E. The social worker must assist the profession in making social services available to the general public.

F. The social worker must strive to become and remain proficient in professional practice.

G. The social worker must distinguish clearly between statements and actions made as a private individual and those made as a representative of the social work profession.

H. The social worker must not practice beyond the parameters of his/her competencies.

I. The social worker must retain ultimate responsibility for the quality and extent of the services he/she performs.

J. The social worker must not exploit professional relationships for personal gain.

K. The social worker engaged in research must protect participants from unwarranted physical or mental discomfort, distress, harm, danger, or deprivation.

Source: Miss. Code Ann. §73-53-11(1)(c) and (j) (Supp. 2011).

Part 1902 Chapter 4: Continuing Education and Licensure Renewal; Reinstatement

Rule 4.1 CONTINUING EDUCATION

A. Philosophy

Continuing education means instruction and learning which fosters the enhancement of general or specialized social work practice, values, knowledge, and skills.

B. Definitions

1. Continuing Education: The continuing education offerings for each discipline (social workers and marriage and family therapists) are approved independently. Licensees should NOT assume that an approved offering for one discipline is also approved for the other discipline. The MBOE website maintains separate lists of approved continuing education offerings for social workers and marriage and family therapists. The Board shall credit continuing education for social workers as follows. Parts of programs which meet the criteria set forth in these rules and regulations (relating to Types of Continuing Education and Criteria for Approval of Continuing Education Activities) shall be credited on a one-for-one basis with one clock-hour credit for each one clock-hour spent in the continuing education activity. Time devoted to registration, organizational business, breakfasts, luncheons, dinners, or other refreshments shall not be counted as instructional or continuing education credit time. When there is a luncheon speaker, only the time of the speaker's presentation may be calculated for continuing education credit. Forty (40) clock hours are required each renewal period.

2. DESIGNATED PROVIDERS (DPs): are organizations or institutions determined by the MS Board of Examiners SW Continuing Education Committee (SWCEC) to meet the standards

for continuing education. These organizations hold standing by application, review and approval for a two (2) year period of time, during which they must consistently comply with all requirements. Complaints and random audits by MBOE members or their designees may result in removal from the status at any time and may prohibit renewal. Organizations who are approved for this status shall have their DP number and dates of approval on all documentation, and will be listed with this information for public review and continuing education resources on the MBOE website (www. swmft.ms.gov) and any publications therein.

Only those organizations that have previously held three successful programs approved for social worker continuing education by the Board, SWCEC, or its designee may apply for DP status. Applications for DP status may be obtained from the Board's office or through the Board's website at www.swmft.ms.gov.

The following organizations are automatically approved for social worker continuing education by the MBOE and do not need to complete DP application process for program approval:

a. Any program approved by the national NASW office, or any NASW Chapter;

b. American Association for Marriage & Family Therapy or any of its state chapters;

c. Any state chapter of Council on Social Work Education approved schools of social work (In order for continuing education offerings to be approved by this type of designated provider, the school of social work must be actively engaged in the planning and presentation of the offering);

d. Association of Social Work Boards or any state licensing board affiliated with;

e. International Association of Social Workers or any program approved by member countries; or

f. International Federation of Schools of Social Work and member schools.

SWCEC reserves the right to void approval of a specific program that has been previously granted approval by any

of the above listed organizations or the current DP listing, should content and speaker be determined upon review to contain content that is not post-baccalaureate level or is in serious conflict with social work values and education.

Organizations that are approved for Designated Provider status must be actively engaged in the planning, development and presentation of the continuing education programs they provide. Co-Sponsorship will not be accepted.

C. Continuing Education Requirements for Renewal

Forty hours of approved continuing education is required for each renewal period. The applicant will submit a listing of that period's earned hours with an attestation statement that the list is true and correct. (See Part 1902, Chapter 4, Rule 4.2, B)

1. LSWs will not submit continuing education at the first renewal.

2. LMSWs holding no previous license will not submit at the first renewal. LMSWs upgrading from LSW will submit at the first renewal period.

3. LCSWs will submit at first renewal as they are upgrading from LMSW status.

4. Carryover: Ten continuing education hours may be carried over from one renewal to the next. The continuing education hours must have been obtained within the six months immediately prior to the current renewal date.

5. Four (4) hours of approved professional ethics are required for each licensee for each renewal period. Beginning July 1, 2011, all licensees must have met this requirement in order to renew.

6. Two (2) hours of cultural diversity/multicultural issues/cultural competency are required. Beginning July 1, 2011, all licensees must have met this requirement in order to renew.

7. Probationary Status: Part 1902, Chapter 2, Rule 2.6, B

D. Acceptable Formats for Continuing Education

Continuing education offerings must consist of subjects relevant to social work practice and not related to the specific administrative procedures of any single agency or organization.

All offerings, except those from designated providers, must be pre-approved PRIOR to the offering. For information about pre-approval, see Part 1902, Chapter 4.

Acceptable ways of acquiring continuing education credits include the following:

1. Academic courses taken from a regionally accredited college or university or a school in candidacy for CSWE status, related to the licensee's social work practice, may be submitted for review and consideration for approval to the SWCEC. These course materials must be submitted prior to taking the course or immediately after enrollment. If approved, documentation of successful completion of the course must be submitted for final approval. One graduate academic semester hour successfully completed (a grade of “B” or better) shall be equivalent to five (5) continuing education hours.

2. Social Work academic courses taken from a CSWE accredited school of social work at a level beyond the licensee’s current academic status are acceptable for continuing education. These courses do not need to be submitted to the SWCEC for prior approval. One graduate academic semester hour successfully completed (a grade of “B” or better) shall be equivalent to five (5) continuing education hours.

3. Instructors teaching a class at a CSWE accredited school of social work may submit documentation to be calculated at ten (10) hours per hour of class credit. This approval will only be honored for classes taught the first time.

4. Continuing Education programs provided by organizations listed in Part 1902, Chapter 4, Rule 4.1, B (2) shall be considered an acceptable mode of acquiring continuing education hours.

5. Approved workshops, institutes, conferences, or other continuing education programs sponsored by official national, regional, state social work or social welfare related organizations shall be considered an acceptable mode of acquiring continuing education hours. Note: Provider organizations are responsible for obtaining approval for credit PRIOR TO conducting the activity. (See Part 1902, Chapter 4, Rule 4.1, F)

6. Staff Development: Approved public or private agency staff development programs that contribute to the enhancement of social work practice, skills, or knowledge and are not primarily procedural or administrative, shall be considered an acceptable format for acquiring continuing education credits. (See information about prior approval, Part 1902, Chapter 4, Rule 4.1, F)

7. Individual Activities: Activities, including workshops and presentations, planned by an individual must be approved by SWCEC in advance. No more than twenty (20) approved continuing education hours of this type will be accepted in a given licensure renewal period.

   a. Publication of a Professional Social Work Paper: The initial publication shall be acceptable for twenty (20) continuing education hours. Presentation of a professional social work paper for the first time at an approved professional conference shall be acceptable for five (5) continuing education hours or twice the approved continuing education hours for the session, provided the written paper is submitted with the request. The published paper must be submitted to the SWCEC within six (6) months of publication accompanied by copy of the publication medium (journal, book, professional magazine) and a completed CE application form.

   b. Presenter: Participation as the sole presenter, leader, or teacher of an approved workshop or conference shall be acceptable for three times the approved continuing education hours for the session.

   c. Panelist: Participation as a panel member for an approved workshop or conference shall be acceptable for two times the approved continuing education hours for the session.

   d. Facilitator: Facilitating, moderating, or presiding over an approved workshop or conference shall be acceptable for the approved continuing education hours for the session.

   e. Self-Directed Learning Projects and/or Distance Learning/Internet (Online) Learning Courses: Continuing education hours for distance learning/internet learning courses will only be granted for courses offered by

Designated Providers, MBOE exempt providers or by prior approval by the SWCEC on a per case basis. The SWCEC will grant continuing education hours only after completion of the course and proof of successful completion of post-test, course examination, and/or evaluation from the online course provider.

Self-directed learning projects are projects intended to increase knowledge and shall be documented by means of a paper, annotated bibliography, etc. Projects intended to increase skill development shall be documented by means of audio or audiovisual tapes. Credit for self-directed learning projects may be granted provided the project is completed and approved PRIOR TO the current license expiration date. Projects not completed and approved by the license expiration date can be considered for the licensee's next renewal period. Self-directed learning project proposals should be submitted nine months prior to the expiration date of licensure to allow sufficient time for review, project completion and approval. Reading a book, preparing a paper in a graduate course, case, or consultation shall not meet the requirements for this activity. No more than twenty (20) continuing education hours may be accrued per renewal period as a result of self-directed learning projects.

E. Approval Procedures for Continuing Education

Application for prior approval of workshops, staff development, individual activity, self directed learning projects, or other categories requiring prior approval must be made, in writing, to the Board. The SWCEC must review all continuing education activities for approval, except for those of the designated providers, or those approved or sponsored as indicated in section B above.) All applications for review should be received by the Board Office by the 10th of the month prior to the month in which the event will be held.

Continuing Education Committee
Mississippi BOE for Social Workers & Marriage and Family Therapists
Social Work Discipline Specific Committee
P.O. Box 4508
Jackson, MS 39296-4508
601-987-6806
www.swmft.ms.gov

Licensees should contact SWCEC for specifics about applications submitted for approval.

Note: Retroactive Approvals will not be considered by SWCEC after any provider offering.

F. Reporting Procedures for Continuing Education

Provider Responsibility: It is the responsibility of each provider of continuing education to: 1) verify attendance of attendees at all conference sessions when credit is being requested. 2) provide the Board or the Board's designee with a verified list of participants, and 3) provide the attendee with a written statement, verification, or certificate of attendance at the conclusion of an offering.

The attendee's verification must include the following information:

a. Name of attendee
b. Name of offering
c. Date of offering
d. Provider's name
e. Location of offering
f. Signature of organizer/sponsor or designee
g. Amount of approved continuing education hours awarded

Licensee Responsibility: It is the sole responsibility of the licensee to: 1) obtain verification of attendance documenting continuing education offerings; 2) provide proof of participation in approved continuing education offerings to the Board; 3) provide attestation of having completed continuing education; and 4) maintain for four (4) years their own records and official verification of the continuing education files for the licensees. Failure to substantiate the number of approved credits submitted or to submit documentation for a sufficient number of approved continuing education credits will result in a license not being renewed.

G. Random Audit of Continuing Education Documents

1. The Board will annually audit or cause to be audited a minimum of ten percent (10%) of the continuing education reports accompanying the renewal applications. Licensees whose reports are audited will be required to provide a copy of the official documentation of their continuing education activities. If a licensee fails to provide the Board in a timely manner (not to exceed thirty {30} days from the date of the notice informing the licensee) with official documentation of the total hours listed on their renewal

application, the license will be subject to suspension following written notification from the Board and will remain suspended pending further Board action.

2. If, during the audit, the Board finds unacceptable any of the documented continuing education hours and the licensee does not have sufficient acceptable hours remaining for that renewal period, the Board, at its discretion, may renew the license under the conditions that the continuing education hours will be obtained within six (6) months of the notice of deficiency. Continuing education hours acquired to meet the deficiency may not be applied to any other renewal period. If the licensee does not rectify the deficiency within that six (6) month period, the license will be subject to disciplinary action.

H. Re-evaluation of Continuing Education

A licensee who feels that evidence of continuing education was appraised incorrectly by the Board, may make a written request for re-evaluation to the Board within thirty (30) days of the Board's finding. Verbal requests will not be honored.

I. Waiver of Continuing Education Requirements and Request for Extension of Time to Complete Continuing Education Requirements

1. The Board may waive continuing education requirements to a licensee who was not engaged in the practice of social work during a given continuing education renewal period on an individual basis for reasons of hardship, such as severe illness, disability, military service or other good cause. Any waiver will be granted solely in the discretion of the Board.

2. The Board may extend the time within which to fulfill continuing education requirements to a licensee during a given continuing education renewal period on an individual basis for reasons of hardship, such as severe illness, disability, military service or other good cause. Any waiver or extension of time will be granted solely in the discretion of the Board.

3. A licensee must submit a written request for a waiver of, or extension of time within which to fulfill, continuing education requirements. The request must be made in writing, under penalty of perjury, and must set forth with specificity the reasons for requesting the waiver or extension and, in the case of the waiver request, the portion of the renewal period during which the licensee was not engaged in the practice of social work. The

licensee shall submit to the Board all documentation in support of the request for waiver or extension and such additional information or documentation as the Board may request in support of the waiver or extension.

4. Waivers of the minimum continuing education requirements may be granted for up to one-half of the forty (40) hours of continuing education required for any two-year (biennial) renewal period. Extensions of time may be granted by the Board for a period not to exceed one (1) calendar year. The grant of an extension by the Board will result in the renewal of a license based on the condition that the licensee completes the continuing education requirement by the deadline established by the Board.

5. A waiver of continuing education requirements granted pursuant to this section shall be effective only for the biennial period in which such waiver is granted. If the condition(s) which necessitated the waiver continues into the next biennial period, a licensee who seeks another waiver must apply to the Board for a renewal of such waiver for the new biennial period.

6. If an extension of time is granted, the license will be placed on active status but the license shall be automatically changed to inactive status at the end of the extension period unless the licensee satisfies the continuing education requirement prior to that time. When the license is placed on inactive status, the licensee shall cease all activity requiring a license.

7. A licensee shall apply for a waiver or extension of continuing education requirements no later than 30 (thirty) days prior to the end of the biennial licensing period for which the waiver or extension is requested. All requests shall be sent to the office of the Board, by certified mail, return receipt requested.

8. An extension of time shall not be granted to any licensee who obtained an extension in the immediately preceding renewal or reporting period in which the licensee held an active license, except in the case of a licensee who is unable to complete the requirements due to military service commitment pursuant to a combat or national emergency assignment.

9. The Board may, as a condition of any extension or waiver granted, require the licensee to make up a portion of the continuing education requirement in the manner determined by the Board.

Source: Miss. Code Ann. §73-53-11(1)(c), (k), (m), (n) and (s) (Supp. 2011).

Rule 4.2 RENEWAL OF SOCIAL WORK LICENSE

A. Biennial Renewal of Licenses

1. Odd numbered licenses are due for renewal in odd numbered years.

2. Even numbered licenses are due for renewal in even numbered years.

3. LSWs renew in September.

4. LMSWs and LCSWs renew in April.

B. Requirements for Renewal

1. All licenses must be renewed by submitting a renewal application to the Board prior to the expiration date on the license.

2. Notice of Renewal: The Board will send a reminder of renewal to all licensees at the latest address of record on file with the Board. Failure to receive a renewal notice from the Board will not relieve the license holder from the renewal requirement. It is the responsibility of the licensee to maintain an accurate mailing address in his or her file by promptly notifying the Board in writing of a change of address.

3. Renewal application forms are available on the Board's website or by contacting the Board.

4. Licensee's in good standing are encouraged to renew using the online format available for social workers beginning the April 30, 2008 renewal period. Renewal windows will be available from March 1 to April 30 for the April renewal period and August 1 to September 30 for the September renewal period.

5. In order to complete license renewal, social workers are required to submit:

a. A renewal application (available on the Board's on-line renewal application, on the Board's website in a printer friendly version, or by contacting the Board office to request one);

b. A list of approved continuing education hours along with an attestation by the applicant that the information submitted is true and correct and original proof of same is available for inspection, if licensee is chosen for audit. (See Part 1902, Chapter 4, Rule 4.1, C below for more information concerning continuing education credits.); and

c. The required renewal fee (see Schedule: Part 1902, Chapter 4, Rule 4.3, B).

C. Determination of Submission Date

All applications must be received by the close of business on the due date for renewal. On-line renewals must be submitted by 11:59 p.m. to be processed. The date of submission is the date stamped received by the Board.

D. Reinstatement of Lapsed License

1. General Instructions:

License renewals that are received in the Board's office after the license expiration date are considered "Lapsed". A lapsed license may be reinstated by the Board, at its discretion, by the submission of a reinstatement application, payment of the renewal costs, and submission of the required continuing education hours, provided said application for reinstatement is made within twenty four (24) months after its last expiration date. (All lapsed licenses, including grandfathered or provisional licenses, will be considered as new applications, and will have to meet current initial licensing laws and regulations, including the appropriate ASWB exam(s).

2. Specific to Lapsed LCSWs:

LCSWs with a lapse of any duration will be required to submit three current letters of reference when renewal is requested, along with meeting the qualifications and guidelines which exist at the time the application for reinstatement is made.

Source: Miss. Code Ann. §§73-53-11(1)(c), (d), (e), (g) and (k) and 73-53-15 (Supp. 2011).

Rule 4.3 FEES AND COSTS

A. Method of Payment

All fees and costs are to be paid by cashier's check, money order and credit card (only for on-line renewals) to the Board, with the appropriate

form or request attached, unless otherwise specified. All fees and costs are ***non-refundable***.

B. Schedule of Costs and Fees

Initial License Fee: LSW…….. ..... $70.00

Initial License Fee: LMSW & LCSW……..... $100.00

Upgrade from LSW to LMSW $30.00

Upgrade from LMSW to LCSW, exam cost only

Copying fee: ($1.00 per page plus cost of retrieving information)

Renewal Fee:

LSW $70.00

LMSW $100.00

LCSW $100.00

Administrative/Processing Costs:

Application fee…….. $25.00

Inactive status (plus renewal cost)..... $35.00

Retired status $35.00

Reinstatement (plus renewal cost) $35.00

Duplicate license card or seal..... $5.00

Replacement license $25.00

Certification to become LCSW Supervisor $50.00

Post-graduate Supervision Plan Approval..... $75.00
for LCSW candidates

Electronic copy of SW licensee address list $100.00

Application Packet (available on-line at no costs)……..….. $10.00

Licensure verification for another state……$25.00

Name Change fee……..$10.00

Copy of rules and regulations (available on-line at no cost)… $20.00
(all initial applicants will be issued one copy free of charge upon request)

<u>Continuing Education Costs:</u>

Designated Provider initial application……...$500.00

Designated Provider status renewal (every 2 years)……...$250.00

Individual application (Less than or equal to 8 CE hours)……..$50.00

Individual application (Greater than 8 CE Hours)……..$100.00

Review of online CE program……$50.00

C. Examination Fee

Fees for examination are to be paid directly to the appropriate testing organization. (See Part 1902, Chapter 2, Rule 2.4, C and ASWB.)

Amended: _____ Effective:_____

Source: Miss. Code Ann. §§73-53-11(1)(c), (g) and (0) and 73-53-15 (Supp. 2011).

Title 30: Professions and Occupations

Part 1903: RULES AND REGULATIONS FOR MARRIAGE AND FAMILY THERAPISTS

Part1903 Chapter 1: General Provisions

Rule 1.1 GENERAL

A. The rules and regulations pertaining to marriage and family therapists include all items in Parts 1901 and 1903 of these rules and regulations.

B. The Board may revise the rules and regulations from time to time as the Board deems necessary.

C. Once new or revised rules and regulations are adopted by the Board, the Board and all applicants and licensees must operate under the new rules and regulations. However, persons with completed applications for licensure on file at the time new rules and regulations are adopted by the Board, will be licensed under the rules in effect on the date their completed application was received by the Board.

Source: Miss. Code Ann. §§73-53-11(1)(c) and (k), 73-54-3 and 73-54-11(1) (2008 & Supp. 2011).

Rule 1.2 DEFINITIONS

As used in these Rules and Regulations and in the Mississippi Marriage and Family Therapy Act of 1997, the following words and terms shall have the meaning ascribed herein below:

A. "Act" is the Mississippi *Marriage and Family Therapy Licensure Act of 1997*, Title 73, Chapter 54 of the Mississippi Code of 1972, as amended.

B. "Advertise" means, but is not limited to, issuing or causing to be distributed any card, sign or device to any person; causing, permitting or allowing any sign or marking on or in any building; broadcasting by radio or television; or advertising on the internet or by any other means designed to secure public attention.

C. "AAMFT" means the American Association for Marriage and Family Therapy.

D. Clinical Supervision" means the direct clinical review, for the purposes of training or teaching by a supervisor, of the supervisee's interaction with a client

E. "COAMFTE" means the Commission on Accreditation for Marriage and Family Therapy Education.

F. “Code of Ethics” means the current Code of Ethics of the American Association for Marriage and Family Therapy.

G. “Completed Application” means the official marriage and family therapy application prescribed by the Board with the signature of the applicant, fees and all supporting information and documents requested by the Board.

H. “Contact Hour” means one 60-minute clock hour of an approved educational activity offered by an approved provider with no less than 50 minutes of instructional content within the 60 minutes.

I. “Consultation” or “Conferring” means a professional collaborative relationship between a licensed marriage and family therapist and a qualified licensed individual or other professional of relative equal expertise or status in which the other licensed individual or professional makes an assessment based on information supplied by the licensed marriage and family therapist and jointly develops a written treatment plan with the licensed marriage and family therapist which indicates the responsibility of each professional for implementing elements of the plan, updating the plan, and assessing the client’s progress.

J. “Continuing Education” means programs and/or activities designed to and have the content intended to enhance the general or specialized marriage and family therapy practice, values, skills, ethics and/or knowledge. The primary objective of continuing education must be to maintain and improve the quality of professional services in marriage and family therapy provided to the public; maintain and improve the therapist's knowledge of current research, techniques, and practice; and provide other resources which will improve skill and competence in marriage and family therapy.

K. “Direct Client Contact” means face-to-face interaction between the therapist and an individual, couple, or family. .

L. “Direct Clinical Review” means board approved supervision that consists of case related interactive face to face meeting between the supervisor and supervisee.

M. “Examination” means the test or exam endorsed or prescribed by the Association for Marital and Family Therapy Regulatory Boards.

N. "Face-to-Face Supervision" means supervision conducted by a supervisor in the physical person of the person being supervised for the purpose of carrying out the supervision functions described in Part 1903, Chapter 2, Rule 2.2 (C)(3)(i).

O. “Good Moral Character” shall have the meaning set forth in Part 1901, Chapter 2, Rule 2.1 of these Rules and Regulations.

P. “Group Supervision” means a minimum of three (3) and no more than eight (8) marriage and family supervisees or associates in a clinical setting during the supervision hour. A supervision hour is fifty minutes.

Q. “Individual Supervision” shall mean a maximum of two (2) marriage and family supervisees or associates in a clinical setting during the supervision hour. A supervision hour is fifty minutes.

R. “Institution of Higher Education” means any college or university which is accredited by a regional accrediting body recognized by the United States Department of Education or a substantially equivalent foreign institution.

S. “Licensed Marriage and Family Therapist (LMFT)” means a person to whom a license has been issued under the Mississippi Code of 1972 as amended, Section 73-53-8, which license is in force and not suspended or revoked as of the particular time in question.

T. “Licensed Marriage and Family Therapy Associate (LMFTA)” means a person to whom a marriage and family therapy associate license has been issued under the Mississippi Code of 1972 as amended, Section 73-53-8, which license is in force and not suspended or revoked as of the particular time in question.

U. “Live Supervision” consists of a case related interactive face-to-face meeting between the supervisor and supervisee, during which time the supervisor is physically present in the clinical setting with the supervisee.

V. “Marriage and Family Therapy” means the rendering of professional therapy services to individuals, families or couples, singly or in groups, and involves the professional application of psychotherapeutic and family systems theories and techniques in the delivery of therapy services to those persons.

W. “Offering” means an organized learning experience or course planned and designed to enhance knowledge, skills, and attitudes related to marriage and family therapy.

X. “Person” means any individual, firm, corporation, partnership, organization or body politic.

Y. “Practice of Marriage and Family Therapy” means the rendering of professional marriage and family therapy services, to individuals, couples or families, singly or in groups, whether those services are offered directly to the general public or through organizations, either public or private, for a fee, monetary or otherwise. This involves assessment, diagnosis, identification, evaluation and treatment of emotional problems and conditions, whether cognitive, affective, or behavioral, resolving intrapersonal

and interpersonal conflicts, and attempting to change perception, attitudes, and behaviors, all within the context of human relationship systems. Marriage and Family therapy includes, without being limited to, individual, group, couple, sexual, family and divorce therapy. It involves an applied understanding of the dynamics of marriage and family systems, including individual psychodynamics, the use of assessment instruments that evaluate individuals, couples and family members with regard to marriage and family functioning, and the use of psychotherapy and counseling.

Z. "Use of title or description of" means to hold oneself out to the public as a Licensed Marriage and Family Therapist(LMFT) or Licensed Marriage and Family Associate (LMFTA) means of stating it on signs, mailboxes, address plates, stationery, announcements, calling cards, the internet or other instruments of professional identification.

Source: Miss. Code Ann. §§73-53-11(1)(c) and (j), 73-54-5, 73-54-11, and 73-54-19 (Supp. 2011).

Part1903 Chapter 2: Licenses and the Licensing Process

Rule 2.1 Types of Licenses

1. Licensed marriage and family therapist (LMFT) is the license granted to an individual who has met and maintained all the qualifications necessary for licensure to practice independently and the renewal of the license.

2. Licensed marriage and family therapy associate (LMFTA) is the license granted to an individual who has met and maintained all the qualifications necessary for licensure and for the renewal of the license. A licensed marriage and family therapy associate must practice in an agency setting under a "Board Approved" supervision contract.

Source: Miss. Code Ann. §§73-53-11(1)(c), 73-54-11 and 73-54-17(Supp. 2011).

Rule 2.2 REQUIREMENTS FOR LICENSURE AS A MARRIAGE AND FAMILY THERAPISTS

A. Prerequisite to Performance of Services as a Marriage and Family Therapists

All individuals not exempt from licensure are prohibited from performing services for which licensure is required by the State of Mississippi Marriage and Family Therapy Licensure Act of 1997, Title 73, Chapter 53 of the Mississippi Code of 1972 Annotated, as Amended, and these Rules and Regulations. They are also prohibited from holding themselves out to the public by any name, title or description described in the Marriage and

Family Therapy Licensure Act and these Rules and Regulations. These regulations apply to all traditional and electronic approaches to marriage and family therapy.

B General Requirements

An individual seeking licensure as a Marriage and Family Therapist (LMFT) or a Marriage and Family Therapy Associate (LMFTA) shall submit to the Board, verified under oath, written evidence in form and content satisfactory to the Board, that the individual:

1. Is of good moral character as defined in these Rules and Regulations. Good moral character is a continuing requirement for licensure.

2. Has on file with the Board an acceptable criminal history records check, using finger print identification, by appropriate governmental authorities and an acceptable sex offender check, prescribed by the Board;

3. Has not engaged in any practice or conduct which violates the standards of conduct set forth in these regulations;

4. Meets all the qualifications required for licensure including, but not limited to, education and experience, passing examination scores, physical and mental abilities and has no addiction to or dependency upon alcohol, drugs, or other agent which may endanger the public or impair their ability or professional competence;

5. Has not acquired by deception or fraud, the education, experience, passing examination scores, professional references or any other qualifying factor used as a basis for licensure;

6. Does not have any previous or pending, complaints or disciplinary actions against them by any professional association or state of jurisdiction which have not been resolved to the satisfaction of the Board. It is the responsibility of the applicant to inform the Board if such items exist or have existed, and the Board may delay action on the licensure application until the complaints or disciplinary actions have been resolved and verified in writing to the satisfaction of the Board. If an applicant fails to reveal to the Board knowledge of previous or pending complaints or disciplinary actions, and the Board grants a license, the license will be revoked and the licensee will be disciplined by the Board;

7. Is at least twenty-one (21) years of age;

8. Meet all other requirements outlined in these rules and regulations;

C. Specific Requirements for Licensure as a Licensed Marriage and Family Therapist (LMFT)

1. Education: The individual seeking licensure must hold a masters or doctoral degree in marriage and family therapy from a COAMFTE accredited marriage and family therapy program; or holds a masters or doctoral degree in marriage and family therapy from a college or university program with candidacy status by COAMFTE which subsequently received COAMFTE accreditation. The applicant must have completed a clinical practicum in marriage and family therapy of no less than 12 consecutive months that provided him or her face to face clinical practice with individuals, couples and families and allowed the applicant to apply classroom learning to actual marriage and family therapy practice situations in the field setting providing for live supervision. The practicum student must have completed a minimum of 500 face to face clinical client contact hours of which no less than 200 must be relational contact hours with couples and/or families and must have received supervision with a ratio of no less than one (1) hour of supervision for each six (6) hours of clinical client contact. The practicum experience must be supervised by an AAMFT approved supervisor or Supervisor Candidate under supervision-of-supervision by an AAMFT Approved Supervisor. Practicum groups must be limited to a maximum of 8 supervisees per supervisor per group. An official transcript from the educational institution must be sent directly to the Board by the institution.

2. Post Graduate Clinical Experience: The individual under an approved supervision plan seeking licensure must complete two years of documented clinical experience following the first qualifying graduate degree in the practice of marriage and family therapy within an agency, institution, or group practice setting. Application for licensure as a marriage and family therapist must occur within two years of completion of post graduate clinical experience. An individual seeking status as a Licensed Marriage and Family Therapist who is not acquiring the documented clinical experience in an agency, institution, or a group practice setting will be practicing outside of Board's Rules and Regulations, and his or her Plan of Supervision will not be approved by the MFT Discipline Specific Committee or the Board. This post graduate clinical experience must include a minimum of 1,000 documented

face-to-face client contact hours. Documentation of compliance with this paragraph must be sent from the agency or person providing the clinical supervision directly to the Board.

3. Supervision: As required by these Rules and Regulations: an individual seeking licensure must:

   a. The individual seeking licensure must complete 200 hours of marriage and family therapy supervision. A minimum of 50 hours of the 200 hours of supervision must be individual supervision. Individual supervision is no more than two (2) marriage and family therapy supervisees or associates in a clinical setting during the supervision hour, which is fifty minutes.

   b. Up to one year of a COAMFTE approved doctoral internship may be counted toward the required two years of post graduate supervised clinical experience when the doctoral internship involved the provision of clinical marriage and family therapy services in a mental health treatment setting under the supervision of an AAMFT Approved Supervisor or AAMFT Supervisor Candidate under supervision-of-supervision of an AAMFT Approved Supervisor. Teaching or other non-clinical internship experiences will not be acceptable for satisfying this requirement.

   c. Up to 100 hours of acceptable clinical supervision accumulated during graduate training may be counted toward the required 200 hours of clinical supervision. All 100 of the post graduate supervision hours must be completed with a Board Approved Supervisor.

   d. At least 100 hours of the 200 hours of clinical supervision must be completed with an AAMFT approved supervisor.

   e. The individual seeking licensure must complete and submit a Plan of Supervision (including the Supervisor's Statement), the *Application to Enter Into Contract for Supervision Toward Licensure as a Marriage and Family Therapist*, and a non-refundable processing fee to the Board for approval. All plans of professional post-masters supervision *must be approved by the Board prior to the beginning of said supervision, i.e., no retroactive approval of professional supervision will be granted except as provided in this section.*. Supervisees will not receive more

than four (4) hours credit for supervision completed prior to the Board's approval of the supervision plan. Supervisees should utilize this four (4) hours of supervision to collaboratively develop their supervision plan with their supervisor**.** The Board reserves the right to request explanations or plans of correction related to the submitted Plan of Supervision at any point.

f. Some individuals may be required, due to their circumstances, to work with two different supervisors concurrently. This may be permitted as long as a Plan of Supervision has been completed with each individual supervisor and each Plan has been submitted and approved by the Board.

g. Evaluations of the supervisee are to be completed on evaluation forms available from the Board and submitted by the supervisor to the Board in accordance with the following schedule:

1. First evaluation is to be submitted ten (10) to twelve (12) months following Board approval of the Plan of Supervision.

