

1 **ARKANSAS BOARD OF EXAMINERS IN COUNSELING**
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5 **RULES AND REGULATIONS**
6 **ARKANSAS CODE ANNOTATED 17-27-101 § et seq**
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11 **I. General Information**
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13 Section 1.1 Enabling Legislation
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15 These rules and regulations are adopted pursuant to Ark. Code Ann. § 17-27-101 through 313.
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17 Section 1.2 Definitions
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19 “Appraisal activities” means selecting, administering, scoring and interpreting
20 instruments designed to assess an individual’s aptitudes, attitudes, abilities, achievements,
21 personal characteristics and interests, but shall not include the use of projective techniques for
22 personality assessment unless specifically qualified to do so under another license.
23 Documentation of all training for appraisal activities and Board approval for those activities is
24 required for protection of the public. Appraisal Specialization License (Section 3.5 (C)(6) of the
25 Rules and Regulations) is required if appraising/evaluating for placement of children or adults in
26 special programs, in institutions, etc. and if appraisals are under contracts with public schools or
27 the Arkansas Department of Human Services.
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29 “Consulting” means interpreting or reporting scientific fact or theory to provide
30 assistance in solving current or potential problems of individuals, groups, or organizations.
31

32 “Counseling/psychotherapy” means assisting individuals or groups, through the
33 counseling relationship, to develop understanding of personal problems, define goals, and plan
34 action reflecting interests, abilities, aptitudes, and needs.
35

36 “Licensed Associate Counselor” means any person holding himself/herself out to the
37 public by any title or description of services incorporating the words Licensed Associate
38 Counselor, who meets the requirements set forth in Section 3.1 of these rules and regulations,
39 and who offers to render counseling services to individuals, groups, organizations, corporations,
40 institutions, government agencies, or the general public for monetary remuneration otherwise
41 implying licensure, training, experience, and/or expertise in counseling, and who holds a current,
42 valid license to practice counseling under the supervision of a duly Licensed Professional
43 Counselor. Nothing in this definition shall be construed to include those professions excluded by
44 Ark. Code Ann. § 17-27-103.
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46 “Licensed Associate Marriage and Family Therapist” means any person who holds
47 himself/herself out to the public by any title or description of services incorporating the words
48 licensed associate marriage and family therapist, who meets the requirements set forth in Section
49 3.3 of these rules and regulations; offers to render marriage and family therapy services to
50 individuals, couples and families, singularly or in groups for monetary remuneration; or holds a
51 current, valid license to practice marriage and family therapy services under the supervision of a
52 licensed marriage and family therapist. Nothing in this definition shall be construed to include
53 those professions excluded by Ark. Code Ann. § 17-27-103.
54

55 “Licensed Marriage and Family Therapist” means any person who: holds himself/herself
56 out to the public by any title or description of services incorporating the words licensed marriage
57 and family therapist, who meets the requirements set forth in Section 3.4 of the rules and
58 regulations; offers to render marriage and family therapy services to individuals, groups, couples,
59 families, organizations, corporations, institutions, government agencies, or the general public for
60 monetary remuneration or otherwise implying that he or she is licensed, trained, experienced, or
61 an expert in marriage and family therapy; or holds a current, valid license to practice marriage
62 and family therapy. Nothing in this definition shall be construed to include those professions
63 excluded by Ark. Code Ann. § 17-27-103.
64

65 “Licensed Professional Counselor” shall mean any person holding himself/herself out to
66 the public by any title or description of services incorporating the words Licensed Professional
67 Counselor, who meets the requirements set forth in Section 3.2 of the rules and regulations, and
68 who offers to render counseling services to individuals, groups, organizations, corporations,
69 institutions, government agencies, or to the general public for monetary remuneration or who
70 otherwise implies licensure, training, experience, and/or expertise in counseling and who holds a
71 current valid license to practice counseling/psychotherapy. Nothing in this definition shall be
72 construed to include those professions excluded by Ark. Code Ann. § 17-27-103.
73

74 “Major” is anyone who can legally enter into a contractual relationship as defined by the
75 laws of the state of Arkansas (18 years of age).
76

77 “Marriage and Family Therapy” means the use of scientific and applied marriage and
78 family theories, methods and procedures for the purpose of describing, evaluating and modifying
79 marital, family and individual behavior within the context of marital and family systems,
80 including the context of marital formation and dissolution. Marriage and family therapy is based
81 on systems theories, marriage and family development, normal and dysfunctional behavior,
82 human sexuality and psychotherapeutic, marital and family therapy theories, and techniques in
83 the evaluation, assessment and treatment of interpersonal or intrapersonal dysfunction within the
84 context of marriage and family systems. Marriage and family therapy may also include clinical
85 research into more effective methods for the treatment and prevention of the above-named
86 conditions. Nothing in this definition or in this chapter shall be construed as precluding licensed
87 professional counselors or licensed associate counselors from rendering these services.
88

89 “Privileged Communication” shall mean any communication between client and
90 counselor given in confidence and not intended to be disclosed to third persons other than those

91 to whom disclosure is made in the furtherance of the rendition of professional services to the
92 client.

93
94 “Referral activities” means the evaluating of data to identify problems and to determine
95 the advisability of referral to other specialists.

96
97 “Relevant Professional” or “Continued Education Experience” means documented
98 training, workshops, institutes, seminars, etc., primarily counseling in content. The Board must
99 approve professional and continuing education workshops.

100
101 “Research activities” means reporting, designing, conducting, or consulting on research
102 in counseling with human subjects.

103
104 “Statement of Professional Intent” means a typed statement from the applicant , on file
105 with the Board, describing the scope of practice for use under the requested license, the public
106 with whom the applicant will work, and the counseling/psychotherapy and appraisal approaches
107 the applicant plans to use (including techniques and tools).

108
109 “Supervision” means professional monitoring and reporting (a) of a Licensed Associate
110 Counselor (LAC) by an individual licensed as a LAC supervisor and (b) of a Licensed Associate
111 Marriage and Family Therapist (LAMFT) by an individual licensed as a LMFT supervisor.

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113 **II. Exemptions**

114
115 Section 2.1 Clergy

116
117 (a) Clergy appointed and/or endorsed to practice pastoral counseling as long as they are
118 operating in a role within the congregation or synagogue or ministry assignment (such as
119 Pastor, Associate Minister, Staff member, Institutional Chaplain –military, hospital,
120 industrial, etc.) and are serving members of that assignment are exempt from licensure
121 requirements.

122
123 (b) Any minister, clergy or pastoral counselor who has a private practice, offers services
124 to persons outside membership of their assignment or accepts fees from any source, such
125 as third party payments, clients, donations, etc., or from people outside their
126 congregations, church, synagogue, or immediate work (such as chaplaincy) or offers
127 counseling services to the public must be licensed by this Board. This includes part-time,
128 private practice provided in addition to or beyond the documented assigned, ministry
129 work as pastor, chaplain, etc.

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131 **III. Licensing Qualifications**

132
133 Section 3.1 Licensed Associate Counselor

134
135 In order to be eligible as a Licensed Associate Counselor, an applicant:

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- 137 (a) Must be a major in the state of Arkansas;
138
139 (b) Must have received a graduate degree that is primarily professional counseling in
140 content from a regionally accredited institution. The graduate semester hours must meet
141 the national academic and training content standards adopted by the Board and the
142 Council for the Accreditation of Counseling and Related Educational Programs
143 (CACREP) or equivalent;
144
145 (c) Must demonstrate professional competencies by passing written, oral, and situational
146 examinations as prescribed by the Board;
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148 (d) Must arrange supervision with a Board-approved LAC supervisor and have the
149 plan/agreement for the supervision approved by the Board prior to license issue or to
150 seeing clients;
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152 (e) Must have met the criminal background check mandated by Act 1317 of 1997;
153
154 (f) Must be a citizen of the U.S. or have an immigration green card to document and
155 verify legal alien work status in the U.S. The green card must be current and issued by
156 the U.S. Immigration Bureau.
157

158 Section 3.2 Licensed Professional Counselor - Requirements
159

160 In order to be eligible as a Licensed Professional Counselor, an applicant:
161

- 162 (a) Must meet the requirements of Section 3.1 with the exception of (d); and
163
164 (b) Must provide evidence of three years of supervised full-time experience in
165 professional counseling beyond the Master's Degree acceptable to the Board. One year
166 of experience may be gained for each 30-semester hours of graduate work beyond the
167 Master's level, provided the hours are clearly counseling in nature and acceptable to the
168 Board. Hours earned may be substituted for no more than two (2) years of supervised
169 professional experience. The Board of Examiners in Counseling does not have the power
170 to waive any required period of supervised experience.
171