2. The final evaluation is to be submitted when supervision is complete (twenty-four [24] to thirty-six [36] months following Board approval of the Plan of Supervision), accompanied by the Termination of Supervision Form, and completed Documentation of Supervision forms (all necessary forms are available from Board and at the Board's website).

h. The supervisory process requires an average of one hour per week or two hours of biweekly meetings of face-to-face supervision throughout a minimum period of twenty-four (24) consecutive months. The period of supervision may not exceed thirty-six (36) months. Under unusual circumstances (e.g., hurricane disaster, documented illness, etc.) a supervisee may apply for an extension of the supervisory process, which may be granted at the discretion of the Board.

i. Supervision means the direct clinical review, for the purposes of training or teaching by a supervisor, of the supervisee's interaction with a client. The supervision

process may include time dedicated to personal and professional growth of the supervisee. Supervision provides guidance in administrative issues in the practice setting continues and expands education in skills, professional competence and understanding of the marriage and family therapy profession, offers emotional support, and provides evaluation for purposes of the supervisee's growth, as well as administrative judgment relative to the supervisee's capacity for autonomous professional function. Supervision occurs through multiple methods, including live supervision, video/audiotape review, and case report. It must be a process clearly distinguishable from personal psychotherapy and is conducted in order to serve professional goals. Acceptable modes of supervision are as follows:

1. individual supervision

2. group supervision

j. The following is **not** acceptable marriage and family supervision: peer supervision; supervision by current or former family members or any other person with whom the nature of the personal relationship prevents, or makes difficult, the establishment of a professional supervisory relationship; administrative supervision; a primarily didactic process wherein techniques or procedures are taught in a group setting, classroom, workshop seminar, staff development, orientation to a field or program or role-playing of family relationships as a substitute for current clinical practice in an appropriate clinical situation.

4. Working with a Board Approved Supervisor: All postgraduate supervision must be received from an individual(s), who, at the time the supervision took place, was approved by the Board as a qualified supervisor and held a license to practice as a Marriage and Family Therapist.

a. To become a Board approved Supervisor, an individual (other than an AAMFT Approved Supervisor) must have completed a minimum of four (4) consecutive years of verifiable practice at the LMFT level, submitted an application for supervisory approval to the Board, and received notice from the Board that the application was approved. AAMFT Supervisor Candidates must have four (4) consecutive years of verifiable practice at the LMFT

level and must be under supervision-of supervision by an AAMFT Approved Supervisor.

b. An AAMFT Approved Supervisor may be recognized as approved by the Board upon: a) providing proof of licensure as a marriage and family therapist for two (2) years; b) submitting an application for supervisory approval to the Board; and c) providing documentation of current status as an AAMFT Approved Supervisor.

c. To be approved as a supervisor by the Board, an individual must have also completed a course in marriage and family therapy supervision approved by the Board with a minimum of twenty-four (24) contact hours. Supervision trainers (those teaching approved supervision courses) must be LMFTs and AAMFT Approved Supervisors.

d. All supervisors who have been approved by the Board, including supervisors who are AAMFT Approved Supervisors, are required to complete two (2) hours of MFT supervision continuing education every (2) two years. No supervision continuing education hours are required for the first renewal period. **All continuing education for supervision credit must be approved by the Board.** The Board will not approve self-directed learning projects/activities and/or distance learning/internet (online) learning courses for the supervision CE requirement. **Supervisor Refresher courses provided by AAMFT** or any division of the AAMFT **are automatically approved as meeting this requirement without Board action.**

e. All supervisors who have been approved by the Board, including supervisors who are AAMFT Approved Supervisors, are required to complete a Supervisor Renewal Form biennially (to be included with their Licensure Renewal Application if licensed in Mississippi) indicating they have met all continuing education requirements.

f. Approved supervisors are required to maintain copies of supervisee's evaluations and documentation pertaining to the supervisor/supervisee relationship for a period of two calendar years following termination of the supervision contract with a supervisee.

g. Approved supervisors are required to work with the supervisee to complete a **Plan of Supervision** (including

the **Supervisor's Statement**) and submit this to the Board. The Plan of Supervision must be approved by the Board before supervision can commence. Supervisees will not receive more than four (4) hours credit for supervision completed prior to the Board's approval of the supervision plan. Supervisees should utilize this four (4) hours of supervision to collaboratively develop their supervision plan with their supervisor**.** No plan of supervision will be approved if the approved supervisor is supervising more than **eight (8)** postgraduate licensure supervisees pursuing LMFT status in Mississippi at any given time.

h. Evaluations of the supervisee are to be completed by the supervisor during consultative sessions with the supervisee and submitted by the supervisor to the Board.

i. It is the responsibility of the approved supervisor to obtain a supervisor approval renewal form from the Board, to obtain the required continuing education verification, and to see that his or her approval is renewed on time. These forms are available online at the Board's website. Failure to receive a notice of renewal does not absolve the approved supervisor of his or her responsibility to renew this designation before the expiration date.

j. A list of Board approved supervisors is available online at the Board's website. Any individual having difficulty securing the services of a supervisor approved by the Board may contact the Board. When an individual wishes to be supervised by someone who is not an approved supervisor, the prospective supervisor will need to be eligible to become approved and will be required to complete the supervisory approval process prior to engaging in supervision.

5. How to Change Supervisors: Should it become necessary for a individual to change supervisors, the following steps must be followed to ensure continuity:

a. All relevant evaluation forms, including a Termination of Supervision Form, must be completed and submitted to the Board. The Termination of Supervision form must specify the number of hours of supervision completed, the period of supervision, and the reason for the dissolution of the supervisor/supervisee relationship. In cases where the supervisor is unable to complete this form (e.g., death) the

supervisee must complete the termination of supervision form and provide such documentation as the Board deems necessary in support of the information contained on said form.

b. If supervision is to be continued with another approved supervisor, a new application (Application to Enter into Contract for Supervision toward Licensure as a Marriage and Family Therapist) and Plan of Supervision must be submitted to the Board for approval. *Only after receipt of correspondence acknowledging that approval has been granted by the Board, may the new supervisory process commence.* The Board reserves the right to request explanations or plans of correction related to the Plan of Supervision at any point. No processing fee is required for this change.

6. Application Process for Approval of Postgraduate Supervision: It is the responsibility of the applicant for licensure to see that all forms, supporting documents, transcripts, etc., are completed, signed and notarized as required and sent to the Board in a timely manner. The Board will not consider an application as having been submitted until all the required items have been received by the Board. Applicants must submit to the Board, or ensure that the Board receives, the following items:

a. The original signed, notarized and completed Application to Enter into Contract for Supervision toward Licensure as a Marriage and Family Therapist or a Marriage and Family Therapy Associate form and processing fees. Application materials are available online at the Board's website. The Board does not accept personal checks for payment of fees;

b. A Supervisor's Statement form completed and signed by the approved supervisor

c. A written, detailed Plan of Supervision; In this written, detailed plan of supervision, all points must be covered in sufficient detail for *review and approval* by the MFT Discipline Specific Committee*;* Specific topics to be addressed in the plan of supervision include, but are not limited to, the following:

1. The supervisee's and supervisor's orientation in this relationship, specifically addressing the purpose and goals of the supervisee and the frequency of

supervision meetings for this particular supervision relationship;

2. The professional development of the supervisee, addressing issues related to the knowledge, skills, and values of the supervisee; and,

3. Issues related to supervisee's practice as a marriage and family therapist, including, but not limited to, the application of theories and models; the responsibilities of the supervisee to himself or herself, his or her clients, and the community; and the supervisee's commitment to continued learning and service.

4. This plan must be signed by both the supervisor and supervisee.

d. Official transcripts of graduate education mailed directly to the Board by the institution(s);

e. Recent picture of the applicant; and

f. The required processing fee.

7. For post graduate supervision begun with a supervisor prior to May 1, 2007, the individual providing clinical supervision must have been, at the time the supervision took place, a licensed marriage and family therapist, licensed psychologist, licensed certified social worker, licensed professional counselor, clinical nurse specialist, or psychiatrist with five (5) years' experience in his/her discipline and training in marriage and family therapy as determined by the Board Discipline Specific Committee. These individuals must have completed the application process for licensure by September 30, 2010. After September 30, 2010 these applicants must meet current standards prescribed below in Part 1903, Chapter 2, Rule 2.2, C below.

8. Supervision for licensure initiated after May 1, 2007 must be approved by the Board.

D. Examinations

The examination for licensing marriage and family therapist shall be the American Association of Marital and Family Therapy Regulatory Boards (AMFTRB) Examination in Marital and Family Therapy.

1. **Application Process**

a. An applicant for examination shall file an application, on forms supplied by the Board, at least 30 days prior to an examination date. An applicant is not eligible to take the examination until approved by the Board.

b. An applicant currently enrolled in a COAMFTE accredited graduate program may sit for the exam 90 days prior to graduation with the written approval of their program director.

c. An applicant may not be licensed as a Marriage and Family Therapy Associate or a Licensed Marriage and Family Therapist without passing the required examination.

d. The passing score on the examination shall be the passing score of the Board approved testing entity.

2. **Frequency of Examinations**

Applicants seeking to retake the examination are required to follow AMFTRB guidelines regarding examination administration.

3. **Cost of Examination:** The cost of the examination is dependent upon the fees charged by the testing service and is the responsibility of the applicant.

4. Release of Examination Scores to COAMFTE Accredited Programs: The Board will release examination scores for all accredited program graduates taking the examination to the accredited program director only if the candidate taking the examination has provided written permission for the Board to release said scores to the accredited program.

E. Application Requirements for Licensure as a Marriage and Family Therapy Associate (LMFTA)

The Board must have satisfactory evidence of the applicant successfully passing the AMFTRB Examination in Marital and Family Therapy before it will consider the application. In addition, applicants for licensure must submit to the Board, or ensure the Board receives, the following items:

1. The original signed, notarized and completed application form;

2. Official transcripts of graduate education mailed directly to the Board by the institution(s) if most current transcripts have not been previously submitted to the Board;

3. Documentation of a completed clinical practicum in marriage and family therapy of no less than 12 consecutive months that provided him or her face to face clinical practice with individuals, couples and families and allowed the applicant to apply classroom learning to actual marriage and family therapy practice situations in the field setting providing for live supervision. The practicum student must have completed a minimum of 500 face to face clinical client contact hours of which no less than 200 must be relational contact hours with couples and/or families and must have received supervision with a ratio of no less than one (1) hour of supervision for each six (6) hours of clinical client contact. The practicum experience must be supervised by an AAMFT Approved Supervisor or Supervisor Candidate under supervision-of-supervision by an AAMFT Approved Supervisor. Practicum groups must be limited to a maximum of 8 supervisees per supervisor per group.

4. Documentation of a passing score on the National Examination in Marital and Family Therapy prescribed by the Association for Marital and Family Therapy Regulatory Boards.

5. Documentation of an acceptable supervision plan that has been approved by the Board.

6. Three acceptable letters of professional reference from licensed mental health professionals who have known the applicant for at least one year, sent directly to the Board by the professional.

7. Recent picture of the applicant.

8. The applicant must have completed a statewide and nationwide, using fingerprint identification, criminal history and background check and must have received a criminal background clearance within one-hundred eighty (180) days of the completed application. This criminal history record information must be received by the Board directly from the appropriate governmental authority or authorities, not from the applicant;

F. Application Requirements for Licensure as a Marriage and Family Therapist. The Board must have evidence of the applicant successfully passing the AMFTRB Examination in Marital and Family Therapy before

it will consider the application. In addition, applicants for licensure must submit to the Board, or ensure the Board receives, the following items:

1. The original signed, notarized and completed application form;

2. Official transcripts of graduate education mailed directly to the Board by the institution(s) if up to date transcripts have not been previously submitted to the Board;

3. Documentation of a completed clinical practicum of no less than twelve (12) consecutive months that provided him or her face to face clinical practice with individuals, couples and families and allowed the applicant to apply classroom learning to actual marriage and family therapy practice situations in the field setting providing for live supervision. The practicum student must have completed a minimum of 500 face to face clinical client contact hours of which no less than 200 must be relational contact hours with couples and/or families and must have received supervision with a ratio of no less than one (1) hour of supervision for each six (6) hours of clinical client contact. The practicum experience must be supervised by an AAMFT Approved Supervisor or Supervisor Candidate under supervision-of- supervision by an AAMFT Approved Supervisor. Practicum groups must be limited to a maximum of 8 supervisees per supervisor per group.

4. Documentation of a passing score on the National Examination in Marital and Family Therapy prescribed by the Association for Marital and Family Therapy Regulatory Boards.

5. Documentation of clinical experience acceptable to the Board, a final supervision evaluation acceptable to the Board (the first evaluation must have already been submitted to the Board by the supervisor), and all necessary Termination of Supervision Forms must be submitted directly to the Board by the appropriate agency and/or supervisor(s);

6. Three acceptable letters of professional reference from licensed mental health professionals who have known the applicant for at least one year, sent directly to the Board by the professional. The persons documenting the clinical experience and supervision may NOT be used for the letters of professional reference;

7. Recent picture of the applicant, if a picture has not been previously submitted to the Board;

8. An acceptable criminal history records check, finger print and an acceptable sex offender check, by appropriate governmental authorities as prescribed by the Board. The applicant must have

completed a statewide and nationwide, using fingerprint identification, criminal history and background check and must have received criminal background clearance within one hundred eighty (180) days immediately before the completed application is filed with the Board. This criminal history record information must be received by the Board directly from the appropriate governmental authority or authorities, not from the applicant;

9. The non-refundable application fee

G. Licensure by Endorsement

1. Licensed Marriage and Family Therapy Associate

The Board does not license Marriage and Family Therapy Associates by endorsement. Applicants seeking state licensure as a Marriage and Family Therapy Associate must meet all current Board requirements.

2. <u>Licensed Marriage and Family Therapist</u>

An applicant who is currently licensed for independent practice as a marriage and family therapist in another jurisdiction (LCMFT in the states of Kansas and Ohio) of the United States The Board may issue a license to applicants from another jurisdiction if the applicant has been licensed as a marriage and family therapist in the other state, which currently has in the opinion of the Board, regulatory standards and qualifications substantially equivalent to those required for marriage and family therapists in Mississippi. In addition the applicant must have been licensed as a marriage and family therapist in good standing in the other state for five (5) consecutive years immediately prior to the date his or her completed application is filed with the Board, has no record of disciplinary actions, has no pending disciplinary action, has passed the National Examination in Marital and Family Therapy in accordance with AMFTRB standards and satisfies the requirements listed below:

1. Requirements for endorsement

a. The original signed, notarized and completed application form;

b. Licensure verification form(s) mailed directly to the Board from the state or jurisdiction in which the current license(s) is/are held;

c. Official transcripts of graduate education mailed directly to the Board by the Institution;

d. Documentation of a passing score on the National Examination in Marital and Family Therapy prescribed by the Association for Marital and Family Therapy Regulatory Boards;

e. A recent picture of the applicant;

f. The applicant must have completed a statewide and nationwide, using fingerprint identification, criminal history and background check and must have received criminal background clearance within ninety (90) days immediately before the completed application is filed with the Board. This criminal history record information check must be received by the Board directly from the appropriate governmental authority or authorities, not from the applicant;

g. The non-refundable application fee.

Source: Miss. Code Ann. §§73-53-11(1)(c), (d), (e), (g), (k), (*l*), (n), (o) and (u), 73-53-15, 73-54-7, 73-54-11, 73-54-13, 73-54-17, 73-54-19, 73-54-23, 73-54-27(4) and 73-54-29(4)(Supp. 2011).

Rule 2.3 THE APPLICATION PROCESS

A. Making the Application for Licensure

1. The current rules and regulations regarding licensure, as well as all application forms, are available online at the Board website, http://www.swmft.ms.gov/swmft. The applicant may also request an official application packet for licensure as a marriage and family therapist, and a copy of the current rules and regulations regarding licensure from the Board for a fee as prescribed in Part 1903, Chapter 5, Rule 5.2.

2. Additional copies of the required forms may be made as needed.

3. It is the responsibility of the applicant to see that all forms, supporting documents, references, fees, transcripts, etc. are completed, signed and notarized as required and sent to the Board in a timely manner.

4. The Board will not consider an application as complete until all forms, documentation, references, fees, transcripts, etc. have been received by the Board.

5. Inaccurate information or misrepresentation of facts on any form submitted to the board may result in a denial of licensure or revocation of the license at a later date.

B. Board Consideration of Licensure Applications

1. The Board will consider all applications under the rules and regulations for licensure that are in effect on the date the application was received by the Board.

2. The Board will consider the applications when all related items are in the file. If the Board approves the application, the applicant will be notified in writing. If the application is not approved, the applicant will be notified in writing of the reason(s).

3. If the application is approved, the board will notify the applicant of the amount of the initial license fee that is due, depending on the time during the year when the application was approved. The license fee must be paid in full before the license is issued.

4. Once the license fee is paid in full, the Board will assign a license number and issue the applicant an official certificate.

C. Disposition of Incomplete or Deficient Applications

1. Removal of Deficiencies:

If a preliminary review of the application by the Board reveals that the application is incomplete or has a minor deficiency, the applicant will be notified in writing. The applicant will be given six (6) months from the date of the first notice to remedy the problem while the application is held on active status by the Board. Applicants may, at the discretion of the Board, be granted one additional extension, not to exceed six (6) months, for unusual extenuating circumstances upon a written request, with full explanation of circumstances, submitted to the Board before the expiration of the initial six months extension.

2. Abandoned Applications:

Incomplete application on file for more than thirty-six (36) months from the date the Plan of Supervision was approved by the Board or applications that have not been completed or made sufficient during the extended time granted by the board, will be declared

abandoned by the Board and will be given no further consideration.

a. Any incomplete or missing information, documentation or fees shall render the application incomplete. No license shall be issued unless all application requirements have been met. Incomplete applications will be considered abandoned after sixty (60) days from the date of the approval by the Board, to pay the initial license fee. Any fees paid shall not be refunded

b. Submission of New Application: Once an application has been declared abandoned by the Board, the applicant may submit a completely new application for licensure under the rules and regulations in effect at the time the new application is submitted.

Source: Miss. Code Ann. §§73-53-11(1)(c), (d) and (e), 73-53-15(2), 73-54-11(1), 73-54-13 and 73-54-17 (Supp. 2011).

Rule 2.4 Status of License

A. Active or in Good Standing: Is the status held by a licensee who has complied, and is in compliance, with all of the licensure and licensure renewal requirements of the Board and has no disciplinary actions against the license or licensee. Licensees on active status and in good standing may utilize the Board's online renewal system.

B. Denied: The Board determines that the applicant or licensee has failed to meet any requirement or standard established by the Mississippi *Marriage and Family Therapy Licensure Act of* 1997, as amended, and/or these Rules and Regulation or the applicant or licensee has failed to comply with the laws, rules and regulations pertaining to the practice of marriage and family therapy.

C. Revoked: Disciplinary action taken by the Board extinguishing or terminating a license or certificate and all rights, privileges and authority previously conferred and associated with the license or certificate. The person may not practice marriage and family therapy during the time the license is revoked unless he or she is exempt form the requirements of licensure by the Board as provided by Section 73-54-9 of the Mississippi Code of 1972 as amended. A person whose license has been revoked by the Board may apply for reinstatement as ordered by the Board. The Board may reinstate the license if satisfactory evidence is submitted to the Board proving that all conditions for reinstatement of the license, if any, have been met.

D. Suspended: Action against a license rendering such license, and all rights, privileges and authority previously conferred and associated with the license, without force and effect for a period of time as determined by the Board. The person may not practice marriage and family therapy during the time the license is suspended unless he or she is exempt from the requirement of licensure by the Board as provide by Section 73-54-9 of the Mississippi Code of 1972 as amended. A person whose license has been suspended by the Board may seek reinstatement of the license as ordered by the Board. The Board may reinstate the license if satisfactory evidence is submitted to the Board proving that all conditions for reinstatement of the license, if any, have been met.

E. Lapsed: The status of a license of an individual who has failed to renew the license as of the deadline for renewing (that is, by September 30 of the expiration year of the license). A license that has lapsed is no longer valid and the individual's privilege to practice marriage and family therapy terminates. A licensee may not practice marriage and family therapy during the time his or her license is lapsed. The license may be reinstated within a two (2) year period by following the reinstatement process. A license that has lapsed for more than two (2) years cannot be renewed or reinstated. The licensee must apply for a new license and meet the conditions for licensure under the laws and requirements set forth in the rules and regulations that are in effect at the time the new application is received by the Board.

F. Inactive: A license that has been placed in an inoperative or non-working status in accordance with Board rules and based upon the licensee's certification to the Board that he or she will not practice or offer to practice marriage and family therapy in Mississippi. A Licensed Marriage and Family Therapist may request in writing on the forms provided by the Board that his or her license be placed on inactive status. The Board will consider the request and will notify the licensee of its decision within 60 days of receiving the written request for inactive status. Licensed Marriage and Family Therapy Associates are not eligible for inactive status.

During the period of inactive status, the individual is prohibited from practicing marriage and family therapy or representing or presenting himself or herself as having a license, practice privilege, certificate or registration that entitles one to practice as a marriage and family therapist in Mississippi.

A Licensed Marriage and Family Therapist granted inactive status shall be excused from paying renewal fees until he or she notifies the Board in writing of his or her intention to resume active practice. If a licensee fails to return to active status within two (2) years of being placed on inactive status, the licensee may request an extension in writing on forms provided by the Board for an additional two years. If the licensee does not request

an extension in writing on forms provided by the Board or no extension has been granted in writing by the Board, the license will be deemed lapsed on September 30th following the end of the inactive status period. The licensee must then apply for a new license under the requirements set forth in the laws, rules and regulations that are in effect at the time the new application is received by the Board.

Each Marriage and Family Therapist licensee on inactive status must provide the Board with satisfactory evidence of having obtained acceptable/approved continuing education hours that would have been required had he or she been licensed in an Active status.

Disciplinary action will be taken against a licensee on inactive status who performs marriage and family therapy in the state of Mississippi or presents him/herself as a licensed marriage and family therapist.

Source: Miss. Code Ann. §§73-53-11(1)(c), (e) and (k), 73-53-23(1), 73-54-11(1), 73-54-13, 73-54-17, 73-54-27 and 73-54-29 (Supp. 2011).

Part1903 Chapter 3 Professional Standards of Practice and Code of Conduct

Rule 3.1 PROFESSIONAL IDENTIFICATION AS A MARRIAGE AND FAMILY THERAPIST

A. Titles and Abbreviations

Persons licensed to practice marriage and family therapy in Mississippi may use the title "Licensed Marriage and Family Therapist" and they may use the letters LMFT as a professional identification following their name as it appears on the license. Persons licensed to practice as Marriage and Family Therapy Associates in Mississippi may use the title "Licensed Marriage and Family Therapy Associate" and they may use the letters LMFTA as professional identification following their name as it appears on the license.

B. Display of License

The certificate of licensure issued by the Board and the current verification of renewal shall be displayed at all times in the licensee's place of practice. Official duplicates of the license may be obtained from the board if more than one copy is needed.

C. Change in Name

It is the responsibility of the licensee to notify the Board promptly, no later than 30 days following the change of name, of any change in their name

and to request a new certificate of licensure showing the appropriate name. All requests for a name changed must be made in writing, signed and notarized, and accompanied by a certified copy of the legal document which changed the name, and the appropriate fee or administrative cost. Licensees will be in violation of the standards of practice if they practice using a name different from the one appearing on their license certificate, and will be subject to disciplinary action by the Board.

Source: Miss. Code Ann. §§73-53-11(1)(c), (g), (k) and (2), 73-54-3 and 73-54-11(1) (2008 & Supp. 2011).

Part1903 Chapter 4 Continuing Education and Licensure Renewal; Reinstatement

Rule 4.1 CONTINUING EDUCATION

A. Purpose

The purpose of this section is to establish the continuing education requirements for licensed marriage and family therapists (LMFT). The LMFT license must be renewed biennially. Licensed marriage and family therapy associates (LMFTA) are not required to participate in continuing education. The continuing education offerings for each discipline (social workers and marriage and family therapists) are approved independently. Licensees should NOT assume that an approved offering for one discipline is also approved for the other discipline. The MBOE website maintains separate lists of approved continuing education offerings for social workers and marriage and family therapists. The primary objective of continuing education must be to maintain and improve the quality of professional services in marriage and family therapy provided to the public; maintain and improve the therapist's knowledge of current research, techniques, and practice; and provide other resources which will improve skill and competence in marriage and family therapy. A licensee will receive credit only for continuing education programs or activities approved by the MFT Continuing Education Committee. Approved programs will be listed on the Continuing Education Offering for MFTs page on the Board’s website. Continuing education hours must be relevant to the practice of marriage and family therapy as determined by the Board in accordance with the criteria cited at Part 1903, Chapter 4, Rule 4.1(H) of these Rules and Regulations.

B. Requirements

All licensed marriage and family therapists must complete twenty-four (24) hours of approved continuing education during every two (2) year license period. Four (4) out of the 24 must be approved MFT professional ethics hours. The Board will not approve self-directed learning projects and/or distance learning/internet (online) learning courses for the MFT ethics CE requirement. All Board approved supervisors, including those

with AAMFT Approved Supervisor standing, must complete two (2) approved hours of MFT supervision continuing education each renewal period. No supervision continuing education hours are required for the first renewal period. The Board will not approve self-directed learning projects and/or distance learning/internet (online) learning courses for the supervision CE requirement. It is the responsibility of each licensee and supervisor to determine in advance that the continuing education activity has been approved by the MFT Continuing Education Committee.

C. Board Continuing Education Committee

The MFT Continuing Education Committee shall consist of designated members of the MFT Discipline Specific Committee. The Board may also select non-Board members who they deem qualified, to serve on the MFT Continuing Education Committee. At least one member of the committee must be a professional educator from a COAMFTE MFT program. The chair of the committee will be a member of the MFT Discipline Specific Committee.

D. Determination of Clock Hour Credits

MFT Continuing Education Committee approved offerings shall be credited with one continuing education clock-hour credit for each one clock-hour spent in the continuing education activity, unless otherwise designated by the Board. Time devoted to registration, organizational business, breakfasts, luncheons, dinners, or other refreshments shall not be counted as instructional or continuing education credit time.

E. Types of Acceptable Continuing Education

Credit will be given only for continuing education programs or activities approved by the MFT Continuing Education Committee. To be acceptable to the MFT Continuing Education Committee continuing education offerings for LMFTs must conform to at least one of the seven content areas specified below under Criteria for Approval of Continuing Education Activities. A qualified presenter is someone found by the Board to be a professional in marriage and family therapy, another mental health discipline, or another profession with information, knowledge, and skills relevant to the practice of marriage and family therapy.

The following types of continuing education activities are acceptable **provided that the standards set forth below under Criteria for Approval of Continuing Education Activities have been met**:

1. Continuing education activities related to the practice of marriage and family therapy offered by the American Association of Marriage and Family Therapy (AAMFT) and any of it's divisions, including the Mississippi Association of Marriage and Family

Therapy (MAMFT); Mississippi Board of Examiners for Social Workers and Marriage and Family Therapists; and the Association of Marital and Family Therapy Regulatory Boards are automatically approved by the MFT Continuing Education Committee.

2. Successful completion (grade B or better), from a regionally accredited college/ university, of a graduate course specific to the practice of marriage and family therapy. One (1) academic semester hour will be equivalent to 5 hours of continuing education hours;

3. Teaching in a graduate school of marriage and family therapy. Credit will be applied at the rate of three (3) hours for every credit hour taught; teaching may count for no more than twelve (12) hours of the biannual continuing education requirement;

4. Presenting workshops, seminars, or lectures that are approved for CE credit for LMFTs will be awarded CEU credit at the rate of 2 hours of credit for each hour of presentation (if the same offering is presented multiple times during the two year renewal period, the continuing education credit hours may only be counted the first time the offering was presented);

5. Self-Directed Learning Projects and/or Distance Learning/Internet (Online) Learning Courses: Continuing education hours for distance learning/internet learning courses will only be granted for courses approved in advance by the MFT CE Committee. The MFT CE Committee will grant continuing education hours only after completion of the course and proof of successful completion of post-test, course examination, and/or evaluation from the course provider. No more than 6 hours of the 24 required hours may be earned in this manner during each two year renewal period. **Ethics continuing education credits may *NOT* be obtained this way. A list of approved ethics courses may be found on the Board's Website;**

6. Continuing education credit may be earned by Board approved supervisors for clinical supervision of individuals with active Supervision Plans on file with the Board. Supervision may count for no more than ten (10) hours of the biennial continuing education requirement, but not count toward the two (2) hours required for Board approved supervisors to maintain their approved supervisor status; and,

7. An author of a book or peer reviewed article which, as determined by the Board, enhances a marriage and family therapist's knowledge or skill may be granted continuing education credit not

to exceed one-half of the biannual continuing education requirement.

8. Supervised Self Directed Learning Groups

Licensed marriage and family therapists may earn up to eight (8) continuing education hours for each renewal period through participation in a Board approved supervised self directed learning group. In order to receive Board approval the following requirements must be met:

a. The group must be led by a Board Approved supervisor.

b. A supervision plan documenting the names and license numbers of all participants, proposed learning objectives and an outline of the process for meeting each learning objective must be approved in advance by the MFT Continuing Education Committee. Only plans meeting the criteria for approval of continuing education activities listed in Part 1903, Chapter 4, Rule 4.1(H) of these rules and regulations will be approved. Failure to submit a plan within the sixty-day time period could result in disapproval of the activity for continuing education credit.

c. Each participant must complete a post evaluation report documenting the effectiveness of the group learning experience and turn it in to the Approved Supervisor leading the group. This report should include evidence that the learning objectives were met. The Approved Supervisor shall maintain these reports for a period of four (4) years following completion of the supervised self directed learning group experience.

d. Participation in each supervised self directed learning group shall be limited to no less than four (4) and no more than eight (8) participants and a State Approved Supervisor.

e. The supervised self directed learning group supervisor must issue each participant a signed certificate of completion containing the participants name, license number, number of hours completed, dates of attendance, and MFT CE approval number.

f. MFT ethics CE hours and Approved Supervisor CE hours will not be awarded for participation in any self directed learning projects.

g. The fee for supervised self directed learning group approval shall be the same as the fee for becoming a Board Approved Continuing Education Provider.