172 Section 3.3 Licensed Associate Marriage and Family Therapist
173

174 In order to be eligible as a Licensed Associate Marriage and Family Therapist, an applicant:
175

- 176 (a) Must be a major in the state of Arkansas;
177
178 (b) Must have received a graduate degree in marriage and family therapy or related field
179 from a regionally accredited institution. The graduate semester hours must meet the
180 national academic and training content standards adopted by the Board from the
181 Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE)

182 or the Council for Accreditation Counselor Related Education Programs (CACREP) or
183 equivalent;

184
185 (c) Must demonstrate professional competencies by passing written, oral, and situational
186 examinations prescribed by the Board;

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188 (d) Must arrange supervision with a Board-approved Licensed Associate Marriage and
189 Family Therapist supervisor and have the plan/agreement for supervision approved by
190 the Board prior to license issue and to seeing clients;

191
192 (e) Must have met the Criminal Background Check mandated by Act 1317 of 1997;

193
194 (f) Must be a citizen of the U.S. or have an immigration green card to document and
195 verify legal alien work status in the U.S. The green card must be current and issued by
196 the U.S. Immigration Bureau.

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198 Section 3.4 Licensed Marriage and Family Therapist

199
200 In order to be eligible as a Licensed Marriage and Family Therapist, an applicant:

201
202 (a) Must be a major in the state of Arkansas;

203
204 (b) Must have received a graduate degree in Marriage and Family Therapy or related field
205 from a regionally accredited institution. The graduate semester hours must meet the
206 national academic and training content standards adopted by the Board from the
207 Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE
208 version 10.1) or the Council for Accreditation of Counseling and Related Educational
209 Programs (CACREP) 2001 Standards, pages 87-88;

210
211 (c) Must demonstrate professional competencies by passing written, oral, and situational
212 examinations prescribed by the Board;

213
214 (d) Must have met the Criminal Background Check mandated by Act 1317 of 1997;

215
216 (e) Must be a citizen of the United States or have a green card to document and verify
217 legal alien work status in the U.S. The green card must be current and issued by the
218 United States Immigration Bureau; and

219
220 (f) Must provide evidence of three years of supervised full-time experience in marriage
221 and family therapy beyond the Master's Degree acceptable to the Board. One year of
222 experience may be gained for each 30 semester hours of graduate work beyond the
223 Master's level, provided the hours are clearly marriage and family therapy in nature and
224 acceptable to the Board. Hours earned may be substituted for no more than two years of
225 supervised professional experience. The Board of Examiners in Counseling does not
226 have the power to waive any required period of supervised experience.
227

228 Section 3.5 Specialization Areas

229

230 (a) The Board shall evaluate areas of specialization. The Board will use the national
231 standards for the preparation of counselors, prepared by the specific professional
232 association, as a guide in establishing the standards for counseling; i.e., Rehabilitation
233 Counseling, Pastoral Counseling, Career Counseling, School Counseling, Clinical Mental
234 Health Counseling/Psychotherapy, Geriatric Counseling, Counseling Supervision, Drug
235 & Alcohol, Addictions, Appraisal, Art, Music, Mediation, or other specified counseling
236 areas. If no national standards are available, the Board will adopt the highest Arkansas
237 standards available.

238

239 (b) Specialization licenses will be granted to individuals who hold the LPC, LAC,
240 LAMFT, or LMFT license and are in good standing with the Board. The applicant for the
241 specialization license who holds certification, registry, or license issued by recognized
242 and Board approved national associations or credentialing bodies will submit that
243 documentation. All certifications issued by the National Board for Certified Counselors
244 (NBCC) or the American Association for Marriage and Family Therapist will be accepted
245 as evidence of specialization. If no national standards are available the Board will adopt
246 the highest Arkansas state standards available for the approved specialization.

247

248 (c) Specialization licenses include:

249

250 (1) Gerontology specialization license with the standard for issue being NBCC
251 certification.

252

253 (2) Career specialization license standard with the standard for issue being past
254 criterion set by NBCC.

255

256 (3) Art Therapy specialization license with the standard for issue being the
257 American Art Therapy Association standards.

258

259 (4) Pastoral Counseling specialization license standard for issue for Clergy who
260 are licensed by this Board and who are credentialed as member, fellow, or
261 diplomate by the American Association of Pastoral Counselors (AAPC).

262

263

264 (5) Rehabilitation Counselor specialization license standard for issue being for
265 Counselors/Therapist who are licensed by this Board and who are credentialed by
266 the Commission on Rehabilitation Counselor Certification (CRCC).