F. Application Procedure to Become a Board Approved Continuing Education Sponsor

Appropriate providers may apply to the MFT Continuing Education Committee to become approved providers of continuing education activities. Providers may include, but are not limited to, colleges and universities, individuals, mental health agencies, private mental health organizations, and professional organizations. Home study programs are encouraged to apply for approved provider status.

Applicants for approved provider status must complete the necessary application and submit it to the MFT Continuing Education Committee and pay any associated fees (see section IX.B) required by the Board. The MFT Continuing Education Committee will evaluate the application and notify the applicant in writing regarding the approval of that application.

If granted, Approved provider status will expire on December 31 of each year. However, if an initial application is approved after September 1, the status will expire December 31 of the following year. Approved providers must reapply each year in order to maintain their approved provider status.

Approved providers are not required to submit an additional application fee per offering during their "approved provider" year. However, they must submit the appropriate application for each individual continuing education offering to the MFT Continuing Education Committee for review and approval. Each approved offering will be issued an approval number that must appear on the certificate provided to the participant. All applications should be received at least sixty days in advance of the offering in order to receive full consideration by the Committee. Failure to submit a plan within the sixty-day time period could result in disapproval of the organization or individual as an approved provider of continuing education.

G. Approval Procedure for any organization or individual that is not a Board approved sponsor or designated provider

Any organization or individual that is not a Board approved continuing education provider must submit an application for each continuing education offering sixty days prior to the date of the offering. The applications must be made, in writing, to the MFT Continuing Education Committee, which reviews and pre-approves continuing education. **NO RETROACTIVE APPROVALS WILL BE MADE.** Applications for or questions about said approval should be sent to the following address:

Mississippi Board of Examiners for Social Workers and
Marriage and Family Therapists
MFT Continuing Education Committee
P.O. Box 4508
Jackson, MS 39296-4508
601-987-6806
1-888-895-3482 - Instate Only

The Board's office or the Chair of MFT Continuing Education Committee may be contacted for application forms or questions about the procedure.

H. Criteria for Approval of Continuing Education Activities

Continuing education hours must be relevant to the practice of marriage and family therapy as determined by the MFT Continuing Education Committee, with an emphasis on systemic approaches or the theory, research or practice of psychotherapy work with couples or families. Continuing education for marriage and family therapy general evolves from the following area and must be related to **at least one** of the following seven areas:

1. Theoretical Knowledge of Marriage and Family Therapy. Examples of acceptable offering content in this area include, but are not limited to, the historical development, theoretical and empirical foundations, and contemporary conceptual directions of the field of marriage and family therapy;

2. Clinical Knowledge of Marriage and Family Therapy. Courses in this area cover:
   a. couple and family therapy practice related conceptually to theory;
   b. contemporary issues, which include but are not limited to gender, violence, addictions, and abuse, in the treatment of individuals, couples, and families from a relational/systemic perspective;
   c. a wide variety of presenting clinical problems related to the practice of marriage and family theory and practice;
   d. issues of gender and sexual functioning, sexual orientation, and sex therapy as they relate to couple, marriage and family therapy theory and practice; and/or
   e. diversity and discrimination as it relates to couple and family therapy theory and practice.

3. Assessment and Treatment in Marriage and Family Therapy. Acceptable offering content in this area incorporates a relational/systemic perspective on topics such as, but not limited to, psychopharmacology, physical health and illness, traditional

psychodiagnostic categories, and the assessment and treatment of major mental health issues.

4. Individual, Couple, and Family Development. Acceptable offering content in this area focuses on individual, couple, and/or family development across the lifespan.

5. Professional Identity and Ethics in Marriage and Family Therapy. **Generic education in ethics does not meet this standard.** Acceptable content in this area includes:

   a. professional identity of the marriage and family therapist, including professional socialization, scope of practice, professional organizations, licensure and certification;
   b. ethical issues related to the profession of marriage and family therapy and the practice of individual, couple and family therapy;
   c. the AAMFT Code of Ethics, confidentiality issues, the legal responsibilities and liabilities of clinical practice and research, family law, record keeping, reimbursement, and the business aspects of practice as these relate to the practice of marriage and family therapy;
   d. the interface between marriage and family therapist responsibility and the professional, social, and political context of treatment.

6. Research in Marriage and Family Therapy: Content in this area includes significant material on research in couple and family therapy; focus on content such as research methodology, data analysis and the evaluation of research, and include quantitative and qualitative research.

7. Supervision in Marriage and Family Therapy: Content in this area includes studies in theory and techniques of supervision as well as ethical and legal issues, case management, and topics relative to the specific supervised training.

I. Documenting and Reporting

1. Record Keeping: The licensee shall maintain for four (4) years their own records and official verification of the continuing education they have completed. The Board will not maintain continuing education files for ~~the~~ licensees.

2. Reporting Continuing Education: The continuing education hours will be reported once every two years as part of the license renewal process. No continuing education hours are required for the first renewal period.

3. Provider Responsibility: It is the responsibility of each organization or provider of continuing education to 1) provide the Board with verified list of participants including license number and the number of earned CE hours, and 2) provide the attendee with a written statement, verification, or certificate of attendance or CEU certificate which verifies completion of the offering. The attendee's verification must include the following information:

   a. Name of attendee
   b. Name of offering
   c. Date of offering
   d. Provider's name
   e. Program approval number assigned by MFT Continuing Education Committee
   f. Signature of organizer/sponsor or designee
   g. Number of continuing education hours awarded

4. Licensee Responsibility: It is the responsibility of the licensee to obtain a certificate, transcript or other official document from the approved provider showing the appropriate information. The supporting documentation verifying the continuing education must be kept by the licensee and not sent to the Board unless the Board makes a request in writing for the documentation as a part of the audit process.

J. Random Audit of Continuing Education Documents

1. The Board will annually audit or cause to be audited a minimum of twenty percent (20%) of the continuing education reports accompanying the renewal applications. Licensees whose reports are audited will be required to provide a copy of the official documentation of their continuing education activities. If a licensee fails to provide the Board in a timely manner (not to exceed thirty {30} days following the time they are notified of the audit) with official documentation of the total hours listed on their renewal application, the license will be suspended following written notification from the Board and will remain suspended pending further Board action.

2. If, during the audit, the Board disqualifies any of the documented continuing education hours and the licensee does not have sufficient acceptable hours remaining for that renewal period, the Board, at its discretion, may renew the license under the conditions that the continuing education hours will be obtained within six (6) months of the notice of deficiency. Continuing education hours acquired to meet the deficiency may not be applied to any other renewal period. If the licensee does not rectify the deficiency

within that six (6) month period, the license will be subject to disciplinary action, including revocation, for failure to comply with the continuing education requirements.

K. Re-evaluation of Continuing Education

A licensee who believes that evidence of continuing education was appraised incorrectly by the Board, may make a written request for re-evaluation to the Board within thirty (30) days of the Board's finding. Verbal requests will not be honored.

L. Waiver of Continuing Education Requirements and Request for Extension of Time to Complete Continuing Education Requirements

1. The Board may waive continuing education requirements to a licensee who was not engaged in the practice of marriage and family therapy during a given continuing education renewal period on an individual basis for reasons of severe illness, disability, military service or other documented hardship or good cause. Any waiver will be granted solely at the discretion of the Board.

2. The Board may extend the time within which to fulfill continuing education requirements to a licensee during a given continuing education renewal period on an individual basis for reasons of hardship, such as severe illness, disability, military service or other good cause. Any waiver or extension of time will be granted solely in the discretion of the Board.

3. A licensee must submit a written request for a waiver of continuing education requirements (L1.), or extension of time to fulfill continuing education requirements (L2.) to complete continuing education requirements. The request must be made in writing, under penalty of perjury, and must set forth with specificity the reasons for requesting the waiver or extension and, in the case of the waiver request, the portion of the renewal period during which the licensee was not engaged in the practice of marriage and family therapy. The licensee shall submit to the Board all documentation in support of the request for waiver or extension and such additional information or documentation as the Board may request in support of the waiver or extension.

4. Waivers of the minimum continuing education requirements may be granted for up to one-half of the twenty-four (24) hours of continuing education required for any two-year (biennial) renewal period. Extensions of time (6 month extensions) may be granted by the Board for a period not to exceed one (1) calendar year. The grant of an extension by the Board will result in the renewal of a license based on the condition that the licensee completes the

continuing education requirement by the deadline established by the Board.

5. A waiver of continuing education requirements granted pursuant to this section shall be effective only for the biennial period in which such waiver is granted. If the condition(s) which necessitated the waiver continues into the next biennial period, a licensee who seeks another waiver must apply to the Board for a renewal of such waiver for the new biennial period.

6. If an extension of time is granted, the license will be placed on active status but the license shall be automatically changed to inactive status at the end of the extension period unless the licensee satisfies the continuing education requirement prior to that time. When the license is placed on inactive status, the licensee shall cease all activity requiring a license.

7. A licensee shall apply for a waiver or extension of continuing education requirements no later than 30 (thirty) days prior to the end of the biennial licensing period for which the waiver or extension is requested. All requests shall be sent to the office of the Board, by certified mail, return receipt requested.

8. An extension of time shall not be granted to any licensee who obtained an extension in the immediately preceding renewal or reporting period in which the licensee held an active license, except in the case of a licensee who is unable to complete the requirements due to military service commitment pursuant to a combat or national emergency assignment.

9. The Board may, as a condition of any extension or waiver granted, require the licensee to make up a portion of the continuing education requirement in the manner determined by the Board .

Source: Miss. Code Ann. §§73-53-11(1)(c), (k), (m), (n) and (s), 73-54-11(1) and 73-54-27(4) (Supp. 2011).

Rule 4.2 Renewal of License

A. Expiration Date: All licenses expire on September 30 of the second year of the initial license and all future two year renewal terms. All licenses not renewed on or before September 30 of the appropriate year will lapse. The Board will not assume responsibility for late renewal applications delayed or lost in the mail.

B. Renewal Term of Two Years: All renewals will be for a full two year term beginning October 1 and ending September 30.

C. Notice of Renewal: The Board will send a reminder of renewal and a renewal application to all licensees at the latest address of record on file with the Board. Failure to receive a renewal notice from the Board will not relieve the license holder from the renewal requirement. It is the responsibility of the licensee to maintain an accurate address in their file by sending promptly to the Board a signed notice of any change of address.

D. Online renewal became available on August 1, 2008. Licensees are encouraged to renew using the online format. Renewal windows will be available from August 1 to September 30 each renewal cycle. Online renewal is available only to active licensees in good standing.

E. Completed Application for Renewal: The Board cannot act on an application for renewal until it is complete with all the supporting documents, continuing education summary and the renewal fee.

F. Renewal Fee: the renewal fee covers the two year term, and must be paid in full with the renewal application and supporting documentation and no later than the expiration date of the license.

G. Responsibility of Licensee for Renewal: It is the responsibility of the licensee to obtain renewal application materials from the Board, to obtain the required approved continuing education with verification, and to see that their license is renewed on time. These materials are available online at the Board's website. Failure to receive a notice of renewal does not absolve the licensee of their responsibility to renew the license before the expiration date. Practicing under an expired or a lapsed license is prohibited. It is, likewise, a misdemeanor punishable by law.

H. Inactive Renewals: Anyone returning from inactive status must meet the continuing education requirements for the immediate two years prior to the application for renewal or reactivation of license.

Source: Miss. Code Ann. §§73-53-11(1)(c) and (e), 73-53-15, 73-54-11(1) and 73-54-27 (Supp. 2011).

Rule 4.3 Reinstatement of License

A. **General Requirements for Reinstatement**

1. All conditions related to the suspension, revocation, disciplinary action, or order or directive of the Board must have been completed or met to the Board's satisfaction.

2. None of the prohibited acts exist as are described in Sections 73-53-17 and 73-53-29 of the Mississippi Code of 1972, as amended, and/or Part 1901, Chapter 4, Rule 3 3.1.

3. The former licensee verifies, by submitting to the Board a notarized affidavit, that they have not engaged in the practice of marriage and family therapy in this state or any other state, or used a title denoting marriage and family therapist qualifications since the expiration, suspension or revocation of his or her license, unless he or she qualifies for exemption from licensure as a marriage and family therapist as provided by Section 73-54-9 of the Mississippi Code of 1972 as amended, or they hold a valid license issued by another state and his or her practice was confined to the state which issued the license.

4. The licensee must apply for a new license and must meet the requirements and conditions for licensure set forth in the governing law and the rules and regulations that are in effect at the time the new application or re-application is received by the Board.

5. The former licensee must submit to the Board a completed application for reinstatement on forms prescribed by the Board and all supporting documentation.

6. The former licensee must include a letter with the application for reinstatement explaining the reasons for applying for reinstatement.

7. The former licensee must provide satisfactory documentation of completion of all approved continuing education requirements specified by Board Rules and Regulations that that would have been required to maintain a current license for the entire period the license has been lapsed or inactive;

8. The former licensee must pay the reinstatement costs and any other costs or fees required by the Board.

Source: Miss. Code Ann. §§73-53-11(1)(c), (d), (e), (g), (k) and (n), 73-53-23(4), 73-54-11, and 73-54-27(3) (Supp. 2011).

Part1903 Chapter 5 FEES AND ADMINISTRATIVE COSTS

Rule 5.1 Philosophy

The Board receives no financial appropriation from the State to underwrite the costs of providing the licensure services. The Board is very sensitive to controlling costs, but fees and administrative costs are necessary for licensure to exist.

Source: Miss. Code Ann. §§73-53-10(1), 73-53-11(1)(c) and 73-54-11(1) (Supp. 2011).

Rule 5.2 The Fee Schedule

A. Application to Take AMFTRB Examination in Marital and Family Therapy fee…….$ 25.00

B. Application fee for licensure as a Marriage and Family Therapist, non-refundable ……...……..….. $ 100.00

C. LMFTA Application fee……..…… $ 25.00

D. Initial LMFT license fee…….$ 200.00
(May be prorated for first year, see below)

E. Initial LMFTA license fee ……..…….. ....$ 75.00
(May be prorated for first year, see below)

F. Renewal fee for LMFT (2 years) .....…….…….. $ 200.00

G. Renewal fee for LMFTA license (2 years)……..…$100.00

H. The Board may charge administrative/processing costs as follows:

1. Duplicate license .....….....……..……. $ 25.00
2. Replace lost license .....….....……. $ 25.00
3. Reinstatement (plus renewal cost) ….....…….. $ 35.00
4. Electronic copy of LMFT licensee address list $50.00
5. Copying fee ($1.00 per page plus cost of retrieving information)
6. Postgraduate Supervision Plan Approval Fee……. $100.00
7. Application for Continuing Education Provider Status…$125.00
8. Application for Individual Continuing Education Offering... $50.00
9. Application Packet …… $ 10.00
(initial applicants will be issued one copy free of charge upon request; it is also available online at no cost)
10. Copy of rules and regulations……. $ 20.00
(initial applicants will be issued one copy free of charge upon request; it is also available online at no cost)
11. Name Change fee…….…..$10.00
12. License verification for another state…….$25.00

Source: Miss. Code Ann. §§73-53-11(1)(c), (g) and (o), 73-53-15, 73-54-11(1) and 73-54-27 (Supp. 2011).

Rule 5.3 General Rules Regarding Fees and Administrative Costs

A. Fees and administrative costs are payable by cashier's check, money order, or credit cards accepted by the Board. Checks and money orders should be made payable to the Board of Examiners for SW/MFT.

B. The Board will not issue or renew a license until all outstanding fees and administrative costs have been paid.

C. The application fee must accompany the completed application, and is non-refundable.

D. When the Board notifies an applicant that their license application has been approved, the initial license fee (prorated for the first year, if applicable) must be paid in full before the license can be issued.

E. The renewal fee must be paid on or before September 30 of the second year the license is in effect (the expiration date). The full renewal fee for two years must accompany the renewal application.

Source: Miss. Code Ann. §§73-53-11(1)(c), (g) and (o), 73-53-15, 73-54-11(1) and 73-54-27 (Supp. 2011).

Rule 5.4 Proration of the First Year Portion of Initial License Fee

Since all licenses have an expiration date of September 30, the initial license period may be less than two (2) full years, depending on the date the application was approved by the Board. The first year's portion of the initial two (2) year fee may be prorated and billed in the following manner:

A. License applications approved between October 1 and March 31 will require the full initial license fee for the first two years.

B. For license applications approved between April 1 and September 30, the first years portion of the initial two (2) years will be reduced by one half.

Responsibility of the Applicant or Licensee:
It is the responsibility of the applicant or licensee to see that their license fees and renewal fees are paid in a timely manner. Failure to receive a notice of renewal or payment due from the board does not relieve the person of their responsibility to pay the fees before the deadline. The Board assumes no responsibility for fees that are lost in the mail, arrive late or otherwise do not reach the Board on time.

Adjustment of Fee Scale:
The Board may increase the fees at the discretion of the Board, within the limits provided by State Statute.

Source: Miss. Code Ann. §§73-53-11(1)(c), (g) and (o), 73-53-15, 73-54-11(1) and 73-54-27 (Supp. 2011).

Amended: Effective:

Title 30: Professions and Occupations

Part 1901: Authority and Practice

Part 1901 Chapter 1: Administration

Rule 1.1 GENERAL

D. Purpose

The purpose of these regulations is to set forth the minimum qualifications for those who wish to practice social work or marriage and family therapy under the statute. The rules outlined in this section apply to all applicants and licensees in these two disciplines. The rules in Parts 1902 and 1903 of this title also apply to all applicants and licensees as appropriate in their respective disciplines.

E. Legal Authority of the Board

The Board of Examiners for Social Workers and Marriage and Family Therapists is authorized to promulgate these rules under and by virtue of Sections 73-53-1 through 73-54-39 of the Mississippi code of 1972, as amended.

F. Definitions

5. "Board" shall mean the Board of Examiners for Social Workers and Marriage and Family Therapists.

6. "Discipline Specific Committees" shall mean specialty committees, one comprised of members of the social work profession, and one comprised of the marriage and family therapy profession, to carry out the duties and responsibilities set out in the rules and regulations.

7. "Act" means the legislative authority cited in Part 1901, Chapter 1, Rule 1.1, B above in this Section.

8. "Rules" shall mean all licensing guidelines adopted by the Board and contained herein.

Source: Miss. Code Ann. §§73-53-1, 73-53-3(a), 73-53-11(1)(c), 73-54-3, 73-54-5(g) and 73-54-11(1) (2008 & Supp. 2011).

Rule 1.2 BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE & FAMILY THERAPISTS

A. Purpose and Composition

The purpose of the Board of Examiners for Social Workers and Marriage and Family Therapists is to license and regulate social workers and marriage and family therapists.

The Board shall be composed of ten (10) members, six (6) of whom shall be social workers and four (4) of whom shall be marriage and family therapists. All board members must be licensed by their respective disciplines.

The purpose of each Discipline Specific Committee is to develop rules and regulations for the Board to promulgate that are necessary to license and regulate the professions.

Members of the Board from each specialty shall constitute a separate Discipline Specific Committee for their respective specialty.

B. Appointments

The Governor and Lieutenant Governor will make appointments in accordance with the Act from nominations submitted by the Mississippi Chapter of the National Association of Social Workers and the Mississippi Association for Marriage and Family Therapy. Vacancies and new appointments will be filled in a like manner. All appointments shall be made with the advice and consent of the Senate.

Terms of each appointment shall be made in accordance with Section 73-53-8 of the Act. No person may be appointed more than once to fill an unexpired term or more than two (2) consecutive full terms.

C. Chair

Board Chair: The Board shall select one (1) of its members to serve as Board Chair during the term of his/her appointment to the Board. However, no person may serve as Chair of the Board for more than four (4) years.

Discipline Specific Committee Chair: Each Discipline Specific Committee will select one (1) of its members to serve as Chair of the Discipline Specific Committee during the term of his/her appointment. No person may serve as Chair of the Discipline Specific Committee for more than

four (4) years. The Discipline Specific Committee will deal with concerns specific to each discipline.

Actions of each Discipline Specific Committee will then be presented to the full Board for discussion and, if applicable, Board action.

D. Meetings

The Board shall establish a regularly scheduled meeting date and, upon proper public notice, may call and conduct special meetings as necessary. No Board member shall participate in any matter before the Board in which he/she has a pecuniary interest, personal bias or other similar conflict of interest. Board members shall receive no compensation for their services, but shall be reimbursed for their actual and necessary expenses incurred in the performance of official Board business.

E. ADA Acknowledgment

The Board complies with and supports all statues and mandates as set forth in the American's with Disabilities Act with regard to its regulatory responsibilities associated with licensees.

G. Disciplinary Action

The Board may remove any member of the Board or the Chair from his/her position for:

1. Malfeasance in office;

2. Conviction of a felony or a crime of moral turpitude while in office; or

3. Failure to attend three (3) consecutive Board meetings

No board member may be removed from his/her position until after a public hearing of the charges against him/her. At least thirty (30) days prior, written notice must be given to the Board member detailing those charges indicating the date fixed for the hearing.

Source: Miss. Code Ann. §§73-53-1, 73-53-8, 73-53-11, 73-54-3 and 73-54-11(1) (2008 & Supp. 2011); Miss. Code Ann. §§25-41-13 and 25-43-2.104 (Rev. 2010).

Rule 1.3 DUTIES AND POWERS OF THE BOARD

B. General

The Board shall, upon referral from a Discipline Specific Committee, promulgate, administer and enforce the provisions of the Act, which shall from time to time include the adoption of such rules, regulations, and amendments as it may deem necessary to enable it to perform its duties. All rules and regulations shall be adopted in accordance with the Mississippi Administrative Procedures Law:

1. Rules may be revised periodically by the Board and all applicants and licensees are subject to the revised rules once adopted by the Board.

2. Applications received during a particular period of rules will be subject to and processed under those rules.

3. Disciplinary actions taken by the Board may be reported to professional associations and other entities when deemed necessary.

The Board will adhere to all State and Federal laws and regulations including, but not limited to, child support and other areas of enforcement.

B. Personnel

The Board shall have the power to employ, subject to the approval of the Mississippi State Personnel Board, an executive director, and such attorneys, experts and other employees as it may from time to time find necessary for the proper performance of its duties and for which the necessary funds are available.

C. Licensure

Upon recommendation of the Discipline Specific Committee, the Board shall:

1. Examine and pass on the qualifications of all applicants under the Act, initial or renewal and, issue a license to each successful applicant or renewal applicant.

2. Require each applicant for licensure (first time applicant in any licensure category) to complete, through the appropriate governmental authority or authorities as designated by the Board, a criminal history record information check. The Board shall be authorized to charge and collect from the applicant, in addition to all other applicable fees and costs, such amount as may be incurred

by the Board in requesting and obtaining the criminal history records information on the applicant.

3. Obtain, through the appropriate governmental authority or authorities, a criminal history record information check and a check of the Mississippi Sex Offender Registry for each person applying for licensure. The board shall be authorized to charge and collect from the applicant or licensee, in addition to all other applicable fees and costs, such amount as may be incurred by the Board in requesting and obtaining the information required in this paragraph for the applicant or licensee.

4. Suspend and revoke licenses and impose penalties and sanctions upon licensees as prescribed by law and by regulation set forth specifically by each discipline, either social work or marriage and family therapy, as appropriate.

5. Approve all examinations for licensure under the Act.

6. Have other such powers as may be required to carry out licensure requirements prescribed by law and by regulation.

7. Conduct random audits to determine the accuracy of initial and renewal applications, continuing education reports and any other materials submitted to the Board by or on behalf of applicants or licensees.

H. Method of Operation

The Board follows the procedures required by Mississippi Code of 1972 (as amended) §25-43-2.104.

I. Oral Proceedings on Proposed Rules

1. **Scope**. This rule applies to all oral proceedings held for the purpose of providing the public with an opportunity to make oral presentations on proposed new rules and amendments to rules before the Board of Examiners for Social Workers and Marriage and Family Therapists pursuant to §25-43-3.104.

2. **When Oral Proceedings will be Scheduled on Proposed Rules**. The Board will conduct an oral proceeding on a proposed rule or amendment if requested by a political subdivision, an agency or

ten (10) persons in writing within twenty (20) days after the filing of the notice of the proposed rule.

3. **Request Format**. Each request must be printed or typewritten, or must be in legible handwriting. Each request must be submitted on standard business letter-size paper (8-1/2 inches by 11 inches). Requests may be in the form of a letter addressed to the Board and signed by the requestor(s).

4. **Notification of Oral Proceeding**. The date, time and place of all oral proceedings shall be filed with the Secretary of State's office and mailed to each requestor. The oral proceedings will be scheduled no earlier than twenty (20) days from the filing of this information with the Secretary of State.

5. **Presiding Officer**. The Commissioner or his designee, who is familiar with the substance of the proposed rule, shall preside at the oral proceeding on a proposed rule.

6. **Public Presentations and Participation.**

   a. At an oral proceeding on a proposed rule, persons may make oral statements and make documentary and physical submissions, which may include data, views, comments or arguments concerning the proposed rule.

   b. Persons wishing to make oral presentations at such a proceeding shall notify the Board at least one business day prior to the proceeding and indicate the general subject of their presentations. The presiding officer in his or her discretion may allow individuals to participate that have not previously contacted the Board.

   c. At the proceeding, those who participate shall indicate their names and addresses, identify any persons or organizations they may represent, and provide any other information relating to their participation deemed appropriate by the presiding officer.

   d. The presiding officer may place time limitations on individual oral presentations when necessary to assure the orderly and expeditious conduct of the oral proceeding. To encourage joint oral presentations and to avoid repetition, additional time may be provided for persons whose

presentations represent the views of other individuals as well as their own views.

e. Persons making oral presentations are encouraged to avoid restating matters that have already been submitted in writing.

g. There shall be no interruption of a participant who has been given the floor by the presiding officer, except that the presiding officer may in his or her discretion interrupt or end the partisan's time where the orderly conduct of the proceeding so requires.

8. **Conduct of Oral Proceeding.**

a. Presiding officer. The presiding officer shall have authority to conduct the proceeding in his or her discretion for the orderly conduct of the proceeding. The presiding officer shall (i) call proceeding to order; (ii) give a brief synopsis of the proposed rule, a statement of the statutory authority for the proposed rule, and the reasons provided by the Board for the proposed rule; (ii) call on those individuals who have contacted the Board about speaking on or against the proposed rule; (iii) allow for rebuttal statements following all participants' comments; (iv) adjourn the proceeding.

b. Questions. The presiding officer, where time permits and to facilitate the exchange of information, may open the floor to questions or general discussion. The presiding officer may question participants and permit the questioning of participants by other participants about any matter relating to that rule-making proceeding, including any prior written submissions made by those participants in that proceeding; but no participant shall be required to answer any question.

c. Physical and Documentary Submissions. Submissions presented by participants in an oral proceeding shall be submitted to the presiding officer. Such submissions become the property of the Board and are subject to the Board's public records request procedure.

d. Recording. The Board may record oral proceedings by stenographic or electronic means.

J. Declaratory Opinions

1. **Scope**

These rules set forth the Board of Examiners for Social Workers and Marriage and Family Therapists, hereinafter "Board," rules governing the form and content of requests for declaratory opinions, and the Board's procedures regarding the requests, as required by Mississippi Code § 25-43-2.103. These rules are intended to supplement and be read in conjunction with the provisions of the Mississippi Administrative Procedures Law, which may contain additional information regarding the issuance of declaratory opinions. In the event of any conflict between these rules and the Mississippi Administrative Procedures Law, the latter shall govern.

2. **Persons Who May Request Declaratory Opinions**

Any person with a substantial interest in the subject matter may request a declaratory opinion from the Board by following the specified procedures. "Substantial interest in the subject matter" means: an individual, business, group or other entity that is directly affected by the Board's administration of the laws within its primary jurisdiction. "Primary jurisdiction of the agency" means the agency has a constitutional or statutory grant of authority in the subject matter at issue.

3. **Subjects Which May Be Addressed In Declaratory Opinions**

The Board will issue declaratory opinions regarding the applicability to specified facts of: (1) a statute administered or enforceable by the Board or (2) a rule promulgated by the Board. The Board will not issue a declaratory opinion regarding a statute or rule which is outside the primary jurisdiction of the agency.

4. **Circumstances in which Declaratory Opinions Will Not Be Issued**

The Board may, for good cause, refuse to issue a declaratory opinion. The circumstances in which declaratory opinions will not be issued include, but are not necessarily limited to:

a. A lack of clarity concerning the question presented;

b. There is pending or anticipated litigation, administrative action, or other adjudication which may either answer the question presented by the request or otherwise make an answer unnecessary;

c. The statute or rule on which a declaratory opinion is sought is clear and not in need of interpretation to answer the question presented by the request;

d. The facts presented in the request are not sufficient to answer the question presented;

e. The request fails to contain information required by these rules or the requestor failed to follow the procedure set forth in these rules;

f. The request seeks to resolve issues which have become moot, or are abstract or hypothetical such that the requestor is not substantially affected by the statute or rule on which a declaratory opinion is sought;

g. No controversy exists concerning the issue as the requestor is not faced with existing facts or those certain to arise which raise a question concerning the application of the statute or rule;

h. The question presented by the request concerns the legal validity of a statute or rule;

i. The request is not based upon facts calculated to aid in the planning of future conduct but is, instead, based on past conduct in an effort to establish the effect of that conduct;

j. No clear answer is determinable;

k. The question presented by the request involves the application of a criminal statute or a set of facts which may constitute a crime;

l. The answer to the question presented would require the disclosure of information which is privileged or otherwise protected by law from disclosure;

m. The question is currently the subject of an Attorney General's opinion request or has been answered by an Attorney General's opinion;

n. A similar request is pending before this agency or any other agency or a proceeding is pending on the same subject matter before any agency, administrative or judicial tribunal, or where such an opinion would constitute the unauthorized practice of law.

o. Where issuance of a declaratory opinion may adversely affect the interests of the State, the Board or any of their officers or employees in any litigation which is pending or may reasonably be expected to arise;

p. The question involves eligibility for a license, permit, certificate or other approval by the Board or some other agency, and there is a statutory or regulatory application process by which eligibility for said license, permit, certificate or other approval would be determined.

5. **Written Request Required**

Each request must be printed or typewritten, or must be in legible handwriting. Each request must be submitted on standard business letter-size paper (8-1/2 inches by 11 inches). Requests may be in the form of a letter addressed to the Board.

6. **Where to Send Requests**

All requests must be mailed, delivered or transmitted via facsimile to the Board. The request shall clearly state that it is a request for a declaratory opinion. No oral, telephone requests or email requests will be accepted for official opinions.

7. **Name, Address and Signature of Requestor**

Each request must include the full name, telephone number, and mailing address of the requestor. All requests shall be signed by the person filing the request, who shall attest that the request complies with the requirements set forth in these rules, including but not limited to a full, complete, and accurate statement of

relevant facts and that there are no related proceedings pending before any other administrative or judicial tribunal.

8. **Question Presented**

Each request shall contain the following:

a. A clear and concise statement of all facts on which the opinion is requested;

b. A citation to the statute or rule at issue;

c. The question(s) sought to be answered in the opinion, stated clearly;

d. A suggested proposed opinion from the requestor, stating the answers desired by petitioner and a summary of the reasons in support of those answers;

e. The identity of all other known persons involved in or impacted by the described factual situation, including their relationship to the facts, name, mailing address and telephone number; and

f. A statement to show that the person seeking the opinion has a substantial interest in the subject matter.

9. **Time for Board's Response**. Within forty-five (45) days after the receipt of a request for a declaratory opinion which complies with the requirements of these rules, the Board shall, in writing:

a. Issue a declaratory opinion regarding the specified statute or rule as applied to the specified circumstances;

b. Decline to issue a declaratory opinion, stating the reasons for its action; or

c. Agree to issue a declaratory opinion by a specified time but not later than ninety (90) days after receipt of the written request;

The forty-five (45) day period shall begin running on the first State of Mississippi business day on or after the request is received by the Board, whichever is sooner.

10. **Opinion Not Final for Sixty Days**. A declaratory opinion shall not become final until the expiration of sixty (60) days after the issuance of the opinion. Prior to the expiration of sixty (60) days, the Board may, in its discretion, withdraw or amend the declaratory opinion for any reason which is not arbitrary or capricious. Reasons for withdrawing or amending an opinion include, but are not limited to, a determination that the request failed to meet the requirements of these rules or that the opinion issued contains a legal or factual error.

11. **Notice by Board to third parties**. The Board may give notice to any person, agency or entity that a declaratory opinion has been requested and may receive and consider data, facts, arguments and opinions from other persons, agencies or other entities other than the requestor.

12. **Public Availability of Requests and Declaratory Opinions.** Declaratory opinions and requests for declaratory opinions shall be available for public inspection and copying in accordance with the Public Records Act and the Board's public records request procedure. All declaratory opinions and requests shall be indexed by name and subject. Declaratory opinions and requests which contain information which is confidential or exempt from disclosure under the Mississippi Public Records Act or other laws shall be exempt from this requirement and shall remain confidential.

13. **Effect of a Declaratory Opinion**. The Board will not pursue any civil, criminal or administrative action against a person who is issued a declaratory opinion from the Board and who, in good faith, follows the direction of the opinion and acts in accordance therewith unless a court of competent jurisdiction holds that the opinion is manifestly wrong. Any declaratory opinion rendered by the Board shall be binding only on the Board and the person to whom the opinion is issued. No declaratory opinion will be used as precedent for any other transaction or occurrence beyond that set forth by the requesting person.

K. Public Records Request

All written public records requests pursuant to the statute will be approved or denied in writing within fourteen (14) working days after the written request is received.

A document search will be done personally by individual, firm, or their representative requesting reproduction in the presence of the Board' staff personnel and/or a Board member. Each document will be marked for copying by the searcher. Actual reproduction will be made by the Board's staff and/or Board member.

Some documents are exempt [Miss. Code Ann.25-61-9 and 25-61-11] as a privileged by law and are not available for inspection by the public. Examples are, but not limited to, personnel records, appraisals, attorney communications and work products of attorneys, certain records compiled in the process of detecting and investigation any unlawful activity or alleged unlawful activity, licensure applications and examination records, records maintained by public hospitals, records the release of which would deprive one criminally accused of his/her constitutional right to a fair trial, accident reports.

All written public records request shall be forwarded immediately by the Board and/or staff to counsel for the Board for a determination of the availability of the requested information for inspection and duplication.

Cost of reproductions and certifications will be payable by the requesting individual, firm or their representative in advance of receipt of any requested documents. Copying fee is $1.00 per page plus a fee for staff time.

Source: Miss. Code Ann. §§73-53-8(11), 73-53-11, 73-54-11, 73-54-13 and 73-54-17 (Supp. 2011); Miss. Code Ann. §§ 25-43-2.103, 25-43-2.104 and 25-43-3.104 (Rev. 2010); Miss. Code Ann. 25-61-1 through 25-61-12 (Rev. 2010).

Rule 1.4 FISCAL SUPPORT OF THE BOARD

No appropriations from the State General Fund shall be used to operate the Board. The Board shall be supported by fees collected for license application and renewal and/or other monies raised by the Board.

Fees for initial application and renewal are set forth by the Act and in these rules. Fees for other Board services related to licensure may be set and collected in accordance with regulations in the appropriate Discipline Specific section of these Rules.

Source: Miss. Code Ann. §§73-53-11(1)(c) and (g), 73-53-10, 73-53-15, 73-54-11(1), and 73-54-27(1) (Supp. 2011).

Part 1901 Chapter 2: Character and Fitness

Rule 2.1 MORAL CHARACTER

B. General

1. As used under the Rules and Regulations of the Board of Examiners, "good moral character" means a pattern of behavior conforming to the profession's ethical standards and behavior that indicates honesty and truthfulness, integrity, respect among the community for lawful behavior, respect for the rights of others, and obedience to the lawful directives of public officers or officials or persons charged with the enforcement of the law and showing an absence of moral turpitude.

2. Fitness for service as it relates to moral character must be verified by an appropriate background investigation.

3. A determination of good moral character shall be based on acts that reflect moral turpitude and upon the consideration of all aspects of a person's character as exemplified by his or her behavior and shall include, but not necessarily be limited to, consideration of the following:

a. Evidence, among other things, of having neither a conviction nor a plea of guilty or nolo contendere, probation, pretrial diversion or payment of any fine for a felony or a misdemeanor involving moral turpitude, regardless of whether the matter is under appeal by the applicant.

b. Disciplinary action taken against any professional license, registration or certification held by the applicant by applicable governmental authority of any state, territory or political subdivision of the United States or any other jurisdiction.

c. Whether an applicant has been guilty of conduct or practices in this state or elsewhere which would constitute

grounds for disciplinary action under the Board's laws, rules and/or regulations.

d. Civil lawsuits and administrative action bearing upon moral character such as fraud, misrepresentation, theft, assault and battery.

e. The applicant's prior history of unlicensed practice of a regulated profession in this state.

f. Conduct that violates any of the provisions in the code of ethical standards established by the National Association of Social Workers, the American Association of Marriage and Family Therapy and/or other ethical standards adopted by the Board.

g. Conduct involving dishonesty, fraud, or attempted deception.

h. Conduct involving misrepresentation.

i. Conduct that would adversely reflect on a person's fitness to perform as a social worker or marriage and family therapist.

4. In determining a person's good moral character when there is evidence of the conduct described above in subsection 3 of this Rule, the Board will also consider the following factors:

a. The nature of the criminal offense(s) or conduct which gave rise to the disciplinary, civil or administrative action.

b. The age of the applicant at the time of the criminal conviction(s) or conduct which gave rise to the disciplinary, civil or administrative action.

c. The number of criminal convictions or number of disciplinary, civil or administrative actions taken against the applicant.

d. The nature and severity of the sentence or sanction imposed for each criminal conviction that gave rise to the disciplinary, civil or administrative action.

e. Whether the probation period given in a conviction has been completed and fully satisfied to include fines, court costs, and other conditions of probation.

f. Whether restitution ordered by a court in a criminal conviction or civil judgments has been fully satisfied.

g. The date of the criminal conviction(s) or date of the disciplinary action. Whether more than ten (10) years have elapsed from the satisfaction of the terms of any order, judgment, or restitution agreement relating to criminal, administrative or civil action unless the conduct is felonious in nature.

h. The burden of demonstrating that the applicant possesses the good moral character required for licensure shall rest with the applicant.

Source: Miss. Code Ann. §§73-53-11(1)(c), 73-53-13(d)(ii), 73-54-11(1) and 73-54-13(a) (Supp. 2011).

Rule 2.2 SCOPE OF PRACTICE

A. Level of Competency

The license to practice social work or marriage and family therapy does not permit the licensee to either offer or attempt to provide services which are beyond the level of competency they have attained through education, training, supervision or clinical experience, even though the service in question may be provided routinely by other licensed social workers or marriage and family therapists. The Baccalaureate Social Worker (LSW) is prohibited from diagnosing, treating or conducting therapeutic groups or psychotherapy.

B. Responsibility of the Licensee

It is the legal and ethical responsibility of each licensed social worker and licensed marriage and family therapist to limit the scope of their practice to the parameters of their competencies. Further, all licensees are required to inform the Board, through submission in writing on Board designated forms, of a change of address, name, and other identifying information.

Source: Miss. Code Ann. §§73-53-11(1)(c), (k), (m) and (3), 73-53-13, 73-54-11(1) and 73-54-17 (Supp. 2011).

Part 1901 Chapter 3: Standards and Procedural Rules

Rule 3.1 STANDARDS OF CONDUCT

C. General

Licensees subject to this Act shall conduct their activities, services and practice in accordance with the Act and any rules promulgated by the Board thereto. Licensees may be subject to disciplinary sanction enumerated in VIII below if the Board finds that a licensee is in violation of any of the standards of conduct delineated in this section.

D. Violations

1. Negligence in the practice or performance of professional services or activities.

2. Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public in the course of professional services or activities.

3. Perpetrating or cooperating in fraud or material deception in obtaining or renewing a license or attempting the same.

4. Being convicted of any crime which has a substantial relationship to the licensee's activities and services or an essential element of which is misstatement, fraud or dishonesty.

5. Being convicted of any crime which is a felony under the laws of this state or of the United States.

6. Engaging in or permitting the performance of unacceptable services personally or by assistants working under the licensee's supervision due to the licensee's deliberate or grossly negligent act or acts or failure to act, regardless of whether actual damage or damages to the public is established.

7. Continued practice although the licensee has become unfit to practice social work or marriage and family therapy due to: (i) failure to keep abreast of current professional theory or practice; or (ii) physical or mental disability; the entry of an order or judgment by a court of competent jurisdiction that a licensee is in need of mental treatment or is incompetent shall constitute mental disability; or (iii) addiction or severe dependency upon alcohol,

drugs, or other substance which may endanger the public by impairing the licensees ability to practice and which affects professional competence.

8. Disciplinary action taken against the licensee's license in another state.

9. Engaging in differential, detrimental treatment against any person because of race, color, creed, sex, religion or national origin.

10. Engaging in lewd conduct in connection with professional services or activities.

11. Engaging in false or misleading advertising.

12. Contracting with, assisting or permitting unlicensed persons to perform services for which a license is required under this chapter.

13. Violation of any probationary requirements placed on a licensee by the Board.

14. Failing to inform clients of the fact that the client no longer needs the services or professional assistance of the licensee.

15. Charging excessive or unreasonable fees or engaging in unreasonable collection practices.

16. Any just and sufficient cause which renders a person unfit to practice social work or marriage and family therapy as determined by the Board but not limited to:

    a. An adjudication of mental incompetence by a court of competent jurisdiction.

    b. Practicing in a manner detrimental to the public health and welfare.

    c. Revocation of a license by a licensing agency or certification by a certifying professional organization.

    d. Any other violation of this chapter or the code of ethical standards of the National Association of Social Workers, the American Association for Marriage and Family Therapy or other ethical standards adopted by the Board under the provisions of this chapter.

17. Violation of any of the provisions of this Act or any rules or regulations of the Board adopted under the provisions of this Act.

18. Failure to notify the Board of the suspension, probation or revocation of any past or currently held license in Social Work, Marriage and Family Therapy or any other health care field, in this or any other state, or any disciplinary action taken against the licensee by any licensing board or professional association.

19. Making false representations or impersonations or acting as a proxy for another person or allowing or aiding any person to impersonate him/her in connection with any application, examination or renewal of a license, or in any procedure relating to the Board, or in the practice of their profession.

20. Failure to maintain client records securely or to inform all employees of the confidentiality requirements. Client records or other confidential information may not be revealed except with expressed written consent or as mandated by law, except as specifically stated below. Client records must be maintained after the date of termination of the clinical relationship.

    The Confidentiality requirement may be waived under the following conditions:

    a. When the client's communications reveal the contemplation of a crime or a harmful act to oneself or another person, or the licensee has ample reason to believe that such a behavior is highly probable;

    b. When the licensee acquires information involving a minor or elderly person who was the victim or subject of a crime or abuse or neglect and the licensee includes the confidential information in a report filed with the appropriate person or agency as required by law;

    c. When the licensee is required by law to testify in a court or administrative hearing concerning matters of adoption, adult abuse or neglect, child abuse or neglect, or other matters.

    d. When a person waives the confidentiality privilege by bringing charges against or sues the licensee.

21. Payment of commission rebates or other forms of remuneration for referral of clients for professional services.

22. Failure to report to clients all experimental forms of treatment or treatment modalities in which the licensee may not be proficient, before they are used with the client, explaining their potential benefits and risks of such treatment, to obtain the clients prior consent to the treatment, and failure to ensure that the welfare of the client is not compromised by any experiment, research procedure, or treatment modality.

23. Failure to comply with the ethical codes of the applicable profession (NASW or AAMFT) regarding dual relationships with clients, former clients, supervisors, or supervisees that could compromise the well being or increase the risk of exploitation of clients or supervisees, or impair the objectivity and judgment of the client, supervisees, supervisor or licensee. This includes but is not limited to such activities as providing therapy to close friends, former sexual partners, employees or relatives, and engaging in business relationships with clients. .. Licensees must set clear, appropriate, and culturally sensitive boundaries when dual and multiple relationships are unavoidable.

24. Failure to report to the appropriate board known or suspected violations of the laws and regulations governing the practices of mental health professionals.

26. Using a degree as a title to indicate a level of competency unless that degree was earned in their field of professional practice from an accredited college or university as defined in these regulations.

27. Failure of a therapist to inform a client of any conflict of interest, values, attitudes or biases between them that are sufficient to impair their professional relationship and to terminate the professional relationship when it no longer serves the client's needs or interests.

28. Failure of a therapist to prevent an individual or agency paying for their professional services on behalf of a client to exert undue influence over the therapists work performance and clinical judgment as it relates to that client.

Source: Miss. Code Ann. §§73-53-11(1)(c), (j) and (k), 73-53-17, 73-54-11(1) and 73-54-29 (Supp. 2011).

Rule 3.2 COMPLAINTS

A. General

This Rule sets out the procedures for making and processing complaints and/or inquiries against applicants for licensure and licensed social workers and marriage and family therapists where the complaints and/or inquiries are within the jurisdiction of the Mississippi State Board of Examiners for Social Workers and Marriage and Family Therapists (Board).

B. Filing of Complaints

Any person, firm, corporation, member of the Board or public officer may make a complaint to the Board. Complaints will be addressed by the Board upon receipt of a written, signed complaint, or upon the Board's own action.

1. Upon receipt of an inquiry, the Board's administrative staff will forward or advise the potential complainant how to obtain, a complaint form with instructions on how to file the complaint. Except for complaints initiated by the Board, complaints must be submitted in writing under oath upon the official form prescribed by the Board. Only those complaints that are in writing will be formally addressed by the Board. The complaint must specify the statute or rule allegedly violated and must contain a statement of the acts or omissions constituting the alleged violation including the dates of said acts or omissions. Forms are available on the Board's website.

2. Anonymous complaints will not be investigated.

3. Voluntary surrender of license. If a licensee who is the subject of a Board investigation or disciplinary proceeding voluntarily surrenders his or her license, absent unusual circumstances as determined by the Board, the Board will not discontinue the investigation or disciplinary proceeding unless the licensee consents to entry of an order limiting or prohibiting his or her practice of social work and marriage and family therapy in Mississippi.

C. Procedures for Processing Complaints

1. Upon receipt of a written complaint, or upon the Board's own initiative if the Board has reasonable cause to believe the laws, rules and regulations governing social workers and/or marriage and family therapists are being violated, the Board's Executive Director shall:

    a. Log in the date the complaint is received in the Board office;

    b. Assign a complaint number and set up an individual complaint file. Complaint numbering shall begin in January of each year;

    c. Determine whether the subject of the complaint is a licensed social worker, a marriage and family therapist or applicant or person otherwise within the jurisdiction of the Board;

    d. Forward the complaint to the professional board member who has been designated to review the complaint; and

    e. Send a letter to the complainant confirming receipt of the complaint.

2. If the subject of the complaint is within the jurisdiction of the Board, the Executive Director shall send a copy of the complaint by certified mail to the licensee or applicant in question for his or her written comment. The subject of the complaint (the respondent) will be provided twenty (20) calendar days from the date of the Executive Director's letter or notice in which to file a written response to the complaint together with all documents and exhibits in support of his or her position on the complaint.

3. Requests for the licensee or applicant's response to a complaint shall be considered properly served by the Executive Director when sent to the licensee or applicant's last known address of record at the Board's office. It is the responsibility of the licensee or applicant to keep the Board informed of his or her current address.

4. At the discretion of the Complaint Committee (investigating Board member and Executive Director) in consultation with Board council, the complainant may be given an opportunity to review and comment upon the response of the licensee or applicant.

5. The Executive Director may grant a reasonable request for extension of time within which a licensee or applicant or affected party may respond to a complaint and/or within which a complainant may comment upon response of the licensee or applicant.

D. Complaint Committee Process

The Executive Director and the investigating Board member will comprise the Complaint Committee and will review the complaints filed in accordance with this Rule.

1. The investigating Board member will review the complaint and meet with the Executive Director and such other personnel as needed.

2. If the allegations in the complaint raise an issue addressed by the Board's laws, rules and/or regulations, the Complaint Committee will recommend a course of action regarding investigation of the complaint.

3. If the Complaint Committee determines that further assistance is needed, the Committee may retain the services of experts, consultants, or private investigators to assist in the investigations of complaints. At any point in its investigation of a complaint, the Complaint Committee may, at its discretion, assign the matter to an expert, consultant or private investigator for review and investigation.

4. The purpose of the investigation is to gather further data regarding the complaint and to verify facts surrounding the complaint. All complaints, unless dismissed for lack of jurisdiction, will be investigated. Investigations may include, but not be limited to: writing letters seeking further information; making phone calls; making onsite visits; and requesting pertinent documents.

5. The Complaint Committee shall oversee the investigation of the complaint.

6. The expert, consultant, or private investigator and/or Complaint Committee shall review and investigate the complaint and prepare a report concerning the complaint. The report shall contain a statement of the allegations, a statement of the facts, and an

analysis of the complaint including a description of the circumstances surrounding the complaint, the records reviewed, the witnesses interviewed, and a statement of the expert, private investigator, consultant or Complaint Committee.

7. If the Complaint Committee determines that the Board does not have jurisdiction, both the Complainant and the licensee, applicant or affected party will be notified in writing by certified letter. The letter will explain why the case cannot be accepted for investigation and/or action by the Board or it may state that the complaint can be referred to another agency. The letter will come from the Board and may be signed by the Board chair, the investigating Board member, the Executive Director or other Board designee.

8. To facilitate the disposition of a complaint, the Board or Complaint Committee may provide any person with the opportunity to attend an informal conference, or to appear at a regular meeting of the Board, at any time prior to the Board entering any order with respect to the complaint. Statements made at any informal conference may not be introduced at any subsequent hearing before the Board on the merits of the complaint without the consent of all parties to the hearing.

E. Review by the Full Board

1. A case summary including the alleged violations of the Board's laws, rules and/or regulations will be presented to the Board by the Complaint Committee along with recommendation(s) for disposition of the complaint. Reasonable attempts will be made to not disclose the identity of the licensee or applicant and the complainant by the Complaint Committee until the matter comes before the Board for hearing or final resolution.

2. The investigating Board member shall not vote on the decision regarding the disposition of the complaint and shall not participate in any adjudicatory or administrative hearing before the Board against the applicant or licensee arising out of the Complaint Committee's investigation.

3. The Board's review shall include the case summary presented by the Complaint Committee and determine if reasonable cause exits to issue a notice of contemplated action or notice of hearing and complaint. If the Board determines that there is not reasonable

cause for the issuance of a notice of contemplated action or notice of hearing and complaint, a certified letter from the Board will be sent within thirty (30) calendar days of the Board's decision to the complainant and the licensee or applicant. The letter will set forth the Board's action and reason for its decision.

4. If the Board determines that there is reasonable cause to believe that the licensee or applicant has violated the Board's laws, rules, and/or regulations, the Board may cause a notice of contemplated action or notice of hearing and complaint to be issued for the licensee or applicant.

5. Following the issuance of a notice of contemplated action or notice of hearing and complaint, the Board may authorize the Complaint Committee to confer with the applicant or licensee for the purpose of seeking settlement of the complaint. Such settlement will be subject to approval by the Board, must be with the consent of the applicant or licensee, and must (among other things) include a knowing and intentional waiver by the applicant or the licensee of his or her rights to an administrative hearing and of the Board's ability to act as arbiter in an administrative hearing should settlement fail.

G. Administrative Hearings

1. Pursuant to Chapters 53 and 54 of Title 73 of the Mississippi Code of 1972, as amended, every licensee or applicant shall be afforded notice and an opportunity to be heard before the Board when the Board has cause to believe that he or she has violated any of the laws, rules, or regulations of the Board.

2. The Board's Executive Director's duties shall include:

   a. Issuing a notice of hearing and complaint or notice of contemplated action in the case.

   b. Executing notices, scheduling orders, subpoenas, and other routine procedural documents that facilitate the conduct of the administrative proceedings.

   c. Maintaining the official record of all papers and pleadings filed with the Board in any matter.

d. Preparing, certifying and filing with the appellate court the record of the case on appeal or review.

3. All hearings shall be conducted by the Board or by a hearing officer designated by the Board.

4. If a hearing officer is designated to hear a case, the hearing officer shall have authority to decide pre-hearing matters, preside over the hearing, and direct post hearing matters in accordance with the requirements of the case in a manner that ensures due process and an efficient and orderly hearing and resolution of the case. If a hearing officer is not designated to hear the case or if the hearing officer is unavailable or unable to proceed, the Board chair or other designee of the Board shall have the authority to decided pre-hearing or preliminary matters.

5. The original of any papers, pleadings or other documents shall be filed with the Board office. Copies must be sent to the hearing officer and attorneys or parties of record.

6. The hearing officer or designee of the Board shall issue appropriate orders to control the course of the proceedings.

7. The hearing officer or the Board designee may order the filing of briefs or other documents and may set oral argument on any matter.

8. No more than two (2) continuances of the hearing will be granted without the approval of the Board for good cause shown.

9. No proposed settlement, consent agreement, voluntary surrender of a license, or other proposal for the resolution of a pending disciplinary case shall be effective unless approved by the Board and executed by the Board and the licensee or applicant. The hearing officer or Board shall have the authority to seek information from the administrative prosecutor and the licensee or applicant concerning circumstances of the case relevant to a consideration of a proposed settlement or clarification of the proposed terms and conditions. No Board member is presumed to be biased and shall not be excused from participating in the adjudication and deliberation of a case based solely on the reason that the member considered a proposed settlement, consent agreement, or other proposal for resolution of a pending disciplinary or licensure case.

10. A proposal to settle a matter shall not stay the proceedings or vacate the hearing date unless otherwise ordered by the hearing officer or the Board designee upon the filing of a timely motion for continuance.

11. At the conclusion of the hearing, a final decision and order shall be entered by the Board. A Board member hearing officer, the Board chair, or designated Board member shall have the authority to sign the written decision of the Board.

12. The Board Executive Director shall serve the decision of the Board on the licensee or applicant.

13. If a license is restricted, suspended or revoked by the Board, the licensee shall immediately surrender his or her license to the Board as directed by the Board or Board designee.

14. If the licensee's scope of practice is restricted or limited or otherwise conditioned, the license may reflect such restriction, limitation or condition.

Source: Miss. Code Ann. §§73-53-11(1)(c), (f), (h) and (k), 73-53-19, 73-53-21, 73-53-27, 73-54-11(1), 73-54-31 and 73-54-33 (2008 & Supp. 2011).

Rule 3.3 DISCIPLINARY SANCTIONS

D. General

The Board, upon recommendation of the Discipline Specific Committee, after a properly noticed and conducted due process hearing may, by majority vote, impose sanctions, singly or in combination, when it determines that violations have occurred and sanctions are in order. All decisions by the Board will be conveyed to the licensee, in writing, by the Board Chair.

E. Specific Sanctions

1. Revocation of the license.

2. Suspension of the license, for any period of time.

3. Censure of the licensee.

4. Written reprimand to the licensee.

5. Imposition of a monetary penalty of not more than Two Hundred Dollars ($200.00).

6. Placement of a licensee on probationary status and requirement that the licensee submit to any or all of the following:

   a. Regular reports to the board regarding matters which are the basis of probation.

   b. Continue to renew professional education until a satisfactory degree of skill has been attained in those areas which are basis of probation.

   c. Such other reasonable requirement or restrictions as are proper.

7. Refusal to renew a license.

8. Revocation of probation which has been granted previously and imposition of any other disciplinary action in this subsection when the requirements of probation have not been fulfilled or have been violated.

9. Disposition of any formal complaint may be made by consent order or stipulation between the Board and the licensee.

F. Summary Suspension

The Board may summarily suspend a license without a hearing, simultaneously with the filing of a formal complaint and notice of hearing, if the Board determines that the health, safety, or welfare of the general public is in immediate danger.

Suspension of license without a hearing with simultaneous filing of a formal complaint and notice for a hearing provided under this section if the Board finds that the continued practice in the profession would constitute an immediate danger to the public. If the Board summarily suspends a license under the provisions of this subsection, a hearing must begin within twenty (20) days after such suspension begins, unless continued at the request of the licensee or extraordinary conditions.

The Board may order a licensee to submit to a reasonable physical or mental examination, if the licensee's physical or mental capacity to practice safely is an issue in a disciplinary proceeding. All licensees consent to this procedure as a condition of licensure.

Failure to comply with a Board order to submit to a physical or mental examination shall render a licensee subject to the summary suspension procedures described above.

Source: Miss. Code Ann. §§73-53-11(1)(c), (e) and (k), 73-53-23, 73-54-11(1) and 73-54-29 (Supp. 2011).

Title 30: Professions and Occupations

Part 1902: RULES AND REGULATIONS FOR SOCIAL WORKERS

Part 1902 Chapter 1: General Provisions

Rule 1.1 DEFINITIONS

A. "Social Work Practice" means the professional activity directed at enhancing, protecting or restoring people's capacity for social functioning, whether impaired by physical, environmental, or emotional factors. It is the professional application of social work values, principles, skills, and knowledge directed to one or more of the following ends: helping people obtain tangible services; counseling or psychotherapy with individuals, families, and groups; helping communities or groups to provide and/or improve social and health services; engaging in consulting, research, and teaching relating to those ends and principles; and administering organizations and agencies engaging in such practice and participating in relevant legislative processes.

Social work practice is based on a specific body of knowledge and includes, but is not limited to, a special knowledge of social resources, social systems, human capabilities, and the part that past experiences play in determining present behavior. Social work practice is focused on the client’s interaction with social systems and directed at helping people to achieve more adequate, satisfying, productive, and self-realizing social adjustments.

Social work practice includes, but is not restricted to, casework and the use of social work methodology of a non-medical nature with individuals, families, and groups and other measures to help people modify behavior or personal and family adjustment; providing information and referral services; explaining and interpreting the psycho-social aspects in the situation of individuals, families, or groups; helping communities to analyze social problems and human needs and the direct delivery of human services; and education and research related to the practice of social work. Engaging in activities which may overlap social work practice does not constitute social work practice.

B. Clinical Social Work Practice means the application of social work methods and values in diagnosis and treatment and prevention of psychosocial dysfunction disability or impairment including emotional, mental, and behavioral disorders. It is directed at enhancing, protecting, or restoring people’s capacity for social functioning, whether impaired by

physical, environmental, or emotional factors. Clinical social work has a primary focus on the mental, emotional and behavioral well being of individuals, couples, families and groups. It centers on a holistic approach to psychotherapy and the client's relationship with his or her environment as essential to treatment planning.

C. "Macro social work practice" focuses on changing larger systems, such as communities and organizations. It encompasses a broad spectrum of practice, including planning, program development, community organizing, policy analysis, legislative advocacy, program evaluation, task-oriented group work, community education, and human services management.

D. "Examination" means that test or other measurement which is endorsed and prescribed by the Association of Social Work Boards (ASWB.)

E. "Association of Social Work Boards (ASWB)" is the national Association of Social Work Boards.

F. "Council on Social Work Education" (CSWE) is the national entity which accredits schools, departments, and programs of social work in higher education.

G. "Board of Examiners for Social Workers and Marriage and Family Therapists" (BOE SW/MFT) is the legislatively authorized regulatory board for practitioners in the respective disciplines of social work and marriage and family therapy.

H. "Psychotherapy" is a specialized, formal interaction between a social worker or other mental health professional and a client (either individual, couple, family or group) in which a therapeutic relationship is established to help resolve symptoms of mental disorder, psychosocial stress, relationship problems and difficulties in coping in the social environment.

Source: Miss. Code Ann. §§73-53-3 and 73-53-11(1)(c) and (k) (Supp. 2011).

Part 1902 Chapter 2: Licenses and the Licensing Process

Rule 2.1 Types of Social Work Licenses

A. "LSW" (Licensed Social Worker) is the license held by an individual licensed to practice social work in the state of Mississippi at the

baccalaureate level. (Part 1902, Chapter 3, Rule 3.2, A: Guidelines of Practice LSW.)

B. "LMSW" (Licensed Master Social Worker) is the license held by an individual, with a masters or doctoral degree, who is licensed to practice social work in the state of Mississippi at the masters level. (See Part 1902, Chapter 3, Rule 3.2, A: Guidelines of Practice LMSW.)

C. "LCSW" (Licensed Certified Social Worker) is the license held by an individual who has fulfilled the requirements for LMSW and completed the requirements of the BOE SW/MFT for post-masters professional supervision. This individual is licensed at the certified level. Only licensed certified social workers who have completed clinical supervision and taken the ASWB clinical exam may hold himself/herself out to the public as a "clinical social worker." ~~and may hold himself/herself out to the public as a "clinical social worker~~ (See Part 1902, Rule 3.2, C: Guidelines of Practice LCSW.)

Source: Miss. Code Ann. §§73-53-3, 73-53-11(1)(c) and (k) and 73-53-13 (Supp. 2011).

Rule 2.2 REQUIREMENTS FOR LICENSURE

G. Prerequisite to performance of services

All individuals not exempt from licensure are prohibited from performing services for compensation, for which licensure is required by these Regulations. They are also prohibited from holding themselves out to the public by any title or description of services set out in these Regulations or by any title or description of services likely to cause public confusion with any title or description of services set out in these Regulations.

H. General Requirements

An applicant for social work licensure shall meet the following general requirements:

1. Is at least twenty-one (21) years of age;

2. Is of good moral character, as defined in these Rules and Regulations;

3. Has on file a fingerprint criminal history information record check acceptable to the Board.

4. Has on file a Mississippi Sex Offender Registry check acceptable to the Board;

5. Holds United States citizenship or status as a legal resident alien;

6. Is free of conviction of a felony related to the practice of social work within the last ten (10) years;

7. Is mentally competent with no decree of mental incompetence still standing in any court;

8. Is currently free from dependency on alcohol or drugs, other substances or any other type of addiction;

9. Has no pending disciplinary action;

10. Has an acceptable social work degree for level of licensure requested.

I. Specific Requirements

Application shall be made on forms provided by the Board and available on the Board's website. Payment of application ~~licensure~~ fees must be included with an initial licensure application and other supporting documentation as required. (See Schedule of Fees: Part 1902, Chapter 4, Rule 4.3, B)

1. **LSW Level**: An applicant for LSW designation must submit the following to the Board:

   a. An Initial application;

   b. Verification of a baccalaureate degree in social work from a college or university accredited by Council on Social Work Education) (CSWE) or Southern Association of Colleges and Schools (SACS);

   c. A current fingerprint criminal history record information check conducted by the appropriate governmental authority or authorities within one-hundred eighty (180) days of the completed application. This criminal history record information check must be received by the Board directly

from the appropriate governmental authority or authorities, not from the applicant;

d. An acceptable Sex Offender Registry check conducted by the Board;

e. Passing scores on the examination from the ASWB basic exam;

f. Full licensure fee (See Part 1902, Chapter 4, Rule 4.3, B).