267

268 (6). Appraisal Specialization license standards for issue being for the
269 Counselor/Therapist who meets (A) or (B):

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271 (A) The curriculum and assessment experience standards acceptable for
272 the School Psychology Specialist Specialization Certification/License
273 issued by the State Department of Education.

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OR

(B) The standards for the School Psychologists from the (NASP) National Association of School Psychologists.

(7) Supervision Specialization license standards for issue being:

(A) Three (3) years experience as a Licensed Professional Counselor and/or a Licensed Marriage and Family Therapist

(B) Good standing (as LPC and/or LMFT) in Arkansas

(C) Documentation of one of the following:

(i) A doctorate, primarily counseling/therapy in content, which included both course work in supervision (specific to the supervision license, LAC or LAMFT) and supervised experience in supervision; or

(ii) A completed, advanced three (3) hour graduate course in clinical supervision (specific to the supervision license, LAC or LAMFT) which included eighteen (18) hours of supervised experience in supervision arranged as part of the graduate course; or

(iii) A completed Board approved training (specific to the supervision license, LAC or LAMFT) in supervision of at least forty-five (45) clock hours class instruction and eighteen (18) hours of supervised experience of supervision arranged by the trainers.

(D) Must submit and have Board approval of:

(i) A typed description of his/her theoretical orientation to supervision (specific to the supervision license, LAC or LAMFT), including model of supervision, and techniques of practice;

(ii) A signed code of ethics agreement and a group supervision plan and forms; and

(iii) An Oral Examination with the Board

(8) Mediation Specialization license standard for issue being the Certification Standards established by the Arkansas Commission for Mediation.

(d) Specialization requests not already specified will be reviewed by the Board and standards established as needed.

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(e) Licensed Counselors or Therapists who apply for a specialization license will be issued such license upon completion of the application for a specialization, documentation of a valid national or required credential (certificate, registry, or license), pass on the oral examination (if required), payment of the specialization fee, and approval by majority vote of the Board.

Section 3.6 Coursework Requirements:

(a) The applicant must have received a graduate degree from a regionally accredited institution of higher education that is primarily professional counseling or therapy in content and document completion of a minimum of 60 graduate semester hours in course work, counseling in content, that meet the academic and training standards established by the Board. The counseling programs, from which the degree/courses are earned, within the institution, shall meet the standards for the preparation of counselors by the specific national professional associations related to each license.

(b) The adopted standards of the national accrediting body, The Council for Accreditation of Counseling and Related Educational Programs (CACREP) for Licensed Associate Counselor (LAC) and for Licensed Professional Counselor (LPC). Endorsed and adopted as parallel are the standards of the following: The Council on Rehabilitation Education (CORE, Standards July 1, 2003), the United States Department of Education (USDE), and the Council for Higher Education Accreditation (CHEA). Other nationally recognized accrediting bodies will be reviewed for Board endorsement as needed.

(c) The adopted standards for Licensed Associate Marriage and Family Therapist (LAMFT) and Licensed Marriage and Family Therapist (LMFT) are the Commission on Accreditation for Marriage and Family Therapy Education Standards (COMFTE version 10.1) or CACREP Standards – 2001 Edition, pages 87-88, for Marriage and Family Therapy.

(d) Effective January 1, 2003 the following courses are recommended to meet the minimum of sixty (60) graduate hours for an application to be accepted and processed:

- (1) Psychopharmacology;
- (2) Psychopathology, including DSM and ICD training; and
- (3) Family and Relationship.

Effective January 1, 2005 the courses (1-3) listed above will move from recommended elective courses to mandated core curriculum courses.

364 Documentation from the institution issuing the credit must be attached to the Core Curriculum
365 section of the application to verify that all course standards are met if not previously filed with
366 and approved by the Arkansas Board.

367
368 (e) (1) Core Curriculum for LAC or LPC includes:

369
370 (A) Professional Identity, Pages 60-61. (3 Graduate Hour Minimum)

371
372 (B) Social and Cultural Diversity, Page 61. (3 Graduate Hour Minimum)

373
374 (C) Human Growth and Development, Pages 61-62 (3 Graduate Hour
375 Minimum)

376
377 (D) Career Development, Page 62 (3 Graduate Hour Minimum)

378
379 (E) Helping Relations, Pages 62-63. (3 Hour Graduate Minimum)

380
381 (F) Group Work, Pages 63-64. (3 Graduate Hour Minimum)

382
383 (G) Assessment, Page 64. (3 Graduate Hour Minimum)

384
385 (H) Research and Program Evaluation, Pages 64-65. (3 Graduate Hour
386 Minimum)

387
388 (I) Practicum and/or Internships, Pages 66-68. (9 Hour Minimum),
389 Effective January 1, 2003

390
391 (2) Effective January 1, 2003, for an application to be accepted and processed, the
392 core curriculum requirement of 6 semester hours of practicum/internship will
393 change to the requirement of 9 hours of practicum/internship as defined by
394 CACREP Standards-2001, pages 66-68. Documentation from the institution
395 issuing the credit must be attached to the Core Curriculum section of the
396 application to verify that standards are met.

397
398 (3) The courses listed in subsection 3.6(d) will move from recommended elective
399 courses to mandated core curriculum courses effective January 1, 2005.

400
401 (f) International degree(s) relied on in applying for a license of any kind from the
402 Arkansas Board must be submitted with an English translation and certification from a
403 credential evaluation service. These agencies must certify that the international degree is
404 equivalent to a United States graduate degree. All cost for the certification is the
405 responsibility of the applicant. The applicant may contact the Board office for
406 information about approved agencies that provide the services.

407

- 408 (g) All graduate course hours used in the application for any license issued the Arkansas
409 Board must have a “B” grade or above. Grades of “C” or below will not be accepted for
410 licensure purposes.
- 411
- 412 (h) (1) Distance education degrees will be treated the same as onsite education
413 degrees if the degrees are primarily professional counseling or therapy in content
414 and are earned from a regionally accredited institution of higher education and the
415 distance education degree programs are accredited as required.
- 416
- 417 (2) Each course within the degree must meet the requirements in CACREP
418 Standards-2001, pages 60-88. Courses must be graduate credit, meet the
419 CACREP standards, and meet the American Counselor Educators and Supervisors
420 (ACES) course guidelines. ACES Technology Interest Network 1999, course
421 quality items 1-26, are adopted for distance learning courses.
- 422
- 423 (3) Cyber learning includes distance learning/education. The definition of distance
424 learning/education acceptable to the Board for licensure purposes is a formal
425 education process in which instruction occurs when the student and instructor are
426 not located in the same place. Distance learning adds technology to the learning
427 environment by a variety of means, such as web sites, e-mail, video conferencing,
428 and videotapes. Instruction may be synchronous or asynchronous. Video tapes
429 may not comprise more than 20% of the instruction time in any one course.
- 430
- 431 (i) The responsibility for documenting that each course, content and presentation, meets
432 the standards for Board endorsement and acceptance is the responsibility of the granting
433 institution and the applicant. The Board review and acceptance/denial of each course is
434 mandated prior to the application being processed for any Arkansas license issued by the
435 Board.
- 436
- 437 (j) (1) Any institution of higher education that has graduate counselor education and
438 related graduate programs that is not accredited/certified by CACREP or one of
439 the following that are adopted by the Board as equivalent to the standards: The
440 Council on Rehabilitation Education (CORE, 2001 edition), the United States
441 Department of Education, the Council for Higher Education Accreditation,
442 (CHEA). Institutions accredited by other nationally recognized accrediting bodies
443 must seek and secure endorsement equivalency to the adopted standards from the
444 Arkansas Board of Examiners in Counseling. The endorsement must be
445 completed prior to applications and course work of graduates from those
446 programs being processed. The institution seeking endorsement must submit the
447 following information for Board review:
- 448
- 449 (A) Ten (10) graduate catalogs;
- 450
- 451 (B) A completed Core Curriculum for the 60 hour requirements, effective
452 January 1, 2003 with the course numbers and titles from the graduate
453 program;

- 454
455 (C) A copy of each syllabus listed on the Core Curriculum;
456
457 (D) A letter from the university verifying that the content of the courses
458 are equivalent to the CACREP Standards, 2001. The CACREP Course
459 Standards-2001 are the standards used for a transcript to be processed for
460 licensure purposes;
461
462 (E) Documentation that the quality of each course meets the Course
463 Quality Guidelines, 1- 26, of the ACES 1999 Guidelines;
464
465 (F) A copy of the distance learning program or traditional program
466 approval/accreditation from the accrediting/certifying agency that has
467 accredited the university degree program/programs;
468
469 (G) The software used for distance learning platform; and
470
471 (H) Any other materials the university would like to submit to the Board
472 to support the institution's endorsement request.
473

474 (2) When the information (j) (A-H) is received, reviewed, and approved by the
475 Board, the administrative office staff may use the information to review current
476 and future transcripts from graduates of that institution. The institution has the
477 responsibility to keep the syllabi and other university materials current to expedite
478 any applications received from graduates of that institution. The institution has the
479 responsibility to ensure that all courses meet the requirements set forth in the
480 Rules/Regulations.
481