2. **LMSW Level**: An applicant for LMSW designation must submit the following to the Board:

a. An Initial application;

b. Verification of a master's degree from a school of social work accredited by the Council on Social Work Education (CSWE) or a doctorate in social work (D.S.W. or Ph.D.);

c. A current fingerprint criminal history record information check conducted by the appropriate governmental authority or authorities within one-hundred eighty (180) days of the completed application. This criminal history record information check must be received by the Board directly from the appropriate governmental authority or authorities, not from the applicant;

d. An acceptable Sex Offender Registry check conducted by the Board;

e. Passing scores on the examination from the ASWB intermediate exam;

f. Full licensure fee (Part 1902, Chapter 4, Rule 4.3, B).

3. **LCSW Level**: An applicant for LCSW designation must be a current LMSW in good standing who has completed the Supervision process as outlined in Part 1902, Chapter 2, Rule 2.3 as verified by Board records, and must submit to the Board:

a. An Initial application for LCSW license;

b. Supervision Plan and Contract for Supervision as outlined by the MS Board of Examiners for Social Workers in the LMSW Guide for Supervision;

c. Four evaluations (1 approximately every six months for 24 months) not to exceed thirty-six (36) months for the supervision process to be completed;

d. Termination of Supervision Contract;

e. A current fingerprint criminal history record information check conducted by the appropriate governmental authority or authorities within one-hundred eighty (180) days of the completed application. This criminal history record information check must be received by the Board directly from the appropriate governmental authority or authorities, not from the applicant;

f. An acceptable Sex Offender Registry check conducted by the Board;

g. Three character/professional references from persons in current professional contact with applicant; references may be from disciplines related to social work, but at least one(1) must be from a LCSW other than the applicant's supervisor;

h. Passing scores from the ASWB examination on either the Clinical level or Advanced level;

i. Applicable fees: No additional licensure fee is required, if upgrading from LMSW status in good standing.

Note: All licensees are required to inform the Board, through submission of a Change of Status Form, of a change of address, name, and etc.

4. Licensure by Reciprocity/Endorsement:

Applicants for licensure by reciprocity/endorsement who hold a valid license from another state may be eligible for licensure in Mississippi provided:

a. The examination completed for licensure is the same examination endorsed or prescribed by the Association of

Social Work Boards (ASWB) for the license level for which reciprocity/endorsement is being requested.

b. The applicant has a comparable license in good standing or registration from another state or territory of the United States that imposes qualifications equal to or greater than the current requirements of the Mississippi Board of Examiners. Exams administered by individual states are not considered equal.

c. Applicants, who have complaints or disciplinary action pending against them in another state, will not be granted a Mississippi license until such complaints are resolved to the satisfaction of the Board.

d. The applicant has the required degree for licensure according to the current Rules and Regulations of the Board.

J. Abandonment of Application

An application for licensure as a LSW or a LMSW shall be considered abandoned if the ASWB exam has not been attempted within six (6) months from the date on which the application was received by the Board.

An application for licensure as a LCSW shall be considered abandoned if the ASWB exam has not been attempted within six (6) months from the date on which termination of supervision was approved by the Board and the applicant was approved to take the ASWB exam at the Clinical or Advanced level.

Any subsequent application shall be treated as a new application.

K. Exemptions from Licensure

No provision in the law or these Regulations shall be construed to:

5. Prevent individuals licensed or certified by this state, whose activities overlap with the practice of social work, from carrying out the functions covered by their respective licenses or certificates, or to prevent duly ordained or licensed members of the clergy from carrying out the functions for which they have been trained, provided that such clergy or individuals shall not hold themselves out to the public by any title set out in these Regulations.

6. Apply to or in any way interfere with any office, officer, agency, or employee of the United States, while such office, officer, agency, or employee is engaging in the performance of official duties within the course and scope of such employment or duties.

7. Apply to or in any way interfere with an individual who performs services described by these Regulations solely for the benefit of a member of that individual's immediate family without compensation.

8. Apply to or in any way interfere with the activities and services of a student while pursuing a course of professional education qualifying as education under these Regulations, if these activities or services constitute a part of such student's supervised course of study and such activities are supervised by an individual licensed under these Regulations.

Source: Miss. Code Ann. §§73-53-1, 73-53-5, 73-53-7(1), 73-53-11(1)(c),(d), (k), (*l*), (u) and (3), 73-53-13 and 73-53-15(2) and (6) (Supp. 2011).

Rule 2.3 PROFESSIONAL SUPERVISION REQUIREMENTS FOR LCSW LICENSURE

A. Purpose

Professional supervision for the LCSW candidate is intended to enhance professional development and competency and equip the applicant for autonomous practice. Supervision means the direct review, for the purpose of training or teaching by a supervisor, of the supervisee's interaction with a client or client system. The purpose of supervision shall be to promote the development of the supervisee's social work skills. Supervision occurs through multiple methods, including live supervision, video/audiotape review and case report. It must be a process clearly distinguishable from personal psychotherapy and is conducted in order to serve professional goals.

Interactions which do not constitute supervision include: peer supervision; supervision by current or former family members or any other person with whom the nature of the personal relationship prevents or makes difficult the establishment of a professional supervisory relationship; or a primarily didactic process wherein techniques or procedures are taught in a group setting, classroom, seminar, staff development, orientation or role-playing as a substitute for current social work practice.

B. Prior Approval

All plans for professional post-Master's supervision must be approved by the Board prior to the beginning of said supervision, i.e., no retroactive approval of professional supervision will be granted.

Supervisor Approval: An LCSW who is providing post-Master's supervision to an LCSW candidate must be a Board-approved LCSW Supervisor, having met all requirements for Supervisors and submitted the applicable fee.

LCSW Candidate Approval for Supervision: An LMSW seeking to become licensed at the LCSW must meet all requirements, have submitted all fees and receive written approval by the Board prior to initiating the supervision experience.

C. Approval Procedure

LMSW's wishing to apply for LCSW status must:

1. Hold an LMSW license in good standing as evidenced in Board records;

2. Submit an Application to Enter into Contract for Supervision toward LCSW Status and processing costs (See Schedule: Part 1902, Chapter 2, Rule 2.3, A)

3. Submit a Plan of Supervision which meets all points required by the Board (See Part 1902, Chapter 2, Rule 2.3, B) and the Outline for the Plan for Supervision provided by the Board in the Guide for Supervision (which may be accessed on the Board's website). All points must be covered in sufficient detail for review by the Social Work Credentials Committee and subsequent Board approval.

D. Supervisor's Qualifications and Responsibilities

Supervision for the LCSW candidate must be provided by an LCSW who is a Board-approved LCSW Supervisor.

1. Certification as a Supervisor requires:

   a. a minimum of two years of verifiable practice at the LCSW level,

b. completion of a Board approved supervision course for a minimum of sixteen (16) hours for initial approval as a supervisor and, thereafter, two (2) hours continuing education in supervision during each biennial renewal period No supervision continuing education is required for the first renewal period. ~~and receive two (2) hours continuing education in supervision during each biennial renewal period.~~ All supervision training must be approved by the Board in order to be considered for this purpose. Supervision trainers must be an approved LCSW supervisor. Effective April 1, 2009, all Board-approved supervisors must have completed the Board-approved supervision training required by this paragraph on or before July 1, 2011, in order to maintain their status as Board-approved supervisors. If supervisory training requirements were not met by July 1, 2011, approved supervisor status expired on that date and the licensee is required to meet all requirements set forth in these Rules and Regulations to become an approved supervisor. ~~All supervisors must have completed Supervision training by July, 1, 2011 or their LCSW Supervisor status will be revoked.~~

c. submission of an application for supervisory designation,

d. approval from the Board, and

e. payment of the required processing costs *(See Schedule: Part 1902, Chapter 4, Rule 4.3, B).*

2. The LCSW Supervisor must maintain his/her license as a LCSW in accordance with licensure laws of the State of Mississippi. Board approved supervisor status remains in effect contingent upon the supervisor maintaining a current license in good standing with the Board and completing the Board-approved supervisor training required by these Rules and Regulations, during each license biennial renewal period.

3. Initial supervisor approval expires on the date the licensee's regular license next expires. Thereafter, renewal of supervisor approval begins and expires on the same date for the supervisor's regular social worker's license. To renew the approved supervisor status, a supervisor must document at the time of license renewal that during the concluding license period the supervisor completed a Board approved supervision course for a minimum of sixteen (16) hours and two (2) hours continuing education in supervision. ~~It~~

~~shall be considered unethical for an LCSW without clinical expertise to supervise a LMSW candidate seeking to become a clinician.~~

4. It shall be considered unethical for an LCSW without clinical expertise to supervise a LMSW candidate seeking to become a clinician. ~~Supervisor may not supervise more than five (5) LMSWs who are in candidacy for the LCSW at any one time. No plan of supervision will be approved if the contracted supervisor is supervising more than five (5) licensed master social workers who are in pursuit of the LCSW licensure designation.~~

5. Supervisor may not supervise more than five (5) LMSWs who are in candidacy for the LCSW at any one time. No plan of supervision will be approved if the contracted supervisor is supervising more than five (5) licensed master social workers who are in pursuit of the LCSW licensure designation. ~~The LCSW Supervisor may provide supervision utilizing the following acceptable modes:~~

   ~~a. Individual supervision shall mean a maximum of two (2) supervisees meeting with one supervisor;~~

   ~~b. Group supervision shall mean a maximum of five (5) supervisees meeting with one supervisor.~~

6. The LCSW Supervisor may provide supervision utilizing the following acceptable modes:

   a. Individual supervision shall mean a maximum of two (2) supervisees meeting with one supervisor;

   b. Group supervision shall mean a maximum of five (5) supervisees meeting with one supervisor.

E. The Supervisory Experience

2. Supervision must occur within an agency, institution, or group practice setting. A LMSW practicing independent of an agency, institution, or group practice setting will be practicing outside Board regulations, not be considered a candidate for LCSW supervision, and face disciplinary action.

2. In order to be approved by the Social Work Discipline Specific Committee of the Board, the supervision application and experience must include the following:

   a. A contractual agreement between social worker and supervisor;

   b. A Plan of Supervision, approved by the Board, utilizing the plan outline provided by the Board;

   c. The supervisee having a minimum of one hour per week face-to-face supervision with the LCSW supervisor for a minimum of one hundred (100) hours. The supervision period must be for a minimum period of twenty-four (24) months and may not exceed thirty-six (36) consecutive months. Supervisees may receive up to four (4) hours credit for developing the supervision plan collaboratively with their prospective supervisor;

      For supervisors and supervisees who are not employed within the same agency, there must be a written plan approved by the Board to address how the LCSW Supervisor will insure that the face-to-face supervision is observed or carried out. Such face-to-face supervision must include on-site visits to the supervisees practice location at least once per six (6) month supervision period;

      Supervision may include alternate means of supervision by audio or audiovisual electronic device provided there is direct, interactive, live exchange between the supervisor and supervisee or provided that communication is verbally or visually interactive between the supervisor and the supervisee. No more than one-fourth (1/4) of the required hours may be by alternate means to direct face-to-face contact for a total of twenty-five (25) hours;

   d. During the supervision period, the LMSW must complete a minimum of one-thousand (1,000) hours of face-to-face client contact;

   e. Evaluations should document personal growth and improvement in specific areas from one evaluation period to the next evaluation period. Written evaluations from the supervisor must be submitted to the Board for review at six month intervals and approved by the Board before

beginning the next six (6) month supervision and evaluation period. A copy of each evaluation must be maintained in the LCSW Supervisor's file for a period of three (3) calendar years.

3. The applicant seeking LCSW designation must submit with the final evaluation forms, three (3) form letters of reference from appropriate professionals which indicate that applicant's conduct is congruent with social work law and ethics and that there are no violations of standards of practice as set forth in the statute and the regulations. Forms are available on the Board's website.

L. How To Change Supervisors

1. If it is necessary for supervision to be terminated, prior to the completion of the supervision experience between an LCSW candidate and their LCSW supervisor, the terminating supervisor is responsible for completing a current evaluation form and a Termination of Supervision Form on which the LCSW supervisor shall verify the total number of supervised hours. The documents must be submitted to the Board for review within thirty (30) days of the termination of supervision.
2. The Board shall review the supervision record along with the termination contract to determine the extent to which the supervision process is completed up to the date submitted to the Board.

3. If supervision is to be continued with another LCSW supervisor, the LMSW in candidacy for the LCSW must submit to the Board:

d. a new Application to Enter Into Contract for Supervision toward LCSW status, listing the prospective LCSW Board approved supervisor;

e. the supervisory contract signed by the new LCSW Board approved supervisor; and

f. any revisions necessary to the plan under the new supervision agreement.

Source: Miss. Code Ann. §§73-53-11(1)(c),(d), (k) and (*l)* and 73-53-13(c)(ii) (Supp. 2011).

Rule 2.4 EXAMINATIONS

A. Applications for Exams

The ASWB requires verification by the Board of Examiners for applicants to sit for the ASWB exam for each licensure level. Therefore, applicants must receive written approval from the Board to sit for the ASWB examination. The approval to sit for the ASWB examination expires one (1) year from the date of the Board's approval..

1. **Student Applications:**

Baccalaureate social work majors, who have been certified as having already attained senior standing, in colleges or universities accredited by Council on Social Work Education (CSWE) and/or Southern Association of Colleges and Schools (SACS) in accordance to the standards of the particular college or university, may apply to take the licensure exam. Certification must be provided by the social work program director on forms provided by the Board on the Board's website. Verification of the social work degree is required before the license can be issued.

Graduate MSW students, who have been certified as being in the final year of the program, in colleges or universities accredited by the Council on Social Work Education (CSWE), and certified by the director of the social work program, may apply to take the licensure exam. Certification must be provided on forms provided by the Board. Verification of the social work degree is required before the license can be issued.

Students in social work doctoral programs in colleges or universities accredited by Council of Social Work Education (CSWE) may take the exam in the final year of school, if not already licensed with the LMSW. Verification of the social work degree is required before the license can be issued.

2. **Applications from Degreed Persons:**

Persons holding a degree in social work from institutions as specified in MS Code annotated, l972, Sections 73-54-1 et.seq. may apply to take the basic exam at any time following graduation. The Verification of Degree form must be submitted with the application for license.

B. Application Process

After receipt of the application form, the verification of education form, and applicable processing cost, the candidate will be sent an ASWB Candidate Handbook. All necessary information about application for the examination is contained in the Handbook, along with a 1-800 number for information and registration.

C. Cost of Exams

Cost is determined by ASWB and the testing service. The Candidate Handbook will contain all information about costs. Testing costs are paid directly to ASWB at the time of registration.

D. Frequency of Examinations

The Board will accept the exam score from its designee, the Association of Social Work Boards and its subcontractors, which schedule the exam weekly.

Licensed Social Worker (Basic) and Licensed Master Social Worker (Masters): Applicants for LSW and LMSW licenses may take the exam every ninety (90) days and as many times as necessary to attain a passing score.

Licensed Certified Social Worker (Clinical or Advanced): Applicants for LCSW status may take the exam every ninety (90) days and as many times as necessary to attain a passing score. However, the applicant may continue to practice under the LMSW license provided all requirements for renewal have been met.

Note: Applicants who are unable to attain a passing score within one (1) year of the initial application date must reapply for licensure with all applicable fees.

E. Examination Levels

1. LSW applicants are examined at the BASIC level.

2. LMSW applicants are examined at the MASTERS level.

3. LCSW applicants are examined at the ADVANCED or CLINICAL level.

2. Scores

1. Official notice of examination scores will be made to the Board by the ASWB. Applicants will be notified of scores at the exam site.

2. A minimum score of 70 is necessary to pass the exam at each of the three levels of licensure - LSW, LMSW, LCSW.

3. The Board reserves the right to accept the decision of the testing service regarding the validity of any test score or scores.

Note: Licensee's are encouraged to check the status of their application to ensure applications are being processed accordingly.

Source: Miss. Code Ann. §§73-53-11(1)(c), (g), (k) and (*l*) and 73-53-15(4)(Supp. 2011).

Rule 2.5 Issuance of Licenses

Professional licenses may be issued by the Board during any regular meeting at which there is a quorum present. Board staff may not issue licenses independently of Board action.

Change in Name: It is the responsibility of the licensee to notify the Board promptly, no later than 30 days following the change of name, of any change in their name and to request a new certificate of licensure showing the appropriate name. All requests for a name changed must be made in writing, signed and notarized, and accompanied by a certified copy of the legal document which changed the name, and the appropriate fee or administrative cost. Licensees will be in violation of the standards of practice if they practice using a name different from the one appearing on their license certificate, and will be subject to disciplinary action by the Board.

Source: Miss. Code Ann. §§73-53-1 and 73-53-11(1)(c), (g) and (k) (Rev. 2011).

Rule 2.6 Status of License

A. **Active or in Good Standing**: The licensee has met all requirements for licensure, has renewed before the license expiration date and paid all fees and administrative costs on time, has maintained the necessary requirements for his/her license and there are no disciplinary actions against the licensee. Licensees on active status and in good standing may utilize the Board's online renewal system.

B. **Probationary:** The probationary status is issued to a licensee who is non-compliant with social work regulations, whether it be failure to acquire and verify continuing education or an appropriate end to a disciplinary procedure.

When probation is the result of a continuing education deficiency, Probationary Status will continue until the next regular renewal cycle.

No probationary license will be renewed unless all continuing education deficiencies are collected AND current renewal requirements are met. For example, if a probationer lacks 15 continuing education hours, the probationer would require 55 continuing education hours to renew at the next renewal cycle. No licensee may go through a second renewal cycle without bringing all educational requirements up to date.

C. **Emergency-** The Board provides for licensure for volunteer social workers entering the State that are licensed to practice in other states. Social workers actively licensed in other states who assist other that have been affected by a hurricane or other natural disasters can practice in Mississippi for a maximum of ninety (90) days, without applying for a regular license. Volunteers who take paid positions in the practice of social work in the State of Mississippi must be licensed by the Board. Any applicant seeking emergency certification must submit an application to the Board using forms located on the Board website.

Emergency Provisional Permit for Social Workers During a lawfully declared local, state or national disaster or emergency, the Board may grant a social worker who holds a license to practice such profession in another state or territory of the United States an emergency temporary social worker permit to practice in Mississippi ***to the extent authorized by this rule as if the individual were licensed in this state.*** To qualify for an emergency provisional permit, an individual must meet the requirements described below:

1. The individual seeking an emergency provisional permit must:

    a. hold a current license in good standing as a social worker in another state or territory of the United States,;

    b. possess a license that is equivalent to that of the Mississippi license and have no existing or history of disciplinary action against any license held in any jurisdiction;

    c. be sponsored by a social worker with an active license in good standing in Mississippi; and

    d. adhere to the scope of practice for a similarly licensed individual established by the licensing provisions, practice

acts, or other laws, rules or regulations of the State of Mississippi.

2. The individual seeking an emergency provisional permit must:

   a. Submit a complete, signed and notarized Application for Emergency Provisional Permit and proof of his or her identify, which must include a copy of a drivers' license, passport, or other photo identification issued by a governmental entity;

   b. Submit an application fee of $50.00, payable by cashier's or money order and made payable to MBOE;

   c. Submit verification of licensure for each state or territory in which licensure has been issued;

   d. Provide the Board with the location where he or she will practice; and

   e. Provide any other information required by the Board.

3. An emergency provisional permit shall be valid for a period as determined by the Board or its designee not to exceed ninety (90) days. The Board or its designee may renew the provisional permit for an additional ninety (90) days, if the lawfully declared disaster or emergency still exists. Provided however, that an emergency provisional permit shall expire at the time designated by the Board or whenever the lawfully declared disaster or emergency no longer exists, whichever comes first.

4. A holder of an emergency provisional permit (i) may only practice in the location on file at the Board's office; and (ii) must notify the Board in writing prior to beginning employment in another location.

5. An emergency provisional permit may be immediately suspended or revoked upon discovery of any falsification, omission, or withholding of information.

6. An individual wishing to practice as a social worker beyond the expiration of an emergency provisional permit or any extension thereof must apply for and obtain a social worker or marriage and

family therapist license in accordance with the laws, rules and regulations governing said license *in the State of Mississippi*.

D. **Inactive**: Upon written request and submission of the annual renewal application and renewal fee, the Board may grant inactive status to a licensee who:

1. Holds a license which is current and in good standing. All requirements for licensure must be met, including continuing education requirements.

2. Does not practice as a social worker for compensation in the State of Mississippi.

3. Does not hold himself or herself out as a social worker or by any title set out in these Regulations that is likely to cause public confusion.

Social Workers may request in writing on forms provided by the Board that their licenses be placed on inactive status. The Board will consider the request and will notify the licensee of its decision in writing within 60 days of receiving the written request for inactive status.

Those granted inactive status shall be excused from paying renewal fees until they notify the Board in writing of their intention to resume active practice. If a licensee fails to return to active status within two (2) years of being placed on inactive status, the licensee may request an extension in writing on forms provided by the Board (this form is available on the Board's website) for an additional two (2) years. If the licensee does not request an extension in writing on forms provided by the Board or no extension has been granted by the Board, the license will be considered as lapsed at the end of the renewal period following the end of the inactive status period, and be subject to the requirements for lapsed licenses.

All licensees on inactive status must provide evidence of having obtained the acceptable continuing education hours that would have been required had they been licensed in an Active status before returning to active status. At the Board's discretion, the continuing education requirements may be waived up to half the amount required per license period.

The regular active license and ID card must be surrendered to the Board within thirty days from the date of approval for inactive status. A return to active status will call for adherence to all rules and regulations for regular license as set forth in this document.

Disciplinary action will be taken against a licensee on inactive status who performs social work services for compensation or presents him/herself as a licensed social worker. One may continue to use academic indicators of degrees such as B.S.W., M.S.W., Ph.D., etc. Disciplinary action may include revocation of license for a period to be determined by the Board.

E. **Retired:** Licensees who are in good standing, may request retirement status designation from the Board. Retired, in this instance, means no longer receiving monetary compensation as a practitioner in the field of social work. Upon approval of such status, the licensee must surrender his/her regular license for a license bearing a status of "Retired". The retiree must complete and submit to the Board a signed affidavit of retirement as supplied by the Board on the Board's website or by contacting the Board office. Note: Individuals, who hold a Retired license may not engage in social work practice for compensation.

In order to receive "Retired" status, an individual must meet all licensing requirements, including continuing education and pay the processing fee. If a licensee does not meet these requirements, then a "Retired" license will not be granted.

All re-licensure requirements are waived for a "Retired" license, but processing costs will be charged for issuing the retired license. (See schedule in Part 1902, Chapter 4, Rule 4.3, B)

F. **Retiree Reinstatement:** Retirees who wish to reinstate within two (2) years of their retirement may follow the reinstatement process.

Licensees holding a "Retired" status who wish to return to the active practice of social work after two (2) years of obtaining "Retired" status must comply with the following:

1. Submit an application for reinstatement to the MS BOE SW/MFT.

2. A request must be made in writing to the Board in order to return to active status. The request must include the following:

a. An explanation of the circumstances of the new practice setting;

b. A description of the practitioner's proposed duties;

c. A description of the agency's environment;

If the request for re-instatement is granted by the Board, the licensee will be expected to earn the full number of continuing education hours (40) for the licensure period in question.

Note: Failure to complete all steps in the retiree reinstatement process will result in the surrender of the applicant's license.

G. **Denied:** An applicant will be denied a license or renewal license when the Board: (1) determines the applicant does not meet the requirements for licensure; (2) has substantial evidence the applicant has violated the standards of conduct, the Code of Ethics or is not of good moral character; (3) has pending disciplinary action against the licensee; (4) has not received an criminal history records information check and a report based on a check of the Mississippi Sex Offender Registry; (5) has not received a complete and correct application or renewal application within the timeframe allowed; (6) has received documentation the licensee has a current (active) addiction to alcohol or drugs, other substances, or any other type of addiction; or (7) has received a declaration of mental incompetence by the court or licensed qualified professional for the licensee.

H. **Revoked:** The Board may revoke or suspend a license on grounds set forth in these regulations. The person may not practice social work during the time the license is revoked.

I. **Lapsed:** Licensees who fail to renew their license biennially before the expiration date shall have the licenses lapsed. A licensee may not practice social work during the lapsed period. The licensee may be reinstated within a two year period by following the reinstatement process. A license that has lapsed for more than two (2) years cannot be renewed or reinstated. The licensee must apply for a new license under the requirements set forth in the Rules and Regulations that are in effect at the time the new application is received by the Board.

J. **Re-instatement:** Licensees, who have had licenses placed in lapse or inactive status, may apply for reinstatement within two (2) years for lapsed license or within four (4) years for inactive status by completing the following steps:

1. Making application for reinstatement on Board prescribed forms available on the Board's website.

2. Paying all applicable costs.

3. Providing the Board with fingerprint criminal history records information check and a check of the Mississippi Sex Offender Registry

4. Satisfactory documentation of completion of all continuing education requirements specified by Board Rules and Regulations that that would have been required to maintain a current license for the entire period the license has been lapsed or inactive;

K. **Reinstatement after revocation**

If the revocation or lapse has lasted more than two years or the inactive status lasted more than four (4) years, a completely new application is required, including retaking the exam and the application is subject to the Rules and Regulations in effect at the time of the new application.

Providing documentation that previous infractions have been addressed/corrected, i.e., treatment for mental illness, alcohol and/or drug addiction or abuse or other substance addiction or type of abuse, if applicable.

Source: Miss. Code Ann. §§73-53-11(1)(c), (d), (e), (k), (n) and (2), 73-53-15 and 73-53-23(1)(f) and (4) (Supp. 2011).

Part 1902 Chapter 3 Professional Standards of Practice and Code of Conduct

Rule 3.1 PROFESSIONAL IDENTIFICATION

A. Titles and Abbreviations

Persons issued a license to practice social work in Mississippi may use the title as appropriate to each level of licensure:

- "Licensed Social Worker",
- "Licensed Master Social Worker",
- "Licensed Certified Social Worker" and "Clinical Social Worker".

Academic titles such as B.S.W.,"M.S.W., M.S.S.W., "D.S.W.," and Ph.D. denote academic degrees and not levels of licensure.

B. Production and Display of License

A person issued a license to practice social work by the Board of Examiners will be issued a licensure ID card which should be in his/her possession at all times. The certificate of licensure shall be displayed at all times in the licensee's place or places of practice. Duplicates are available from the Board. (See Schedule: Part 1902 of this title).

Source: Miss. Code Ann. §§73-53-11(1)(c) and (k) and 73-53-13 (Supp. 2011).

Rule 3.2 GUIDELINES OF PRACTICE ***(See also MS Code Annotated, l972, Sections 73-54- 1 et seq.)***

It is the legal and ethical responsibility of each licensed social worker to limit the scope of professional practice to the parameters of the licensee's competencies. Client systems for all levels of licensure may be individuals, groups, families, organizations, and communities.

A. Licensed Social Worker (LSW)

The entry level of social work practice usually includes a wide range of direct services under the supervision of a Licensed Master Social Worker or other qualified professional. The LSW generally provides basic problem solving interventions. Professional tasks may include data gathering, assessment, planning and contracting, various generalist interventive methodologies, conducting educational and supportive groups and evaluation of own practice. LSWs should not provide clinical social work services, psychotherapy, or engage in autonomous practice.

B. Licensed Master Social Worker (LMSW)

The LMSW may provide services to individuals, couples, families, organizations and communities. Such services shall be guided by knowledge of social work theory, social resources, social systems, human behavior, ethics, and methods to restore or enhance social, psychosocial or bio-psychosocial functioning. Scope of practice includes, but is not limited to, assessment, treatment implementation and evaluation, case management, information and referral, mediation, education, psychotherapy, advocacy, supervision of employees, consultation, research, community organization and development, administration of social policies, programs and activities.

A LMSW may provide clinical social work services within a recognized setting such as social, medical and governmental agencies and organizations only when under the supervision of a LCSW or other licensed or certified clinical professions such as a psychiatrist, or PhD, or PsyD level clinical psychologist. A LMSW may only work as an employee in an agency or organizational setting and cannot engage in autonomous practice.

Supervision of a LMSW for LCSW certification can only be provided by a LCSW as specified in Section IV. LMSWs must not provide unsupervised clinical services and cannot hold him/her self out as a Licensed Clinical Social Worker.

C. Licensed Certified Social Worker (LCSW)

The LCSW is qualified to perform all services included in the LMSW scope of practice in Section B above and those specified for the LCSW herein. The LCSW shall be qualified to function independently and shall demonstrate special knowledge and skill in his/her practice areas.

Clinical Social Work Practice means the application of social work methods and values in diagnosis and treatment and prevention of psychosocial dysfunction disability or impairment including emotional, mental, and behavioral disorders. It is directed at enhancing, protecting, or restoring people's capacity for social functioning, whether impaired by physical, environmental, or emotional factors. Clinical social work has a primary focus on the mental, emotional and behavioral well being of individuals, couples, families and groups. It centers on a holistic approach to psychotherapy and the client's relationship with his or her environment as essential to treatment planning.

The LCSW specializing in clinical practice may independently engage in the use of a variety of psychotherapeutic techniques. The clinician is legally and ethically bound to practice only in the parameters of his/her expertise.

The LCSW in macro practice shall demonstrate skill in supervision and management at the macro level.

Source: Miss. Code Ann. §§73-53-1, 73-53-11(1)(c), (k), (2) and (3) and 73-53-13 (Supp. 2011).

Rule 3.3 Standards of Ethical Conduct ***(See also Section 73-53-17 ff, MS Code Annotated, l972.)***

A. The social worker's primary responsibility is to clients.

B. The social worker must respect the privacy of clients and hold in confidence all information obtained in the course of professional services except as required by law.

C. Social work fees must be fair, reasonable, considerate, and commensurate with the services performed.

D. The social worker must uphold and advance the values, ethics, knowledge, and mission of the profession.

E. The social worker must assist the profession in making social services available to the general public.

F. The social worker must strive to become and remain proficient in professional practice.

G. The social worker must distinguish clearly between statements and actions made as a private individual and those made as a representative of the social work profession.

H. The social worker must not practice beyond the parameters of his/her competencies.

I. The social worker must retain ultimate responsibility for the quality and extent of the services he/she performs.

J. The social worker must not exploit professional relationships for personal gain.

K. The social worker engaged in research must protect participants from unwarranted physical or mental discomfort, distress, harm, danger, or deprivation.

Source: Miss. Code Ann. §73-53-11(1)(c) and (j) (Supp. 2011).

Part 1902 Chapter 4: Continuing Education and Licensure Renewal; Reinstatement

Rule 4.1 CONTINUING EDUCATION

A. Philosophy

Continuing education means instruction and learning which fosters the enhancement of general or specialized social work practice, values, knowledge, and skills.

B. Definitions

1. Continuing Education: The continuing education offerings for each discipline (social workers and marriage and family therapists) are approved independently. Licensees should NOT assume that an approved offering for one discipline is also approved for the other discipline. The MBOE website maintains separate lists of approved continuing education offerings for social workers and marriage and family therapists. The Board shall credit continuing education for social workers as follows. Parts of programs which meet the criteria set forth in these rules and regulations (relating to Types of Continuing Education and Criteria for Approval of Continuing Education Activities) shall be credited on a one-for-one basis with one clock-hour credit for each one clock-hour spent in the continuing education activity. ~~unless otherwise designated by the Board or the Board's designee.~~ Time devoted to registration, organizational business, breakfasts, luncheons, dinners, or other refreshments shall not be counted as instructional or continuing education credit time. When there is a luncheon speaker, only the time of the speaker's presentation may be calculated for continuing education credit. Forty (40) clock hours are required each renewal period.

2. DESIGNATED PROVIDERS (DPs): are organizations or institutions determined by the MS Board of Examiners SW Continuing Education Committee (SWCEC) to meet the standards for continuing education. ~~are organizations or institutions determined by the NASW MS Chapter Continuing Education Committee or the MS Board of Examiners to meet the standards for continuing education.~~ These organizations hold standing by application, review and approval for a two (2) year period of time, during which they must consistently comply with all requirements. Complaints and random audits by ~~NASW MS Chapter CE Committee,~~ MBOE members or their designees may result in removal from the status at any time and may prohibit renewal. Organizations who are approved for this status shall have their DP number and dates of approval on all documentation, and will be listed with this information for public review and continuing education resources on the ~~NASW MS Chapter website (www.naswmschapter.org)~~ MBOE website (www. swmft.ms.gov) and any publications therein.

~~Organizations interested in applying for DP status must contact NASW, MS Chapter for application materials~~. Only those organizations that have previously held three successful programs approved for social worker continuing education by the Board, SWCEC, or its designee may apply for DP status. Applications for DP status may be obtained from the Board's office or through the Board's website at www.swmft.ms.gov. ~~by NASW, MS Chapter CE Committee may apply for DP status. Contact the NASW, MS Chapter office through the website, www.naswmschapter.org, by calling 601.936.0557 or writing to NASW, MS CE Committee, P.O. Box 5599, Pearl, MS 39288~~.

The following organizations are automatically approved for social worker continuing education by the MBOE and do not need to complete DP application process for program approval:

a. Any program approved by the national NASW office, or any NASW Chapter;

b. American Association for Marriage & Family Therapy or any of its state chapters;

c. Any state chapter of Council on Social Work Education approved schools of social work (In order for continuing education offerings to be approved by this type of designated provider, the school of social work must be actively engaged in the planning and presentation of the offering);

d. Association of Social Work Boards or any state licensing board affiliated with;

e. International Association of Social Workers or any program approved by member countries; or

f. International Federation of Schools of Social Work and member schools.

SWCEC ~~NASW MS Chapter and MBOE~~ reserves the right to void approval of a specific program that has been previously granted approval by any of the above listed organizations or the current DP listing, should content and speaker be determined upon review to contain content that

is not post-baccalaureate level or is in serious conflict with social work values and education.

Organizations that are approved for Designated Provider status must be actively engaged in the planning, development and presentation of the continuing education programs they provide. Co-Sponsorship will not be accepted.

C. Continuing Education Requirements for Renewal

Forty hours of approved continuing education is required for each renewal period. The applicant will submit a listing of that period's earned hours with an attestation statement that the list is true and correct. (See Part 1902, Chapter 4, Rule 4.2, B)

1. LSWs will not submit continuing education at the first renewal.

2. LMSWs holding no previous license will not submit at the first renewal. LMSWs upgrading from LSW will submit at the first renewal period.

3. LCSWs will submit at first renewal as they are upgrading from LMSW status.

4. Carryover: Ten continuing education hours may be carried over from one renewal to the next. The continuing education hours must have been obtained within the six months immediately prior to the current renewal date.

5. Four (4) hours of approved professional ethics are required for each licensee for each renewal period. Beginning July 1, 2011, all licensees must have met this requirement in order to renew.

6. Two (2) hours of cultural diversity/multicultural issues/cultural competency are required. Beginning July 1, 2011, all licensees must have met this requirement in order to renew.

7. Probationary Status: Part 1902, Chapter 2, Rule 2.6, B

D. Acceptable Formats for Continuing Education

Continuing education offerings must consist of subjects relevant to social work practice and not related to the specific administrative procedures of any single agency or organization.

All offerings, except those from designated providers, must be pre-approved PRIOR to the offering. For information about pre-approval, see Part 1902, Chapter 4.

Acceptable ways of acquiring continuing education credits include the following:

1. Academic courses taken from a regionally accredited college or university or a school in candidacy for CSWE status, related to the licensee's social work practice, may be submitted for review and consideration for approval to the SWCEC. ~~NASW MS Chapter CE Committee.~~ These course materials must be submitted prior to taking the course or immediately after enrollment. If approved, documentation of successful completion of the course must be submitted for final approval. One graduate academic semester hour successfully completed (a grade of "B" or better) shall be equivalent to five (5) continuing education hours.

2. Social Work academic courses taken from a CSWE accredited school of social work at a level beyond the licensee's current academic status are acceptable for continuing education. These courses do not need to be submitted to the SWCEC ~~NASW, CE Committee~~ for prior approval. One graduate academic semester hour successfully completed (a grade of "B" or better) shall be equivalent to five (5) continuing education hours.

3. Instructors teaching a class at a CSWE accredited school of social work may submit documentation to be calculated at ten (10) hours per hour of class credit. This approval will only be honored for classes taught the first time.

4. Continuing Education programs provided by organizations listed in Part 1902, Chapter 4, Rule 4.1, B (2) shall be considered an acceptable mode of acquiring continuing education hours.

5. Approved workshops, institutes, conferences, or other continuing education programs sponsored by official national, regional, state social work or social welfare related organizations shall be considered an acceptable mode of acquiring continuing education hours. Note: Provider organizations are responsible for obtaining approval for credit PRIOR TO conducting the activity. (See Part 1902, Chapter 4, Rule 4.1, F)

6. Staff Development: Approved public or private agency staff development programs that contribute to the enhancement of social work practice, skills, or knowledge and are not primarily procedural or administrative, shall be considered an acceptable format for acquiring continuing education credits. (See information about prior approval, Part 1902, Chapter 4, Rule 4.1, F)

7. Individual Activities: Activities, including workshops and presentations, planned by an individual must be approved by SWCEC ~~MS NASW~~ in advance. No more than twenty (20) approved continuing education hours of this type will be accepted in a given licensure renewal period.

   a. Publication of a Professional Social Work Paper: The initial publication shall be acceptable for twenty (20) continuing education hours. Presentation of a professional social work paper for the first time at an approved professional conference shall be acceptable for five (5) continuing education hours or twice the approved continuing education hours for the session, provided the written paper is submitted with the request. The published paper must be submitted to the SWCEC ~~NASW CE Committee~~ within six (6) months of publication accompanied by copy of the publication medium (journal, book, professional magazine) and a completed CE ~~CEU~~ application form.

   b. Presenter: Participation as the sole presenter, leader, or teacher of an approved workshop or conference shall be acceptable for three times the approved continuing education hours for the session.

   c. Panelist: Participation as a panel member for an approved workshop or conference shall be acceptable for two times the approved continuing education hours for the session.

   d. Facilitator: Facilitating, moderating, or presiding over an approved workshop or conference shall be acceptable for the approved continuing education hours for the session.

   e. Self-Directed Learning Projects and/or Distance Learning/Internet (Online) Learning Courses: Continuing education hours for distance learning/internet learning courses will only be granted for courses offered by Designated Providers, MBOE exempt providers or by prior

approval by the SWCEC ~~NASW CE Committee~~ on a per case basis. The SWCEC ~~NASW CE Committee~~ will grant continuing education hours only after completion of the course and proof of successful completion of post-test, course examination, and/or evaluation from the online course provider.

Self-directed learning projects are projects intended to increase knowledge and shall be documented by means of a paper, annotated bibliography, etc. Projects intended to increase skill development shall be documented by means of audio or audiovisual tapes. Credit for self-directed learning projects may be granted provided the project is completed and approved PRIOR TO the current license expiration date. Projects not completed and approved by the license expiration date can be considered for the licensee's next renewal period. Self-directed learning project proposals should be submitted nine months prior to the expiration date of licensure to allow sufficient time for review, project completion and approval. Reading a book, preparing a paper in a graduate course, case, or consultation shall not meet the requirements for this activity. No more than twenty (20) continuing education hours may be accrued per renewal period as a result of self-directed learning projects.

E. Approval Procedures for Continuing Education

Application for prior approval of workshops, staff development, individual activity, self directed learning projects, or other categories requiring prior approval must be made, in writing, to the Board ~~MS Chapter of the National Association of Social Workers~~. The SWCEC ~~MS NASW~~ must review all continuing education activities for approval, except for those of the designated providers, or those approved or sponsored as indicated in section B above.) All applications for review should be received by the Board Office by the 10th of the month prior to the month in which the event will be held.

Continuing Education Committee
Mississippi BOE for Social Workers & Marriage and Family Therapists
Social Work Discipline Specific Committee
P.O. Box 4508
Jackson, MS 39296-4508
601-987-6806
www.swmft.ms.gov
~~Mississippi Chapter-NASW~~

~~P.O. Box 5599~~
~~Pearl, MS 39288-5599~~
~~601-936-0557~~
~~www.naswmschapter.org~~

Licensees should contact SWCEC ~~MS NASW~~ for specifics about applications submitted for approval.

Note: Retroactive Approvals will not be considered by SWCEC ~~MS NASW Committee~~ after any provider offering.

F. Reporting Procedures for Continuing Education

Provider Responsibility: It is the responsibility of each provider of continuing education to: 1) verify attendance of attendees at all conference sessions when credit is being requested. 2) provide the Board or the Board's designee with a verified list of participants, and 3) provide the attendee with a written statement, verification, or certificate of attendance at the conclusion of an offering.

The attendee's verification must include the following information:

a. Name of attendee
b. Name of offering
c. Date of offering
d. Provider's name
e. Location of offering
f. Signature of organizer/sponsor or designee
g. Amount of approved continuing education hours awarded

Licensee Responsibility: It is the sole responsibility of the licensee to: 1) obtain verification of attendance documenting continuing education offerings; 2) provide proof of participation in approved continuing education offerings to the Board; 3) provide attestation of having completed continuing education; and 4) maintain for four (4) years their own records and official verification of the continuing education files for the licensees. Failure to substantiate the number of approved credits submitted or to submit documentation for a sufficient number of approved continuing education credits will result in a license not being renewed.

G. Random Audit of Continuing Education Documents

1. The Board will annually audit or cause to be audited a minimum of ten percent (10%) of the continuing education reports accompanying the renewal applications. Licensees whose reports are audited will be required

to provide a copy of the official documentation of their continuing education activities. If a licensee fails to provide the Board in a timely manner (not to exceed thirty {30} days from the date of the notice informing the licensee) with official documentation of the total hours listed on their renewal application, the license will be subject to suspension following written notification from the Board and will remain suspended pending further Board action. ~~The Board will annually audit, or cause to be audited, a minimum of 20% of social work renewals for continuing education verification based on random selection of licensees eligible for renewal. Notice will be sent to selected licensees sixty (60) days prior to license expiration date. Licensees must submit satisfactory documentation of continuing education thirty (30) days prior to their license expiration date so verification by the Board may occur before the license expiration date.~~

~~Licensees who are unable to produce documentation of the required continuing education will not have their license renewed.~~

~~Licensees found to be fraudulent in reporting will be given opportunity for a hearing before the Board. Licensees determined to be negligent may be sanctioned accordingly.~~

2. If, during the audit, the Board finds unacceptable any of the documented continuing education hours and the licensee does not have sufficient acceptable hours remaining for that renewal period, the Board, at its discretion, may renew the license under the conditions that the continuing education hours will be obtained within six (6) months of the notice of deficiency. Continuing education hours acquired to meet the deficiency may not be applied to any other renewal period. If the licensee does not rectify the deficiency within that six (6) month period, the license will be subject to disciplinary action.

H. Re-evaluation of Continuing Education

A licensee who feels that evidence of continuing education was appraised incorrectly by the Board, may make a written request for re-evaluation to the Board within thirty (30) days of the Board's finding. Verbal requests will not be honored.

I. Waiver of Continuing Education Requirements and Request for Extension of Time to Complete Continuing Education Requirements

1. The Board may waive continuing education requirements to a licensee who was not engaged in the practice of social work during a given continuing education renewal period on an individual basis for reasons of hardship, such as severe illness, disability, military service or other good cause. Any waiver will be granted solely in

the discretion of the Board.

2. The Board may extend the time within which to fulfill continuing education requirements to a licensee during a given continuing education renewal period on an individual basis for reasons of hardship, such as severe illness, disability, military service or other good cause. Any waiver or extension of time will be granted solely in the discretion of the Board.

3. A licensee must submit a written request for a waiver of, or extension of time within which to fulfill, continuing education requirements. The request must be made in writing, under penalty of perjury, and must set forth with specificity the reasons for requesting the waiver or extension and, in the case of the waiver request, the portion of the renewal period during which the licensee was not engaged in the practice of social work. The licensee shall submit to the Board all documentation in support of the request for waiver or extension and such additional information or documentation as the Board may request in support of the waiver or extension.

4. Waivers of the minimum continuing education requirements may be granted for up to one-half of the forty (40) hours of continuing education required for any two-year (biennial) renewal period. Extensions of time may be granted by the Board for a period not to exceed one (1) calendar year. The grant of an extension by the Board will result in the renewal of a license based on the condition that the licensee completes the continuing education requirement by the deadline established by the Board.

5. A waiver of continuing education requirements granted pursuant to this section shall be effective only for the biennial period in which such waiver is granted. If the condition(s) which necessitated the waiver continues into the next biennial period, a licensee who seeks another waiver must apply to the Board for a renewal of such waiver for the new biennial period.

6. If an extension of time is granted, the license will be placed on active status but the license shall be automatically changed to inactive status at the end of the extension period unless the licensee satisfies the continuing education requirement prior to that time. When the license is placed on inactive status, the licensee shall cease all activity requiring a license.

7. A licensee shall apply for a waiver or extension of continuing education requirements no later than 30 (thirty) days prior to the

end of the biennial licensing period for which the waiver or extension is requested. All requests shall be sent to the office of the Board, by certified mail, return receipt requested.

8. An extension of time shall not be granted to any licensee who obtained an extension in the immediately preceding renewal or reporting period in which the licensee held an active license, except in the case of a licensee who is unable to complete the requirements due to military service commitment pursuant to a combat or national emergency assignment.

9. The Board may, as a condition of any extension or waiver granted, require the licensee to make up a portion of the continuing education requirement in the manner determined by the Board.

Source: Miss. Code Ann. §73-53-11(1)(c), (k), (m), (n) and (s) (Supp. 2011).

Rule 4.2 RENEWAL OF SOCIAL WORK LICENSE

A. Biennial Renewal of Licenses

1. Odd numbered licenses are due for renewal in odd numbered years.

2. Even numbered licenses are due for renewal in even numbered years.

3. LSWs renew in September.

4. LMSWs and LCSWs renew in April.

B. Requirements for Renewal

1. All licenses must be renewed by submitting a renewal application to the Board prior to the expiration date on the license.

2. Notice of Renewal: The Board will send a reminder of renewal to all licensees at the latest address of record on file with the Board. Failure to receive a renewal notice from the Board will not relieve the license holder from the renewal requirement. It is the responsibility of the licensee to maintain an accurate mailing address in his or her file by promptly notifying the Board in writing of a change of address.

3. Renewal application forms are available on the Board's website or by contacting the Board.

4. Licensee's in good standing are encouraged to renew using the online format available for social workers beginning the April 30, 2008 renewal period. Renewal windows will be available from March 1 to April 30 for the April renewal period and August 1 to September 30 for the September renewal period.

5. In order to complete license renewal, social workers are required to submit:

   a. A renewal application (available on the Board's on-line renewal application, on the Board's website in a printer friendly version, or by contacting the Board office to request one);

   b. A list of approved continuing education hours along with an attestation by the applicant that the information submitted is true and correct and original proof of same is available for inspection, if licensee is chosen for audit. (See Part 1902, Chapter 4, Rule 4.1, C below for more information concerning continuing education credits.); and

   c. The required renewal fee (see Schedule: Part 1902, Chapter 4, Rule 4.3, B).

C. Determination of Submission Date

All applications must be received by the close of business on the due date for renewal. On-line renewals must be submitted by 11:59 p.m. to be processed. The date of submission is the date stamped received by the Board.

D. Reinstatement of Lapsed License

1. <u>General Instructions</u>:

License renewals that are <u>received in the Board's office</u> ~~postmarked~~ after the license expiration date are considered "Lapsed". A lapsed license may be reinstated by the Board, at its discretion, by the submission of a reinstatement application, payment of the renewal costs, and submission of the required continuing education hours, provided said application for reinstatement is made within twenty four (24) months after its last expiration date. (All lapsed licenses, including grandfathered or provisional licenses, will be considered as new applications, and will have to meet current initial licensing laws and regulations, including the appropriate ASWB exam(s).

2. <u>Specific to Lapsed LCSWs</u>:

LCSWs with a lapse of any duration will be required to submit three current letters of reference when renewal is requested, along with meeting the qualifications and guidelines which exist at the time the application for reinstatement is made.

Source: Miss. Code Ann. §§73-53-11(1)(c), (d), (e), (g) and (k) and 73-53-15 (Supp. 2011).

Rule 4.3 FEES AND COSTS

A. Method of Payment

All fees and costs are to be paid by cashier's check, money order and credit card (only for on-line renewals) to the Board, with the appropriate form or request attached, unless otherwise specified. All fees and costs are ***non-refundable***.

B. Schedule of Costs and Fees

Initial License Fee: LSW…….. ..... $70.00

Initial License Fee: LMSW & LCSW……..... $100.00

Upgrade from LSW to LMSW $30.00

Upgrade from LMSW to LCSW, exam cost only

Copying fee: ($1.00 per page plus cost of retrieving information)

Renewal Fee:

LSW $70.00

LMSW $100.00

LCSW $100.00

Administrative/Processing Costs:

Application fee…….. $25.00

Inactive status (plus renewal cost)..... $35.00

Retired status $35.00

Reinstatement (plus renewal cost) $35.00

Duplicate license card or seal..... $5.00

Replacement license $25.00

Certification to become LCSW Supervisor $50.00

Post-graduate Supervision Plan Approval..... $75.00
for LCSW candidates

Electronic copy of SW licensee address list $100.00

Application Packet (available on-line at no costs)……..….. $10.00

Licensure verification for another state……$25.00

Name Change fee……..$10.00

Copy of rules and regulations (available on-line at no cost)… $20.00 (all initial applicants will be issued one copy free of charge upon request)

Continuing Education Costs:

Designated Provider initial application……...$500.00

Designated Provider status renewal (every 2 years)……...$250.00

Individual application (Less than or equal to 8 CE hours)…….…..$50.00

Individual application (Greater than 8 CE Hours)……..$100.00

Review of online CE program……$50.00

C. Examination Fee

Fees for examination are to be paid directly to the appropriate testing organization. (See Part 1902, Chapter 2, Rule 2.4, C and ASWB ~~The Candidate Handbook~~.)

Amended: _____ Effective:_____

Source: Miss. Code Ann. §§73-53-11(1)(c), (g) and (0) and 73-53-15 (Supp. 2011).

Title 30: Professions and Occupations

Part 1903: RULES AND REGULATIONS FOR MARRIAGE AND FAMILY THERAPISTS

Part1903 Chapter 1: General Provisions

Rule 1.1 GENERAL

A. The rules and regulations pertaining to marriage and family therapists include all items in Parts 1901 and 1903 of these rules and regulations.

B. The Board may revise the rules and regulations from time to time as the Board deems necessary.

C. Once new or revised rules and regulations are adopted by the Board, the Board and all applicants and licensees must operate under the new rules and regulations. However, persons with completed applications for licensure on file at the time new rules and regulations are adopted by the Board, will be licensed under the rules in effect on the date their completed application was received by the Board.

Source: Miss. Code Ann. §§73-53-11(1)(c) and (k), 73-54-3 and 73-54-11(1) (2008 & Supp. 2011).

Rule 1.2 DEFINITIONS

As used in these Rules and Regulations and in the Mississippi Marriage and Family Therapy Act of 1997, the following words and terms shall have the meaning ascribed herein below:

AA. "Act" is the Mississippi *Marriage and Family Therapy Licensure Act of 1997*, Title 73, Chapter 54 of the Mississippi Code of 1972, as amended. ~~"Marriage and Family Therapy" means the professional application of psychotherapeutic and family systems theories and techniques in the delivery of therapy services to individuals, families, or couples, either singly or in groups.~~

BB. "Advertise" means, but is not limited to, issuing or causing to be distributed any card, sign or device to any person; causing, permitting or allowing any sign or marking on or in any building; broadcasting by radio or television; or advertising on the internet or by any other means designed to secure public attention. ~~"Practice of Marriage and Family Therapy" means the rendering of professional marriage and family therapy services, whether those services are offered directly to the general public or through organizations, either public or private, for a fee, monetary or otherwise. This involves assessment, diagnosis, identification, evaluation and treatment of emotional problems and conditions, whether cognitive, affective, or~~

~~behavioral, resolving intrapersonal and interpersonal conflicts, and attempting to change perception, attitudes, and behaviors, all within the context of human relationship systems. Marriage and Family therapy includes, without being limited to, individual, group, couple, sexual, family and divorce therapy. It involves an applied understanding of the dynamics of marriage and family systems, including individual psychodynamics, the use of assessment instruments that evaluate individuals, couples and family members with regard to marriage and family functioning, and the use of psychotherapy and counseling.~~

CC. "AAMFT" means the American Association for Marriage and Family Therapy. ~~"Code of Ethics" means the current Code of Ethics of the American Association for Marriage and Family Therapy.~~

DD. Clinical Supervision" means the direct clinical review, for the purposes of training or teaching by a supervisor, of the supervisee's interaction with a client ~~"AAMFT" means the American Association for Marriage and Family Therapy.~~

EE. "COAMFTE" means the Commission on Accreditation for Marriage and Family Therapy Education.

FF. "Code of Ethics" means the current Code of Ethics of the American Association for Marriage and Family Therapy. ~~Good Moral Character" means the applicant is held in high regard with reference to personal behavior, professional behavior and professional ethics.~~

GG. "Completed Application" means the official marriage and family therapy application prescribed by the Board with the signature of the applicant, fees and all supporting information and documents requested by the Board.

HH. "Contact Hour" means one 60-minute clock hour of an approved educational activity offered by an approved provider with no less than 50 minutes of instructional content within the 60 minutes.

II. "Consultation" or "Conferring" means a professional collaborative relationship between a licensed marriage and family therapist and a qualified licensed individual or other professional of relative equal expertise or status in which the other licensed individual or professional makes an assessment based on information supplied by the licensed marriage and family therapist and jointly develops a written treatment plan with the licensed marriage and family therapist which indicates the responsibility of each professional for implementing elements of the plan, updating the plan, and assessing the client's progress.

JJ. "Continuing Education" means programs and/or activities designed to and have the content intended to enhance the general or specialized marriage and family therapy practice, values, skills, ethics and/or knowledge. The primary objective of continuing education must be to maintain and improve the

quality of professional services in marriage and family therapy provided to the public; maintain and improve the therapist's knowledge of current research, techniques, and practice; and provide other resources which will improve skill and competence in marriage and family therapy.

KK. "Direct Client Contact" means face-to-face interaction between the therapist and an individual, couple, or family. .

LL. "Direct Clinical Review" means board approved supervision that consists of case related interactive face to face meeting between the supervisor and supervisee..

MM. "Examination" means the test or exam endorsed or prescribed by the Association for Marital and Family Therapy Regulatory Boards.

NN. "Face-to-Face Supervision" means supervision conducted by a supervisor in the physical person of the person being supervised for the purpose of carrying out the supervision functions described in Part 1903, Chapter 2, Rule 2.2 (C)(3)(i).

OO. "Good Moral Character" shall have the meaning set forth in Part 1901, Chapter 2, Rule 2.1 of these Rules and Regulations.

PP. "Group Supervision" means a minimum of three (3) and no more than eight (8) marriage and family supervisees or associates in a clinical setting during the supervision hour. A supervision hour is fifty minutes.

QQ. "Individual Supervision" shall mean a maximum of two (2) marriage and family supervisees or associates in a clinical setting during the supervision hour. A supervision hour is fifty minutes.

RR. "Institution of Higher Education" means any college or university which is accredited by a regional accrediting body recognized by the United States Department of Education or a substantially equivalent foreign institution.

SS. "Licensed Marriage and Family Therapist (LMFT)" means a person to whom a license has been issued under the Mississippi Code of 1972 as amended, Section 73-53-8, which license is in force and not suspended or revoked as of the particular time in question.

TT. "Licensed Marriage and Family Therapy Associate (LMFTA)" means a person to whom a marriage and family therapy associate license has been issued under the Mississippi Code of 1972 as amended, Section 73-53-8, which license is in force and not suspended or revoked as of the particular time in question.

UU. "Live Supervision" consists of a case related interactive face-to-face meeting between the supervisor and supervisee, during which time the supervisor is physically present in the clinical setting with the supervisee.

VV. "Marriage and Family Therapy" means the rendering of professional therapy services to individuals, families or couples, singly or in groups, and involves the professional application of psychotherapeutic and family systems theories and techniques in the delivery of therapy services to those persons.

WW. "Offering" means an organized learning experience or course planned and designed to enhance knowledge, skills, and attitudes related to marriage and family therapy.

XX. "Person" means any individual, firm, corporation, partnership, organization or body politic.

YY. "Practice of Marriage and Family Therapy" means the rendering of professional marriage and family therapy services, to individuals, couples or families, singly or in groups, whether those services are offered directly to the general public or through organizations, either public or private, for a fee, monetary or otherwise. This involves assessment, diagnosis, identification, evaluation and treatment of emotional problems and conditions, whether cognitive, affective, or behavioral, resolving intrapersonal and interpersonal conflicts, and attempting to change perception, attitudes, and behaviors, all within the context of human relationship systems. Marriage and Family therapy includes, without being limited to, individual, group, couple, sexual, family and divorce therapy. It involves an applied understanding of the dynamics of marriage and family systems, including individual psychodynamics, the use of assessment instruments that evaluate individuals, couples and family members with regard to marriage and family functioning, and the use of psychotherapy and counseling.

ZZ. "Use of title or description of" means to hold oneself out to the public as a Licensed Marriage and Family Therapist(LMFT) or Licensed Marriage and Family Associate (LMFTA) means of stating it on signs, mailboxes, address plates, stationery, announcements, calling cards, the internet or other instruments of professional identification.

Source: Miss. Code Ann. §§73-53-11(1)(c) and (j), 73-54-5, 73-54-11, and 73-54-19 (Supp. 2011).

Part1903 Chapter 2: Licenses and the Licensing Process

Rule 2.1 Types of Licenses

1. Licensed marriage and family therapist (LMFT) is the license granted to an individual who has met and maintained all the qualifications necessary for licensure to practice independently and the renewal of the license.

2. Licensed marriage and family therapy associate (LMFTA) is the license granted to an individual who has met and maintained all the qualifications necessary for licensure and for the renewal of the license. A licensed marriage and family therapy associate must practice in an agency setting under a "Board Approved" supervision contract.

Source: Miss. Code Ann. §§73-53-11(1)(c), 73-54-11 and 73-54-17(Supp. 2011).

Rule 2.2 REQUIREMENTS FOR LICENSURE AS A MARRIAGE AND FAMILY THERAPISTS

A. Prerequisite to Performance of Services as a Marriage and Family Therapists

All individuals not exempt from licensure are prohibited from performing services for which licensure is required by the State of Mississippi Marriage and Family Therapy Licensure Act of 1997, Title 73, Chapter 53 of the Mississippi Code of 1972 Annotated, as Amended, and these Rules and Regulations. They are also prohibited from holding themselves out to the public by any name, title or description described in the Marriage and Family Therapy Licensure Act and these Rules and Regulations. These regulations apply to all traditional and electronic approaches to marriage and family therapy.

B General Requirements

An individual seeking licensure as a Marriage and Family Therapist (LMFT) or a Marriage and Family Therapy Associate (LMFTA) ~~marriage and family therapist~~ shall submit to the Board, verified under oath, written evidence in form and content satisfactory to the Board, that the individual:

1. Is of good moral character as defined in these Rules and Regulations. Good moral character is a continuing requirement for licensure.