482 (3) Unacceptable coursework:

- 483
484 (a) Undergraduate credits will not be accepted toward the academic
485 requirements for licensure or supervision.
486
487 (b) Graduate credits from correspondence study, on-line video courses,
488 satellite, home study or similar non-residence credits will not be accepted
489 toward the academic requirements for licensure nor to decrease the
490 number of required Client Contact Hours (CCH) for supervision. Such
491 courses may be accepted for continuing education credits upon Board
492 approval.
493
494 (c) Courses described in (3)(b) may be accepted only for continuing
495 education credit.
496
497 (d) No course with a grade of C or below will be accepted for licensure,
498 continuing education, or supervision substitution purposes.
499

500 **IV. Supervision**

501
502 Section 4.1 Supervision Content

503
504 (a) Supervision for the Associate Counselor in Arkansas must be provided by a practitioner who
505 is a Licensed Professional Counselor, holds approved supervisor status from the Arkansas Board.
506 and whose license is valid (i.e. not suspended due to delinquent renewal or disciplinary action).
507 Supervision hours for applicants moving into the state must be approved by the Board. The
508 Standards for Clinical Approved Supervisor (CAS) by the National Board for Certified
509 Counselors are adopted by the Board as the standards to ensure the preparation in methods and
510 techniques for practicing counselors who offer clinical supervision services to Associate
511 Counselors for the protection of the client.

512
513 Supervision for the Associate Marriage and Family Therapist in Arkansas must be provided by a
514 practitioner who is a Licensed Marriage and Family Therapist, holds approved supervisor status
515 from the Arkansas Board, and whose license is current. (i.e. not suspended due to delinquent
516 renewal or disciplinary actions). Supervision hours for applicants moving into the state must be
517 approved by the Board. The Standards for Approved Supervisors of the American Association
518 for Marriage and Family Therapists are adopted by the Board as the standards to ensure the
519 preparation in methods and techniques for practicing counselors who offer clinical supervision
520 services to Associate Marriage and Family Therapists for the protection of the client.

521
522 (b) Counselors or therapists licensed at the associate level must complete three years of direct,
523 face to face, Client Contact Hours (CCH) with supervision. One year is defined as 1000
524 supervised CCH. Supervision will be completed in following three years/phases:

525
526 (1) Year I (Phase I) is supervision of 1,000 CCH at a ratio of 1 hour of
527 supervision per 10 CCH

528
529 (2) Year II (Phase II) is supervision of 1,000 CCH at a ratio of 1 hour of
530 supervision per 15 CCH

531
532 (3) Year III (Phase III) is supervision of 1,000 CCH at a ratio of 1 hour of
533 supervision per 30 CCH

534
535 (c) All required supervision will begin with Phase I. All supervision in Phase I must be
536 completed before beginning Phase II, and all in Phase II must be completed before
537 beginning Phase III. All post-master's course work to be substituted for supervision will
538 be applied to Phase III, then Phase II. All documented supervised work from other states,
539 approved by the Board, will be applied to Phase III and then Phase II.

540
541 (d) Supervised experience will be credited at the ratio specified by the Board and must
542 consist of face-to-face supervision in either individual and/or group format. Indirect
543 services are not credited for the required supervised work. Hours spent conducting
544 Psycho educational groups (whether inpatient/outpatient or at other locations) may not be
545 credited as therapy/counseling for the required supervised work.

- 546
547 (e) Group supervision will not exceed half of the total Board specified supervision
548 requirement. A supervision group is defined as consisting of two (2) to five (5)
549 supervisees with their contracted supervisor.
550
551 (f) The contracted supervisor may not delegate supervision responsibility to any other
552 individual.
553
554 (g) Post-master's course work may be applied toward supervised experience in
555 accordance with the rules and regulations governing both Licensed Professional
556 Counselors and Licensed Marriage and Family Therapists. The Board may accept thirty
557 (30) hours of graduate coursework acceptable to the Board for Phase III and then for
558 Phase II. The maximum of 60 hours of graduate work may be substituted for face-to-face
559 supervision. In no case may the Board waive the Phase I (1000 CCH at the 1:10 ratio)
560 supervision requirements.
561

562 Section 4.2 Supervisee Requirements and Restrictions
563

- 564 (a) All Licensed Associate Counselors must have a Board