2. Has on file with the Board an acceptable criminal history records check, using finger print identification, by appropriate governmental authorities and an acceptable sex offender check, prescribed by the Board ~~a Mississippi Sex Offender Registry check acceptable to the Board~~;

3. Has not engaged in any practice or conduct which violates the standards of conduct set forth in these regulations;

4. Meets all the qualifications required for licensure including, but not limited to, education and experience, passing examination

scores, physical and mental abilities and has no addiction to or dependency upon alcohol, drugs, or other agent which may endanger the public or impair their ability or professional competence;

5. Has not acquired by deception or fraud, the education, experience, passing examination scores, professional references or any other qualifying factor used as a basis for licensure;

6. Does not have any previous or pending, complaints or disciplinary actions against them by any professional association or state of jurisdiction which have not been resolved to the satisfaction of the Board. It is the responsibility of the applicant to inform the Board if such items exist or have existed, and the Board may delay action on the licensure application until the complaints or disciplinary actions have been resolved and verified in writing to the satisfaction of the Board. If an applicant fails to reveal to the Board knowledge of previous or pending complaints or disciplinary actions, and the Board grants a license, the license will be revoked and the licensee will be disciplined by the Board;

7. Is at least twenty-one (21) years of age;

8. Meet all other requirements outlined in these rules and regulations;

C. Specific Requirements for Licensure as a Licensed Marriage and Family Therapist (LMFT)

1. Education: The individual seeking licensure must hold a masters or doctoral degree in marriage and family therapy from a COAMFTE accredited marriage and family therapy program; or holds a masters or doctoral degree in marriage and family therapy from a college or university program with candidacy status by COAMFTE which subsequently received COAMFTE accreditation. The applicant must have completed a clinical practicum in marriage and family therapy of no less than 12 consecutive months that provided him or her face to face clinical practice with individuals, couples and families and allowed the applicant to apply classroom learning to actual marriage and family therapy practice situations in the field setting providing for live supervision. The practicum student must have completed a minimum of 500 face to face clinical client contact hours of which no less than 200 must be relational contact hours with couples and/or families and must have received supervision with a ratio of no less than one (1) hour of supervision for each six (6) hours of clinical client contact. The practicum experience must be

supervised by an AAMFT approved supervisor or Supervisor Candidate under supervision-of-supervision by an AAMFT Approved Supervisor. Practicum groups must be limited to a maximum of 8 supervisees per supervisor per group. An official transcript from the educational institution must be sent directly to the Board by the institution. ~~The individual seeking licensure must hold a masters or doctoral degree with a major in marriage and family therapy, from a college or university accredited by a regional accrediting body and a COAMFTE accredited marriage and family therapy program; or holds a masters or doctoral degree from a college or university accredited by a regional accrediting body and a program with candidacy status by COAMFTE which subsequently received COAMFTE accreditation. An official transcript from the educational institution must be sent directly to the Board by the institution.~~

2. Post Graduate Clinical Experience: ~~T~~he individual under an approved supervision plan seeking licensure must complete two years of documented clinical experience following the first qualifying graduate degree in the practice of marriage and family therapy within an agency, institution, or group practice setting. Application for licensure as a marriage and family therapist must occur within two years of completion of post graduate clinical experience. An individual seeking status as a Licensed Marriage and Family Therapist who is not acquiring the documented clinical experience in an agency, institution, or a group practice setting will be practicing outside of Board's Rules and Regulations, and his or her Plan of Supervision will not be approved by the MFT Discipline Specific Committee or the Board. This post graduate clinical experience must include a minimum of 1,000 documented face-to-face client contact hours. Documentation of compliance with this paragraph must be sent from the agency or person providing the clinical supervision directly to the Board. ~~The individual seeking licensure must complete two years of documented clinical experience following the first qualifying *graduate* degree in the practice of marriage and family therapy **within an agency, institution, or group practice setting** under supervision approved by the Board. **An individual seeking status as a Licensed Marriage and Family Therapist who does not have the documented clinical experience in an agency, institution, or a group practice setting will be practicing outside of Board's Rules and Regulations, and his or her Plan of Supervision will not be approved by the MFT Discipline Specific Committee or the Board. This experience must include a minimum of 1,000 client contact hours**. All documentation of both the clinical experience and the supervision as requested in the~~

~~application process must be sent by the agency or supervisor directly to the Board.~~

3. Supervision: As required by these Rules and Regulations: an individual seeking licensure must:

   a. The individual seeking licensure must complete 200 hours of marriage and family therapy supervision. A minimum of 50 hours of the 200 hours of supervision must be individual supervision. Individual supervision is no more than two (2) marriage and family therapy supervisees or associates in a clinical setting during the supervision hour, which is fifty minutes. ~~At least 100 of these 200 hours must occur following receipt of the first qualifying graduate degree in marriage and family therapy and the Board's approval of the applicant's supervision plan.~~

   b. Up to one year of a COAMFTE approved doctoral internship may be counted toward the required two years of post graduate supervised clinical experience when the doctoral internship involved the provision of clinical marriage and family therapy services in a mental health treatment setting under the supervision of an AAMFT Approved Supervisor or AAMFT Supervisor Candidate under supervision-of-supervision of an AAMFT Approved Supervisor. Teaching or other non-clinical internship experiences will not be acceptable for satisfying this requirement..

   c. Up to 100 hours of acceptable clinical supervision accumulated during graduate training may be counted toward the required 200 hours of clinical supervision. All 100 of the post graduate supervision hours must be completed with a Board Approved Supervisor.

   d. At least 100 hours of the 200 hours of clinical supervision must be completed with an AAMFT approved supervisor.

   e. The individual seeking licensure must complete and submit a Plan of Supervision (including the Supervisor's Statement), the *Application to Enter Into Contract for Supervision Toward Licensure as a Marriage and Family Therapist*, and a non-refundable processing fee to the Board for approval. All plans of professional post-masters supervision *must be approved by the Board prior to the beginning of said supervision, i.e., no retroactive approval*

of professional supervision will be granted except as provided in this section.. Supervisees will not receive more than four (4) hours credit for supervision completed prior to the Board's approval of the supervision plan. Supervisees should utilize this four (4) hours of supervision to collaboratively develop their supervision plan with their supervisor**.** The Board reserves the right to request explanations or plans of correction related to the submitted Plan of Supervision at any point.

f. Some individuals may be required, due to their circumstances, to work with two different supervisors concurrently. This may be permitted as long as a Plan of Supervision has been completed with each individual supervisor and each Plan has been submitted and approved by the Board.

g. Evaluations of the supervisee are to be completed on evaluation forms available from the Board and submitted by the supervisor to the Board in accordance with the following schedule:

1. First evaluation is to be submitted ten (10) to twelve (12) months following Board approval of the Plan of Supervision.

2. The final evaluation is to be submitted when supervision is complete (twenty-four [24] to thirty-six [36] months following Board approval of the Plan of Supervision), accompanied by the Termination of Supervision Form, and completed Documentation of Supervision forms (all necessary forms are available from Board and at the Board's website).

h. The supervisory process requires an average ~~a minimum~~ of one hour per week or two hours of biweekly meetings of face-to-face supervision throughout a minimum period of twenty-four (24) consecutive months. The period of supervision may not exceed thirty-six (36) months. Under unusual circumstances (e.g., hurricane disaster, documented illness, etc.) a supervisee may apply for an extension of the supervisory process, which may be granted at the discretion of the Board.

i. Supervision means the direct clinical review, for the purposes of training or teaching by a supervisor, of the supervisee's interaction with a client. The supervision process may include time dedicated to personal and professional growth of the supervisee. Supervision provides guidance in administrative issues in the practice setting, continues and expands education in skills, professional competence and understanding of the marriage and family therapy profession, offers emotional support, and provides evaluation for purposes of the supervisee's growth, as well as administrative judgment relative to the supervisee's capacity for autonomous professional function. ~~The purpose of supervision shall be to promote the development of the supervisee's clinical skills.~~ Supervision occurs through multiple methods, including live supervision, video/audiotape review, and case report. It must be a process clearly distinguishable from personal psychotherapy and is conducted in order to serve professional goals. Acceptable modes of supervision are as follows:

1. individual supervision ~~shall mean a maximum of two (2) supervisees meeting with one supervisor.~~

2. group supervision ~~shall mean a maximum of eight (8) supervisees meeting with one supervisor.~~

j. The following is **not** acceptable marriage and family supervision: peer supervision; supervision by current or former family members or any other person with whom the nature of the personal relationship prevents, or makes difficult, the establishment of a professional supervisory relationship; administrative supervision; a primarily didactic process wherein techniques or procedures are taught in a group setting, classroom, workshop seminar, staff development, orientation to a field or program or role-playing of family relationships as a substitute for current clinical practice in an appropriate clinical situation.

4. Working with a Board Approved Supervisor: All postgraduate supervision must be received from an individual(s), who, at the time the supervision took place, was approved by the Board as a qualified supervisor and held a license to practice as a Marriage and Family Therapist.

b. To become a Board approved Supervisor, an individual (other than an AAMFT Approved Supervisor) must have completed a minimum of four (4) consecutive years ~~two years~~ of verifiable practice at the LMFT level, submitted an application for supervisory approval to the Board, and received notice from the Board that the application was approved. AAMFT Supervisor Candidates must have four (4) consecutive years of verifiable practice at the LMFT level and must be under supervision-of supervision by an AAMFT Approved Supervisor.

b. An AAMFT Approved Supervisor may be recognized as approved by the Board upon: a) providing proof of licensure as a marriage and family therapist for two (2) years; b) submitting an application for supervisory approval to the Board; and c) providing documentation of current status as an AAMFT Approved Supervisor.

c. To be approved as a supervisor by the Board, an individual must have also completed a course in marriage and family therapy supervision approved by the Board with a minimum of twenty-four (24) contact hours. ~~with a minimum of sixteen contact hours as approved by the Board.~~ Supervision trainers (those teaching approved supervision courses) must be LMFTs and AAMFT Approved Supervisors. ~~An AAMFT Approved Supervisor with current credentials can be recognized as approved by the Board after fulfilling the following requirements: a) provide proof of licensure as a marriage and family therapist; b) submit an application for supervisory approval to the Board; and c) provide documentation of current status as an AAMFT Approved Supervisor.~~

d. All supervisors who have been approved by the Board, including supervisors who are AAMFT Approved Supervisors, are required to complete two (2) hours of MFT supervision continuing education every (2) two years. No supervision continuing education hours are required for the first renewal period. **All continuing education for supervision credit must be approved by the Board.** The Board will not approve self-directed learning projects/activities and/or distance learning/internet (online) learning courses for the supervision CE requirement. **Supervisor Refresher courses provided by AAMFT** or any division of the AAMFT **are automatically approved as meeting this requirement without Board action.**

k. All supervisors who have been approved by the Board, including supervisors who are AAMFT Approved Supervisors, are required to complete a Supervisor Renewal Form biennially (to be included with their Licensure Renewal Application if licensed in Mississippi) indicating they have met all continuing education requirements.

l. Approved supervisors are required to maintain copies of supervisee's evaluations and documentation pertaining to the supervisor/supervisee relationship for a period of two calendar years following termination of the supervision contract with a supervisee.

m. Approved supervisors are required to work with the supervisee to complete a **Plan of Supervision** (including the **Supervisor's Statement**) and submit this to the Board. The Plan of Supervision must be approved by the Board before supervision can commence. Supervisees will not receive more than four (4) hours credit for supervision completed prior to the Board's approval of the supervision plan. Supervisees should utilize this four (4) hours of supervision to collaboratively develop their supervision plan with their supervisor**.** No plan of supervision will be approved if the approved supervisor is supervising more than **eight (8)** postgraduate licensure supervisees pursuing LMFT status in Mississippi <u>at any given time</u>.

n. Evaluations of the supervisee are to be completed by the supervisor during consultative sessions with the supervisee and submitted by the supervisor to the Board. T~~he Board reserves the right to request an explanation from the supervisor if a supervisee scores very high (e.g., all tens) on their evaluation, especially on the first evaluation. Supervisory comments are to be noted in the designated place for each evaluative tool submitted~~.

o. It is the responsibility of the approved supervisor to obtain a supervisor approval renewal form from the Board, to obtain the required continuing education verification, and to see that his or her approval is renewed on time. These forms are available online at the Board's website. Failure to receive a notice of renewal does not absolve the approved supervisor of his or her responsibility to renew this designation before the expiration date.

p. A list of Board approved supervisors is available online at the Board's website. Any individual having difficulty securing the services of a supervisor approved by the Board may contact the Board. When an individual wishes to be supervised by someone who is not an approved supervisor, the prospective supervisor will need to be eligible to become approved and will be required to complete the supervisory approval process prior to engaging in supervision.

5. How to Change Supervisors: Should it become necessary for a individual to change supervisors, the following steps must be followed to ensure continuity:

   a. All relevant evaluation forms, including a Termination of Supervision Form, must be completed and submitted to the Board. The Termination of Supervision form must specify the number of hours of supervision completed, the period of supervision, and the reason for the dissolution of the supervisor/supervisee relationship. In cases where the supervisor is unable to complete this form (e.g., death) the supervisee must complete the termination of supervision form and provide such documentation as the Board deems necessary in support of the information contained on said form.

   b. If supervision is to be continued with another approved supervisor, a new application (Application to Enter into Contract for Supervision toward Licensure as a Marriage and Family Therapist) and Plan of Supervision must be submitted to the Board for approval. *Only after receipt of correspondence acknowledging that approval has been granted by the Board, may the new supervisory process commence.* The Board reserves the right to request explanations or plans of correction related to the Plan of Supervision at any point. No processing fee is required for this change.

6. Application Process for Approval of Postgraduate Supervision: It is the responsibility of the applicant for licensure to see that all forms, supporting documents, transcripts, etc., are completed, signed and notarized as required and sent to the Board in a timely manner. The Board will not consider an application as having been submitted until all the required items have been received by the Board. Applicants must submit to the Board, or ensure that the Board receives, the following items:

d. The original signed, notarized and completed Application to Enter into Contract for Supervision toward Licensure as a Marriage and Family Therapist or a Marriage and Family Therapy Associate form and processing fees. Application materials are available online at the Board's website. The Board does not accept personal checks for payment of fees;

e. A Supervisor's Statement form completed and signed by the approved supervisor

f. A written, detailed Plan of Supervision; In this written, detailed plan of supervision, all points must be covered in sufficient detail for *review and approval* by the MFT Discipline Specific Committee*;* Specific topics to be addressed in the plan of supervision include, but are not limited to, the following:

1. The supervisee's and supervisor's orientation in this relationship, specifically addressing the purpose and goals of the supervisee and the frequency of supervision meetings for this particular supervision relationship;

2. The professional development of the supervisee, addressing issues related to the knowledge, skills, and values of the supervisee; and,

3. Issues related to supervisee's practice as a marriage and family therapist, including, but not limited to, the application of theories and models; the responsibilities of the supervisee to himself or herself, his or her clients, and the community; and the supervisee's commitment to continued learning and service.

4. This plan must be signed by both the supervisor and supervisee.

d. Official transcripts of graduate education mailed directly to the Board by the institution(s);

e. Recent picture of the applicant; and

f. The required processing fee.

7. For post graduate supervision begun with a supervisor prior to May 1, 2007, the individual providing clinical supervision must have been, at the time the supervision took place, a licensed marriage and family therapist, licensed psychologist, licensed certified social worker, licensed professional counselor, clinical nurse specialist, or psychiatrist with five (5) years' ~~5~~ experience in his/her discipline and training in marriage and family therapy as determined by the Board Discipline Specific Committee. These individuals must have completed the application process for licensure by September 30, 2010. After September 30, 2010 these applicants must meet current standards prescribed below in Part 1903, Chapter 2, Rule 2.2, C below.

8. Supervision for licensure initiated after May 1, 2007 must be approved by the Board.

D. Examinations

The examination for licensing marriage and family therapist shall be the American Association of Marital and Family Therapy Regulatory Boards (AMFTRB) Examination in Marital and Family Therapy.

1. **Application Process**

a. An applicant for examination shall file an application, on forms supplied by the Board, at least 30 days prior to an examination date. An applicant is not eligible to take the examination until approved by the Board.

b. An applicant currently enrolled in a COAMFTE accredited graduate program may sit for the exam 90 days prior to graduation with the written approval of their program director.

c. An applicant may not be licensed as a Marriage and Family Therapy Associate or a Licensed Marriage and Family Therapist without passing the required examination. ~~without the required examination.~~

d. The passing score on the examination shall be the passing score of the Board approved testing entity.

2. **Frequency of Examinations**

Applicants seeking to retake the examination are required to follow AMFTRB guidelines regarding examination administration.

3. **Cost of Examination:** The cost of the examination is dependent upon the fees charged by the testing service and is the responsibility of the applicant

4. Release of Examination Scores to COAMFTE Accredited Programs: The Board will release examination scores for all accredited program graduates taking the examination to the accredited program director only if the candidate taking the examination has provided written permission for the Board to release said scores to the accredited program.

E. Application Requirements for Licensure as a Marriage and Family Therapy Associate (LMFTA)

The Board must have satisfactory evidence of the applicant successfully passing the AMFTRB Examination in Marital and Family Therapy before it will consider the application. In addition, applicants for licensure must submit to the Board, or ensure the Board receives, the following items:

1. The original signed, notarized and completed application form;

2. Official transcripts of graduate education mailed directly to the Board by the institution(s) if most current transcripts have not been previously submitted to the Board;

3. Documentation of a completed clinical practicum in marriage and family therapy of no less than 12 consecutive months that provided him or her face to face clinical practice with individuals, couples and families and allowed the applicant to apply classroom learning to actual marriage and family therapy practice situations in the field setting providing for live supervision. The practicum student must have completed a minimum of 500 face to face clinical client contact hours of which no less than 200 must be relational contact hours with couples and/or families and must have received supervision with a ratio of no less than one (1) hour of supervision for each six (6) hours of clinical client contact. The practicum experience must be supervised by an AAMFT Approved Supervisor or Supervisor Candidate under supervision-of-supervision by an AAMFT Approved Supervisor. Practicum groups must be limited to a maximum of 8 supervisees per supervisor per group.

4. Documentation of a passing score on the National Examination in Marital and Family Therapy prescribed by the Association for Marital and Family Therapy Regulatory Boards.

5. Documentation of an acceptable supervision plan that has been approved by the Board.

6. Three acceptable letters of professional reference from licensed mental health professionals who have known the applicant for at least one year, sent directly to the Board by the professional.

7. Recent picture of the applicant.

8. The applicant must have completed a statewide and nationwide, using fingerprint identification, criminal history and background check and must have received a criminal background clearance within one-hundred eighty (180) days of the completed application. This criminal history record information must be received by the Board directly from the appropriate governmental authority or authorities, not from the applicant;

F. Application Requirements for Licensure as a Marriage and Family Therapist. The Board must have evidence of the applicant successfully passing the AMFTRB Examination in Marital and Family Therapy before it will consider the application. In addition, applicants for licensure must submit to the Board, or ensure the Board receives, the following items:

1. The original signed, notarized and completed application form;

2. Official transcripts of graduate education mailed directly to the Board by the institution(s) if up to date transcripts have not been previously submitted to the Board;

3. Documentation of a completed clinical practicum of no less than twelve (12) consecutive months that provided him or her face to face clinical practice with individuals, couples and families and allowed the applicant to apply classroom learning to actual marriage and family therapy practice situations in the field setting providing for live supervision. The practicum student must have completed a minimum of 500 face to face clinical client contact hours of which no less than 200 must be relational contact hours with couples and/or families and must have received supervision with a ratio of no less than one (1) hour of supervision for each six (6) hours of clinical client contact. The practicum experience must be supervised by an AAMFT Approved Supervisor or Supervisor Candidate under supervision-of- supervision by an AAMFT Approved Supervisor. Practicum groups must be limited to a maximum of 8 supervisees per supervisor per group.

~~Documentation of acceptable clinical experience, an acceptable final supervision evaluation (the first evaluation must have already been submitted to the Board by the supervisor), and all necessary Termination of Supervision Forms must be submitted directly to the Board by the appropriate agency and/or supervisor(s);~~

4. Documentation of a passing score on the National Examination in Marital and Family Therapy prescribed by the Association for Marital and Family Therapy Regulatory Boards. ~~Three acceptable letters of professional reference from licensed mental health professionals who have known the applicant for at least one year, sent directly to the Board by the professional. The persons documenting the clinical experience and supervision may NOT be used for the letters of professional reference;~~

5. Documentation of clinical experience acceptable to the Board, a final supervision evaluation acceptable to the Board (the first evaluation must have already been submitted to the Board by the supervisor), and all necessary Termination of Supervision Forms must be submitted directly to the Board by the appropriate agency and/or supervisor(s); ~~Recent picture of the applicant, if a picture has not been previously submitted to the Board;~~

6. Three acceptable letters of professional reference from licensed mental health professionals who have known the applicant for at least one year, sent directly to the Board by the professional. The persons documenting the clinical experience and supervision may NOT be used for the letters of professional reference; ~~A current criminal history record information check conducted by the appropriate governmental authority or authorities within one-hundred eighty (180) days of the completed application. This criminal history record information check must be received by the Board directly from the appropriate governmental authority or authorities, not from the applicant;~~

7. Recent picture of the applicant, if a picture has not been previously submitted to the Board; ~~An acceptable Sex Offender Registry check conducted by the Board;~~

8. An acceptable criminal history records check, finger print and an acceptable sex offender check, by appropriate governmental authorities as prescribed by the Board . The applicant must have completed a statewide and nationwide, using fingerprint identification, criminal history and background check and must have received criminal background clearance within one hundred eighty (180) days immediately before the completed application is filed with the Board. This criminal history record information . must be received by the Board directly from the appropriate

governmental authority or authorities, not from the applicant; ~~The non-refundable application fee~~.

9. The non-refundable application fee

G. Licensure by Endorsement

3. Licensed Marriage and Family Therapy Associate

The Board does not license Marriage and Family Therapy Associates by endorsement. Applicants seeking state licensure as a Marriage and Family Therapy Associate must meet all current Board requirements.

4. Licensed Marriage and Family Therapist

An applicant who is currently licensed for independent practice as a marriage and family therapist in another jurisdiction (LCMFT in the states of Kansas and Ohio) of the United States The Board may issue a license to applicants from another jurisdiction if the applicant has been licensed as a marriage and family therapist in the other state, which currently has in the opinion of the Board, regulatory standards and qualifications substantially equivalent to those required for marriage and family therapists in Mississippi. In addition the applicant must have been licensed as a marriage and family therapist in good standing in the other state for five (5) consecutive years immediately prior to the date his or her completed application is filed with the Board, has no record of disciplinary actions, has no pending disciplinary action, has passed the National Examination in Marital and Family Therapy in accordance with AMFTRB standards and satisfies the requirements listed below: ~~The Board may issue a license, to an applicant licensed as a marriage and family therapist under the laws of another state if the requirements for licensure in that state are, on the date of licensure, substantially equal to the current requirements of the Mississippi Board of Examiners. The Board may waive the examination requirement only under exceptional circumstances.~~

~~Applicants who have complaints pending against them in any state will not be granted a Mississippi license until such complaints are resolved to the satisfaction of the Mississippi Board of Examiners~~.

1. Requirements for ~~reciprocity or~~ endorsement

a. The original signed, notarized and completed application form;

b. Licensure verification form(s) mailed directly to the Board from the state or jurisdiction in which the current license(s) is/are held;

c. Official transcripts of graduate education mailed directly to the Board by the Institution;

d. Documentation of a passing score on the National Examination in Marital and Family Therapy prescribed by the Association for Marital and Family Therapy Regulatory Boards; ~~A recent picture of the applicant;~~

e. A recent picture of the applicant; ~~A current criminal history record information check conducted by the appropriate governmental authority or authorities within one hundred eighty (180) days of the completed application. This criminal history record information check must be received by the Board directly from the appropriate governmental authority or authorities, not from the applicant;~~

f. The applicant must have completed a statewide and nationwide, using fingerprint identification, criminal history and background check and must have received criminal background clearance within ninety (90) days immediately before the completed application is filed with the Board. This criminal history record information check must be received by the Board directly from the appropriate governmental authority or authorities, not from the applicant; ~~An acceptable Sex Offender Registry check conducted by the Board;~~

g. The non-refundable application fee.

Source: Miss. Code Ann. §§73-53-11(1)(c), (d), (e), (g), (k), (*l*), (n), (o) and (u), 73-53-15, 73-54-7, 73-54-11, 73-54-13, 73-54-17, 73-54-19, 73-54-23, 73-54-27(4) and 73-54-29(4)(Supp. 2011).

Rule 2.3 THE APPLICATION PROCESS

D. Making the Application for Licensure

1. The current rules and regulations regarding licensure, as well as all application forms, are available online at the Board website, http://www.swmft.ms.gov/swmft. The applicant may also request an official application packet for licensure as a marriage and family therapist, and a copy of the current rules and regulations regarding licensure from the Board for a fee as prescribed in Part 1903, Chapter 5, Rule 5.2.

2. Additional copies of the required forms may be made as needed.

3. It is the responsibility of the applicant to see that all forms, supporting documents, references, fees, transcripts, etc. are completed, signed and notarized as required and sent to the Board in a timely manner.

4. The Board will not consider an application as complete until all forms, documentation, references, fees, transcripts, etc. have been received by the Board.

5. Inaccurate information or misrepresentation of facts on any form submitted to the board may result in a denial of licensure or revocation of the license at a later date.

E. Board Consideration of Licensure Applications

1. The Board will consider all applications under the rules and regulations for licensure that are in effect on the date the application was received by the Board.

2. The Board will consider the applications when all related items are in the file. If the Board approves the application, the applicant will be notified in writing. If the application is not approved, the applicant will be notified in writing of the reason(s).

3. If the application is approved, the board will notify the applicant of the amount of the initial license fee that is due, depending on the time during the year when the application was approved. The license fee must be paid in full before the license is issued.

4. Once the license fee is paid in full, the Board will assign a license number and issue the applicant an official certificate.

F. Disposition of Incomplete or Deficient Applications

1. Removal of Deficiencies:

If a preliminary review of the application by the Board reveals that the application is incomplete or has a minor deficiency, the applicant will be notified in writing. The applicant will be given six (6) months from the date of the first notice to remedy the problem while the application is held on active status by the Board. Applicants may, at the discretion of the Board, be granted one additional extension, not to exceed six (6) months, for unusual extenuating circumstances upon a written request, with full explanation of circumstances, submitted to the Board before the expiration of the initial six months extension.

2. Abandoned Applications:

Incomplete application on file for more than thirty-six (36) months from the date the Plan of Supervision was approved by the Board or applications that have not been completed or made sufficient during the extended time granted by the board, will be declared abandoned by the Board and will be given no further consideration.

a. Any incomplete or missing information, documentation or fees shall render the application incomplete. No license shall be issued unless all application requirements have been met. Incomplete applications will be considered abandoned after sixty (60) days from the date of the approval by the Board, to pay the initial license fee. Any fees paid shall not be refunded. ~~Once an application for licensure is approved by the Board, the applicant will have 60 days from the date of the notification of approval to pay the initial license fee. If the initial license fee is not received within 60 days, the application will be declared abandoned by the Board.~~

b. Submission of New Application: Once an application has been declared abandoned by the Board, the applicant may submit a completely new application for licensure under the rules and regulations in effect at the time the new application is submitted.

Source: Miss. Code Ann. §§73-53-11(1)(c), (d) and (e), 73-53-15(2), 73-54-11(1), 73-54-13 and 73-54-17 (Supp. 2011).

Rule 2.4 Status of License

A. Active or in Good Standing: Is the status held by a licensee who has complied, and is in compliance, with all of the licensure and licensure renewal requirements of the Board and has no disciplinary actions against the license or licensee. Licensees on active status and in good standing may utilize the Board's online renewal system. ~~When the licensee has met and maintained all the qualifications necessary for licensure, has renewed the license before the September 30 expiration date, has paid all fees and administrative costs on time, and there are no disciplinary actions against the licensee. Licensees on active status and in good standing may utilize the Board's online renewal system.~~

B. Denied: The Board determines that the applicant or licensee has failed to meet any requirement or standard established by the Mississippi *Marriage and Family Therapy Licensure Act of* 1997, as amended, and/or these Rules and Regulation or the applicant or licensee has failed to comply

with the laws, rules and regulations pertaining to the practice of marriage and family therapy. ~~When the Board determines that the applicant does not meet the requirement for licensure, or the applicant has violated the standards of conduct of the Code of Ethics or that the applicant is not of good moral character, or the Board has not received an acceptable criminal history records information check and an acceptable report based on a check of the Mississippi Sex Offender Registry, or the applicant has not corrected the application deficiencies stated to the applicant in writing within the time allowed. Licensees who are unable to produce documentation of completion of approved continuing education requirements will not have their license renewed~~.

C. Revoked: Disciplinary action taken by the Board extinguishing or terminating a license or certificate and all rights, privileges and authority previously conferred and associated with the license or certificate. The person may not practice marriage and family therapy during the time the license is revoked unless he or she is exempt form the requirements of licensure by the Board as provided by Section 73-54-9 of the Mississippi Code of 1972 as amended. A person whose license has been revoked by the Board may apply for reinstatement as ordered by the Board. The Board may reinstate the license if satisfactory evidence is submitted to the Board proving that all conditions for reinstatement of the license, if any, have been met. ~~or Suspended~~: ~~The Board may revoke or suspend a license on grounds set forth in these regulations. The person may not practice marriage and family therapy during the time the license is revoked or suspended unless the licensee qualifies to be excluded from licensure as a marriage and family therapist. The board may, at its option, reinstate the license when the conditions for reinstatement, if any are allowed by the Board, have been met, and the reinstatement process is followed~~.

D. Suspended: Action against a license rendering such license, and all rights, privileges and authority previously conferred and associated with the license, without force and effect for a period of time as determined by the Board. The person may not practice marriage and family therapy during the time the license is suspended unless he or she is exempt from the requirement of licensure by the Board as provide by Section 73-54-9 of the Mississippi Code of 1972 as amended. A person whose license has been suspended by the Board may seek reinstatement of the license as ordered by the Board. The Board may reinstate the license if satisfactory evidence is submitted to the Board proving that all conditions for reinstatement of the license, if any, have been met. ~~Lapsed: Licensees who fail to renew their license biennially before or during September of the appropriate year, shall have their licenses lapsed. A licensee may not practice marriage and family therapy during the time their license is lapsed. The license may be reinstated within a two year period by following the reinstatement process. A license that has lapsed for more than two (2) years cannot be renewed or reinstated. The licensee must apply for a new license under the requirements, set forth in the rules and~~

~~regulations that are in effect at the time the new application is received by the Board~~

E. Lapsed: The status of a license of an individual who has failed to renew the license as of the deadline for renewing (that is, by September 30 of the expiration year of the license). A license that has lapsed is no longer valid and the individual's privilege to practice marriage and family therapy terminates. A licensee may not practice marriage and family therapy during the time his or her license is lapsed. The license may be reinstated within a two (2) year period by following the reinstatement process. A license that has lapsed for more than two (2) years cannot be renewed or reinstated. The licensee must apply for a new license and meet the conditions for licensure under the laws and requirements set forth in the rules and regulations that are in effect at the time the new application is received by the Board. ~~Inactive: Licensed Marriage and Family Therapists may request in writing on forms provided by the Board that their licenses be placed on inactive status. The Board will consider the request and will notify the licensee of its decision within 60 days of receiving the written request for inactive status. Those granted inactive status shall be excused from paying renewal fees until they notify the Board in writing of their intention to resume active practice. If a licensee fails to return to active status within two years of being placed on inactive status, the licensee may request an extension in writing on forms provided by the Board (this form is available on the Board's website) for an additional two years. If the licensee does not request an extension in writing on forms provided by the Board or no extension has been granted in writing by the Board, the license will be considered as lapsed on the September 30th following the end of the inactive status period, the licensee must apply for a new license under the requirements set forth in the laws, rules and regulations that are in effect at the time the new application is received by the Board.~~

~~All licensees on inactive status must provide evidence of having obtained the acceptable continuing education hours that would have been required had they been licensed in an Active status.~~

~~Disciplinary action will be taken against a licensee on inactive status who performs marriage and family therapy in the state of Mississippi or presents him/herself as a licensed marriage and family therapist.~~

F. Inactive: A license that has been placed in an inoperative or non-working status in accordance with Board rules and based upon the licensee's certification to the Board that he or she will not practice or offer to practice marriage and family therapy in Mississippi. A Licensed Marriage and Family Therapist may request in writing on the forms provided by the Board that his or her license be placed on inactive status. The Board will consider the request and will notify the licensee of its decision within 60

days of receiving the written request for inactive status. Licensed Marriage and Family Therapy Associates are not eligible for inactive status.

During the period of inactive status, the individual is prohibited from practicing marriage and family therapy or representing or presenting himself or herself as having a license, practice privilege, certificate or registration that entitles one to practice as a marriage and family therapist in Mississippi.

A Licensed Marriage and Family Therapist granted inactive status shall be excused from paying renewal fees until he or she notifies the Board in writing of his or her intention to resume active practice. If a licensee fails to return to active status within two (2) years of being placed on inactive status, the licensee may request an extension in writing on forms provided by the Board for an additional two years. If the licensee does not request an extension in writing on forms provided by the Board or no extension has been granted in writing by the Board, the license will be deemed lapsed on September 30th following the end of the inactive status period. The licensee must then apply for a new license under the requirements set forth in the laws, rules and regulations that are in effect at the time the new application is received by the Board.

Each Marriage and Family Therapist licensee on inactive status must provide the Board with satisfactory evidence of having obtained acceptable/approved continuing education hours that would have been required had he or she been licensed in an Active status.

Disciplinary action will be taken against a licensee on inactive status who performs marriage and family therapy in the state of Mississippi or presents him/herself as a licensed marriage and family therapist.

Source: Miss. Code Ann. §§73-53-11(1)(c), (e) and (k), 73-53-23(1), 73-54-11(1), 73-54-13, 73-54-17, 73-54-27 and 73-54-29 (Supp. 2011).

Part1903 Chapter 3 Professional Standards of Practice and Code of Conduct

Rule 3.1 PROFESSIONAL IDENTIFICATION AS A MARRIAGE AND FAMILY THERAPIST

A. Titles and Abbreviations

Persons licensed to practice marriage and family therapy in Mississippi may use the title “Licensed Marriage and Family Therapist” and they may use the letters LMFT as a professional identification following their name as it appears on the license. Persons licensed to practice as Marriage and Family Therapy Associates in Mississippi may use the title “Licensed Marriage and Family Therapy Associate” and they may use the letters

LMFTA as professional identification following their name as it appears on the license.

B. Display of License

The certificate of licensure issued by the Board and the current verification of renewal shall be displayed at all times in the licensee's place of practice. Official duplicates of the license may be obtained from the board if more than one copy is needed.

C. Change in Name

It is the responsibility of the licensee to notify the Board promptly, no later than 30 days following the change of name, of any change in their name and to request a new certificate of licensure showing the appropriate name. All requests for a name changed must be made in writing, signed and notarized, and accompanied by a certified copy of the legal document which changed the name, and the appropriate fee or administrative cost. Licensees will be in violation of the standards of practice if they practice using a name different from the one appearing on their license certificate, and will be subject to disciplinary action by the Board.

Source: Miss. Code Ann. §§73-53-11(1)(c), (g), (k) and (2), 73-54-3 and 73-54-11(1) (2008 & Supp. 2011).

Part1903 Chapter 4 Continuing Education and Licensure Renewal; Reinstatement

Rule 4.1 CONTINUING EDUCATION

F. Purpose

The purpose of this section is to establish the continuing education requirements for licensed marriage and family therapists (LMFT). The LMFT license must be renewed biennially. Licensed marriage and family therapy associates (LMFTA) are not required to participate in continuing education. The continuing education offerings for each discipline (social workers and marriage and family therapists) are approved independently. Licensees should NOT assume that an approved offering for one discipline is also approved for the other discipline. The MBOE website maintains separate lists of approved continuing education offerings for social workers and marriage and family therapists. The primary objective of continuing education must be to maintain and improve the quality of professional services in marriage and family therapy provided to the public; maintain and improve the therapist's knowledge of current research, techniques, and practice; and provide other resources which will improve skill and competence in marriage and family therapy. A licensee will receive credit only for continuing education programs or activities

approved by the MFT Continuing Education Committee. Approved programs will be listed on the Continuing Education Offering for MFTs page on the Board's website. Continuing education hours must be relevant to the practice of marriage and family therapy as determined by the Board in accordance with the criteria cited at Part 1903, Chapter 4, Rule 4.1(H) of these Rules and Regulations. ~~The purpose of this section is to establish the continuing education requirements for the renewal of licensure which an LMFT must complete biennially. The continuing education offerings for each discipline (social workers and marriage and family therapists) are approved independently. Licensees should NOT assume that an approved offering for one discipline is also approved for the other discipline. The MBOE website maintains separate lists of approved continuing education offerings for social workers and marriage and family therapists. The primary objective of continuing education must be to maintain and improve the quality of professional services in marriage and family therapy provided to the public; maintain and improve the therapist's knowledge of current research, techniques, and practice; and provide other resources which will improve skill and competence in marriage and family therapy. You can only report credit for continuing education programs or activities approved by the MFT Continuing Education Committee. Approved programs will be listed on the Continuing Education Offering for MFTs page on the Board's website. Continuing education hours **must be relevant to the practice of marriage and family therapy as determined by the Board**~~

G. Requirements

All licensed marriage and family therapists must complete twenty-four (24) hours of approved continuing education during every two (2) year license period. Four (4) out of the 24 must be approved MFT professional ethics hours. The Board will not approve self-directed learning projects and/or distance learning/internet (online) learning courses for the MFT ethics CE requirement. All Board approved supervisors, including those with AAMFT Approved Supervisor standing, must complete two (2) approved hours of MFT supervision continuing education each renewal period. No supervision continuing education hours are required for the first renewal period. The Board will not approve self-directed learning projects and/or distance learning/internet (online) learning courses for the supervision CE requirement. It is the responsibility of each licensee and supervisor to determine in advance that the continuing education activity has been approved by the MFT Continuing Education Committee. ~~All licensed marriage and family therapists must complete thirty-five (35) Hours of approved continuing education during every two (2) year license period. Four (4) out of the 35 must be approved **MFT professional ethics hours**. All Board approved supervisors, including those with AAMFT Approved Supervisor standing, must complete two (2) approved hours of MFT supervision continuing education each renewal period. No supervision continuing education hours are required for the first renewal~~

~~period. It is the responsibility of each licensee and supervisor to determine in advance that the continuing education activity has been approved by the MFT Continuing Education Committee. No continuing education hours are required for the first renewal period.~~

H. Board Continuing Education Committee

The MFT Continuing Education Committee shall consist of designated members of the MFT Discipline Specific Committee. The Board may also select non-Board members who they deem qualified, to serve on the MFT Continuing Education Committee. At least one member of the committee must be a professional educator from a COAMFTE MFT program. The chair of the committee will be a member of the MFT Discipline Specific Committee. ~~All licensed marriage and family therapists must complete thirty-five (35) Hours of approved continuing education during every two (2) year license period. Four (4) out of the 35 must be approved **MFT professional ethics hours**. All Board approved supervisors, including those with AAMFT Approved Supervisor standing, must complete two (2) approved hours of MFT supervision continuing education each renewal period. No supervision continuing education hours are required for the first renewal period. It is the responsibility of each licensee and supervisor to determine in advance that the continuing education activity has been approved by the MFT Continuing Education Committee. No continuing education hours are required for the first renewal period.~~

I. Determination of Clock Hour Credits

MFT Continuing Education Committee approved offerings shall be credited with one continuing education ~~on a one-for-one basis with one~~ clock-hour credit for each one clock-hour spent in the continuing education activity, unless otherwise designated by the Board. Time devoted to registration, organizational business, breakfasts, luncheons, dinners, or other refreshments shall not be counted as instructional or continuing education credit time.

J. Types of Acceptable Continuing Education

Credit will be given only for continuing education programs or activities approved by the MFT Continuing Education Committee ~~(a list is available on the Board's website)~~. To be acceptable to the MFT Continuing Education Committee continuing education offerings for LMFTs must conform to at least one of the seven content areas specified below under Criteria for Approval of Continuing Education Activities. A qualified presenter is someone found by the Board to be a professional in marriage and family therapy, another mental health discipline, or another profession with information, knowledge, and skills relevant to the practice of marriage and family therapy.

The following types of continuing education activities are acceptable **provided that the standards set forth below under Criteria for Approval of Continuing Education Activities have been met**:

1. Continuing education activities related to the practice of marriage and family therapy offered by the American Association of Marriage and Family Therapy (AAMFT) and any of it's divisions, including the Mississippi Association of Marriage and Family Therapy (MAMFT); Mississippi Board of Examiners for Social Workers and Marriage and Family Therapists; and the Association of Marital and Family Therapy Regulatory Boards are automatically approved by the MFT Continuing Education Committee.

2. Successful completion (grade B or better), from a regionally accredited college/ university, of a graduate course specific ~~related~~ to the practice of marriage and family therapy. One (1) academic semester hour will be equivalent to 5 hours of continuing education hours;

3. Teaching in a graduate school of marriage and family therapy. Credit will be applied at the rate of three (3) hours for every credit hour taught; teaching may count for no more than twelve (12) ~~ten~~ hours of the biannual continuing education requirement;

4. Presenting workshops, seminars, or lectures that are approved for CE credit for LMFTs will be awarded CEU credit at the rate of 2 hours of credit for each hour of presentation (if the same offering is presented multiple times during the two year renewal period, the continuing education credit hours may only be counted the first time the offering was presented);

5. Self-Directed Learning Projects and/or Distance Learning/Internet (Online) Learning Courses: Continuing education hours for distance learning/internet learning courses will only be granted for courses approved in advance ~~offered by Designated Providers, MBOE approved providers or by prior approval by the MFT CE Committee on a per case basis.~~ by the MFT CE Committee. The MFT CE Committee will grant continuing education hours only after completion of the course and proof of successful completion of post-test, course examination, and/or evaluation from the course provider. No more than 6 ~~17~~ hours of the 24 ~~35~~ required hours may be earned in this manner during each two year renewal period. **Ethics continuing education credits may *NOT* be obtained this way. A list of approved ethics courses may be found on the Board's Website;**

6. Continuing education credit may be earned by Board approved supervisors for clinical supervision of individuals with active Supervision Plans on file with the Board. Supervision may count for no more than ten (10) hours of the biennial continuing education requirement, but not count toward the two (2) hours required for Board approved supervisors to maintain their approved supervisor status; and,

7. An author of a book or peer reviewed article which, as determined by the Board, enhances a marriage and family therapist's knowledge or skill may be granted continuing education credit not to exceed one-half of the biannual continuing education requirement.

8. Supervised Self Directed Learning Groups

Licensed marriage and family therapists may earn up to eight (8) continuing education hours for each renewal period through participation in a Board approved supervised self directed learning group. In order to receive Board approval the following requirements must be met:

h. The group must be led by a Board Approved supervisor.

i. A supervision plan documenting the names and license numbers of all participants, proposed learning objectives and an outline of the process for meeting each learning objective must be approved in advance by the MFT Continuing Education Committee. Only plans meeting the criteria for approval of continuing education activities listed in Part 1903, Chapter 4, Rule 4.1(H) of these rules and regulations will be approved. Failure to submit a plan within the sixty-day time period could result in disapproval of the activity for continuing education credit.

j. Each participant must complete a post evaluation report documenting the effectiveness of the group learning experience and turn it in to the Approved Supervisor leading the group. This report should include evidence that the learning objectives were met. The Approved Supervisor shall maintain these reports for a period of four (4) years following completion of the supervised self directed learning group experience.

k. Participation in each supervised self directed learning group shall be limited to no less than four (4) and no more than eight (8) participants and a State Approved Supervisor.

l. The supervised self directed learning group supervisor must issue each participant a signed certificate of completion containing the participants name, license number, number of hours completed, dates of attendance, and MFT CE approval number.

m. MFT ethics CE hours and Approved Supervisor CE hours will not be awarded for participation in any self directed learning projects.

n. The fee for supervised self directed learning group approval shall be the same as the fee for becoming a Board Approved Continuing Education Provider.

F. Application Procedure to Become a Board Approved Continuing Education Sponsor

Appropriate providers may apply to the MFT Continuing Education Committee to become approved providers of continuing education activities. Providers may include, but are not limited to, colleges and universities, individuals, mental health agencies, private mental health organizations, and professional organizations. Home study programs are encouraged to apply for approved provider status.

Applicants for approved provider status must complete the necessary application and submit it to the MFT Continuing Education Committee and pay any associated fees (see section IX.B) required by the Board. The MFT Continuing Education Committee will evaluate the application and notify the applicant in writing regarding the approval of that application.

If granted, Approved provider status will expire on December 31 of each year. However, if an initial application is approved after September 1, the status will expire December 31 of the following year. Approved providers must reapply each year in order to maintain their approved provider status.

Approved providers are not required to submit an additional application fee per offering during their "approved provider" year. However, they must submit the appropriate application for each individual continuing education offering to the MFT Continuing Education Committee for review and approval. Each approved offering will be issued an approval number that must appear on the certificate provided to the participant. All applications should be received at least sixty days in advance of the offering in order to receive full consideration by the Committee. Failure to submit a plan within the sixty-day time period could result in disapproval of the organization or individual as an approved provider of continuing education.

G. Approval Procedure for any organization or individual that is not a Board

approved sponsor or designated provider

Any organization or individual that is not a Board approved continuing education provider must submit an application for each continuing education offering sixty days prior to the date of the offering. The applications must be made, in writing, to the MFT Continuing Education Committee, which reviews and pre-approves continuing education. **NO RETROACTIVE APPROVALS WILL BE MADE.** Applications for or questions about said approval should be sent to the following address:

Mississippi Board of Examiners for Social Workers and
Marriage and Family Therapists
MFT Continuing Education Committee
P.O. Box 4508
Jackson, MS 39296-4508
601-987-6806
1-888-895-3482 - Instate Only

The Board's office or the Chair of MFT Continuing Education Committee may be contacted for application forms or questions about the procedure.

H. Criteria for Approval of Continuing Education Activities

Continuing education hours must be relevant to the practice of marriage and family therapy as determined by the MFT Continuing Education Committee, with an emphasis on systemic approaches or the theory, research or practice of psychotherapy work with couples or families. Continuing education for marriage and family therapy general evolves from the following area and must be related to **at least one** of the following seven areas:

1. Theoretical Knowledge of Marriage and Family Therapy. Examples of acceptable offering content in this area include, but are not limited to, the historical development, theoretical and empirical foundations, and contemporary conceptual directions of the field of marriage and family therapy;

2. Clinical Knowledge of Marriage and Family Therapy. Courses in this area cover: ~~Examples of acceptable offering content in this area include, but are not limited to:~~
   a. couple and family therapy practice related conceptually to theory;
   b. contemporary issues, which include but are not limited to gender, violence, addictions, and abuse, in the treatment of individuals, couples, and families from a relational/systemic perspective;
   c. a wide variety of presenting clinical problems related to the practice of marriage and family theory and practice;

d. issues of gender and sexual functioning, sexual orientation, and sex therapy as they relate to couple, marriage and family therapy theory and practice; and/or

e. diversity and discrimination as it relates to couple and family therapy theory and practice.

3. Assessment and Treatment in Marriage and Family Therapy. Acceptable offering content in this area incorporates a relational/systemic perspective on topics such as, but not limited to, psychopharmacology, physical health and illness, traditional psychodiagnostic categories, and the assessment and treatment of major mental health issues.

4. Individual, Couple, and Family Development. Acceptable offering content in this area focuses on individual, couple, and/or family development across the lifespan.

5. Professional Identity and Ethics in Marriage and Family Therapy. **Generic education in ethics does not meet this standard.** ~~Therefore, examples of~~ Acceptable ~~offering~~ content in this area includes:~~ but are not limited to~~:

   a. professional identity of the marriage and family therapist, including professional socialization, scope of practice, professional organizations, licensure and certification;
   b. ethical issues related to the profession of marriage and family therapy and the practice of individual, couple and family therapy;
   c. the AAMFT Code of Ethics, confidentiality issues, the legal responsibilities and liabilities of clinical practice and research, family law, record keeping, reimbursement, and the business aspects of practice as these relate to the practice of marriage and family therapy;
   d. the interface between marriage and family therapist responsibility and the professional, social, and political context of treatment.

6. Research in Marriage and Family Therapy: ~~Examples of acceptable offering content~~ Content in this area includes significant material on research in couple and family therapy; focus on content such as research methodology, data analysis and the evaluation of research, and include quantitative and qualitative research.

7. Supervision in Marriage and Family Therapy: ~~Examples of acceptable offering content~~ Content in this area includes studies in theory and techniques of supervision as well as ethical and legal issues, case management, and topics relative to the specific supervised training.

I. Documenting and Reporting

1. Record Keeping: The licensee shall maintain for four (4) years their own records and official verification of the continuing education they have completed. The Board will not maintain continuing education files for ~~the~~ licensees.

2. Reporting Continuing Education: The continuing education hours will be reported once every two years as part of the license renewal process. No continuing education hours are required for the first renewal period.

3. Provider Responsibility: It is the responsibility of each organization or provider of continuing education to 1) provide the Board with verified list of participants including license number and the number of earned CE hours, and 2) provide the attendee with a written statement, verification, or certificate of attendance or CEU certificate which verifies completion of the offering. The attendee's verification must include the following information:

   a. Name of attendee
   b. Name of offering
   c. Date of offering
   d. Provider's name
   e. Program approval number assigned by MFT Continuing Education Committee
   f. Signature of organizer/sponsor or designee
   g. Number ~~Amount~~ of continuing education hours~~/CEUs~~ awarded

4. Licensee Responsibility: It is the responsibility of the licensee to obtain a certificate, transcript or other official document from the approved provider showing the appropriate information. The supporting documentation verifying the continuing education must be kept by the licensee and not sent to the Board unless the Board makes a request in writing for the documentation as a part of the audit process.

J. Random Audit of Continuing Education Documents

1. The Board will annually audit or cause to be audited a minimum of twenty percent (20%) of the continuing education reports accompanying the renewal applications. Licensees whose reports are audited will be required to provide a copy of the official documentation of their continuing education activities. If a licensee fails to provide the Board in a timely manner (not to exceed thirty {30} days following the time they are notified of the audit) with

official documentation of the total hours listed on their renewal application, the license will be suspended following written notification from the Board and will remain suspended pending further Board action.

2. If, during the audit, the Board disqualifies any of the documented continuing education hours and the licensee does not have sufficient acceptable hours remaining for that renewal period, the Board, at its discretion, may renew the license under the conditions that the continuing education hours will be obtained within six (6) months of the notice of deficiency. Continuing education hours acquired to meet the deficiency may not be applied to any other renewal period. If the licensee does not rectify the deficiency within that six (6) month period, the license will be subject to disciplinary action, including revocation, for failure to comply with the continuing education requirements.

K. Re-evaluation of Continuing Education

A licensee who believes that evidence of continuing education was appraised incorrectly by the Board, may make a written request for re-evaluation to the Board within thirty (30) days of the Board's finding. Verbal requests will not be honored.

L. Waiver of Continuing Education Requirements and Request for Extension of Time to Complete Continuing Education Requirements

1. The Board may waive continuing education requirements to a licensee who was not engaged in the practice of marriage and family therapy during a given continuing education renewal period on an individual basis for reasons of ~~hardship, such~~ severe illness, disability, military service or other <u>documented hardship or</u> good cause. Any waiver will be granted solely <u>at</u> the discretion of the Board.

2. The Board may extend the time within which to fulfill continuing education requirements to a licensee during a given continuing education renewal period on an individual basis for reasons of hardship, such as severe illness, disability, military service or other good cause. Any waiver or extension of time will be granted solely in the discretion of the Board.

3. <u>A licensee must submit a written request for a waiver of continuing education requirements(L1.), or extension of time to fulfill continuing education requirements (L2.) to complete continuing education requirements</u>. ~~A licensee must submit a written request for a waiver of, or extension of time within which to fulfill, continuing education requirements~~. The request must be made in

writing, under penalty of perjury, and must set forth with specificity the reasons for requesting the waiver or extension and, in the case of the waiver request, the portion of the renewal period during which the licensee was not engaged in the practice of marriage and family therapy. The licensee shall submit to the Board all documentation in support of the request for waiver or extension and such additional information or documentation as the Board may request in support of the waiver or extension.

4. Waivers of the minimum continuing education requirements may be granted for up to one-half of the twenty-four (24) ~~thirty-five (35)~~ hours of continuing education required for any two-year (biennial) renewal period. Extensions of time (6 month extensions) may be granted by the Board for a period not to exceed one (1) calendar year. The grant of an extension by the Board will result in the renewal of a license based on the condition that the licensee completes the continuing education requirement by the deadline established by the Board.

5. A waiver of continuing education requirements granted pursuant to this section shall be effective only for the biennial period in which such waiver is granted. If the condition(s) which necessitated the waiver continues into the next biennial period, a licensee who seeks another waiver must apply to the Board for a renewal of such waiver for the new biennial period.

6. If an extension of time is granted, the license will be placed on active status but the license shall be automatically changed to inactive status at the end of the extension period unless the licensee satisfies the continuing education requirement prior to that time. When the license is placed on inactive status, the licensee shall cease all activity requiring a license.

7. A licensee shall apply for a waiver or extension of continuing education requirements no later than 30 (thirty) days prior to the end of the biennial licensing period for which the waiver or extension is requested. All requests shall be sent to the office of the Board, by certified mail, return receipt requested.

8. An extension of time shall not be granted to any licensee who obtained an extension in the immediately preceding renewal or reporting period in which the licensee held an active license, except in the case of a licensee who is unable to complete the requirements due to military service commitment pursuant to a combat or national emergency assignment.

9. The Board may, as a condition of any extension or waiver granted, require the licensee to make up a portion of the continuing education requirement in the manner determined by the Board .

Source: Miss. Code Ann. §§73-53-11(1)(c), (k), (m), (n) and (s), 73-54-11(1) and 73-54-27(4) (Supp. 2011).

Rule 4.2 Renewal of License

A. Expiration Date: All licenses expire on September 30 of the second year of the initial license and all future two year renewal terms. All licenses not renewed on or before September 30 of the appropriate year will lapse. The Board will not assume responsibility for late renewal applications delayed or lost in the mail.

B. Renewal Term of Two Years: All renewals will be for a full two year term beginning October 1 and ending September 30.

C. Notice of Renewal: The Board will send a reminder of renewal and a renewal application to all licensees at the latest address of record on file with the Board. Failure to receive a renewal notice from the Board will not relieve the license holder from the renewal requirement. It is the responsibility of the licensee to maintain an accurate address in their file by sending promptly to the Board a signed notice of any change of address.

D. Online renewal became available on August 1, 2008. Licensees are encouraged to renew using the online format. Renewal windows will be available from August 1 to September 30 each renewal cycle. Online renewal is available only to active licensees in good standing.

E. Completed Application for Renewal: The Board cannot act on an application for renewal until it is complete with all the supporting documents, continuing education summary and the renewal fee.

F. Renewal Fee: the renewal fee covers the two year term, and must be paid in full with the renewal application and supporting documentation and no later than the expiration date of the license.

G. Responsibility of Licensee for Renewal: It is the responsibility of the licensee to obtain renewal application materials from the Board, to obtain the required approved continuing education with verification, and to see that their license is renewed on time. These materials are available online at the Board's website. Failure to receive a notice of renewal does not absolve the licensee of their responsibility to renew the license before the expiration date. Practicing under an expired or a lapsed license is prohibited. It is, likewise, a misdemeanor punishable by law.

H. Inactive Renewals: Anyone returning from inactive status must meet the continuing education requirements for the immediate two years prior to the application for renewal or reactivation of license.

Source: Miss. Code Ann. §§73-53-11(1)(c) and (e), 73-53-15, 73-54-11(1) and 73-54-27 (Supp. 2011).

Rule 4.3 Reinstatement of License

A. **General Requirements for Reinstatement**

1. All conditions related to the suspension, revocation, disciplinary action, or order or directive of the Board must have been completed or met to the Board's satisfaction. ~~or revocation of the license have been cured, and all requirements or disciplinary actions of the Board have been met or resolved to the satisfaction of the Board.~~

2. None of the prohibited acts exist as are described in Sections 73-53-17 and 73-53-29 of the Mississippi Code of 1972, as amended, and/or Part 1901, Chapter 4, Rule 3 3.1. ~~No fact, circumstance, or condition exists which, if the license were reinstated, would justify its revocation, suspension, or disciplinary action by the Board~~.

3. The former licensee verifies, by submitting to the Board a notarized affidavit, that they have not engaged in the practice of marriage and family therapy in this state or any other state, or used a title denoting marriage and family therapist qualifications since the expiration, suspension or revocation of his or her ~~their~~ license, unless he or she ~~they~~ qualifies ~~qualify~~ for exemption ~~exclusion~~ from licensure as a marriage and family therapist as provided by Section 73-54-9 of the Mississippi Code of 1972 as amended, or they hold a valid license issued by another state and his or her practice was confined to the state which issued the license.

4. The licensee must apply for a new license and must meet the requirements and conditions for licensure set forth in the governing law and ~~under the requirements set forth~~ the rules and regulations that are in effect at the time the new application or re-application is received by the Board.

5. The former licensee must submit to the Board a completed application for reinstatement on forms prescribed by the Board and all supporting documentation.

6. The former licensee must include a letter with the application for reinstatement explaining the reasons for applying for reinstatement.

7. The former licensee must provide satisfactory documentation of completion of all approved continuing education requirements specified by Board Rules and Regulations that that would have been required to maintain a current license for the entire period the license has been lapsed or inactive;

8. The former licensee must pay the reinstatement costs and any other costs or fees required by the Board.

~~B. **Reinstatement Application Process**~~

~~1. The former licensee must submit to the Board a completed application for reinstatement on forms obtained from the Board (available on the Board's website), with all supporting documents attached, including a criminal history records information check and Mississippi Sex Offender Registry check acceptable to the Board~~

~~2. The former licensee includes a letter with the application for reinstatement explaining the reasons for applying for reinstatement.~~

~~3. The former licensee provides satisfactory documentation of completion of all continuing education requirements specified by Board Rules and Regulations that that would have been required to maintain a current license for the entire period the license has been lapsed or inactive;~~

~~4. The former licensee pays the renewal costs due for the lapsed license (*if reinstating a lapsed license*), the reinstatement costs, and any other related costs of the Board.~~

Source: Miss. Code Ann. §§73-53-11(1)(c), (d), (e), (g), (k) and (n), 73-53-23(4), 73-54-11, and 73-54-27(3) (Supp. 2011).

Part1903 Chapter 5 FEES AND ADMINISTRATIVE COSTS

Rule 5.1 Philosophy

The Board receives no financial appropriation from the State to underwrite the costs of providing the licensure services. The Board is very sensitive to controlling costs, but fees and administrative costs are necessary for licensure to exist.

Source: Miss. Code Ann. §§73-53-10(1), 73-53-11(1)(c) and 73-54-11(1) (Supp. 2011).

Rule 5.2 The Fee Schedule

A. Application to Take AMFTRB Examination in Marital and Family Therapy fee…….$ 25.00
~~Application for licensure fee, non-refundable …..…... $ 100.00~~

B. Application fee for licensure as a Marriage and Family Therapist, non-refundable ……...……..…... $ 100.00
~~Initial license fee, covers two (2) years .....…….. $ 200.00~~

C. LMFTA Application fee……..…… $ 25.00
~~Renewal fee for two years .....…….. $ 200.00~~

D. Initial LMFT license fee…….$ 200.00
(May be prorated for first year, see below)
~~The Board may charge administrative/processing costs as follows:~~
~~1. Duplicate license .....…….....……..……. $ 25.00~~
~~2. Replace lost license .....…….....……. $ 25.00~~
~~3. Reinstatement (plus renewal cost) ….....…….. $ 35.00~~
~~4. Electronic copy of LMFT licensee address list ..... $50.00~~
~~5. Copying fee ($1.00 per page plus cost of retrieving information)~~
~~6. Postgraduate Supervision Plan Approval Fee……. $100.00~~
~~7. Application for Continuing Education Provider Status…$125.00~~
~~8. Application for Individual Continuing Education Offering... $50.00~~
~~9. Application Packet …… $ 10.00~~
~~(initial applicants will be issued one copy free of charge upon request; it is also available online at no cost)~~
~~10. Copy of rules and regulations……. $ 20.00~~
~~(initial applicants will be issued one copy free of charge upon request; it is also available online at no cost)~~

E. Initial LMFTA license fee ……..…….. ....$ 75.00
(May be prorated for first year, see below)

F. Renewal fee for LMFT (2 years) .....…….…….. $ 200.00

G. Renewal fee for LMFTA license (2 years)……..…$100.00

H. The Board may charge administrative/processing costs as follows:
1. Duplicate license .....…….....……..……. $ 25.00
2. Replace lost license .....…….....……. $ 25.00
3. Reinstatement (plus renewal cost) ….....…….. $ 35.00
4. Electronic copy of LMFT licensee address list $50.00
5. Copying fee ($1.00 per page plus cost of retrieving information)
6. Postgraduate Supervision Plan Approval Fee……. $100.00
7. Application for Continuing Education Provider Status…$125.00
8. Application for Individual Continuing Education Offering... $50.00
9. Application Packet …… $ 10.00
(initial applicants will be issued one copy free of charge upon request; it is also available online at no cost)
10. Copy of rules and regulations……. $ 20.00
(initial applicants will be issued one copy free of charge upon request; it is also available online at no cost)

11. Name Change fee……..…..$10.00
12. License verification for another state…….$25.00

Source: Miss. Code Ann. §§73-53-11(1)(c), (g) and (o), 73-53-15, 73-54-11(1) and 73-54-27 (Supp. 2011).

Rule 5.3 General Rules Regarding Fees and Administrative Costs

A. Fees and administrative costs are payable by cashier's check, money order, or credit cards accepted by the Board. Checks and money orders should be made payable to the Board of Examiners for SW/MFT.

B. The Board will not issue or renew a license until all outstanding fees and administrative costs have been paid.

C. The application fee must accompany the completed application, and is non-refundable.

D. When the Board notifies an applicant that their license application has been approved, the initial license fee (prorated for the first year, if applicable) must be paid in full before the license can be issued.

E. The renewal fee must be paid on or before September 30 of the second year the license is in effect (the expiration date). The full renewal fee for two years must accompany the renewal application.

Source: Miss. Code Ann. §§73-53-11(1)(c), (g) and (o), 73-53-15, 73-54-11(1) and 73-54-27 (Supp. 2011).

Rule 5.4 Proration of the First Year Portion of Initial License Fee

Since all licenses have an expiration date of September 30, the initial license period may be less than two (2) full years, depending on the date the application was approved by the Board. The first year's portion of the initial two (2) year fee may be prorated and billed in the following manner:

A. License applications approved between October 1 and March 31 will require the full initial license fee for the first two years.

B. For license applications approved between April 1 and September 30, the first years portion of the initial two (2) years will be reduced by one half.

Responsibility of the Applicant or Licensee:
It is the responsibility of the applicant or licensee to see that their license fees and renewal fees are paid in a timely manner. Failure to receive a notice of renewal or payment due from the board does not relieve the person of their responsibility to pay the fees before the deadline. The Board assumes no responsibility for fees that are lost in the mail, arrive late or otherwise do not reach the Board on time.

Adjustment of Fee Scale:
The Board may increase the fees at the discretion of the Board, within the limits provided by State Statute.

Source: Miss. Code Ann. §§73-53-11(1)(c), (g) and (o), 73-53-15, 73-54-11(1) and 73-54-27 (Supp. 2011).

Amended: Effective: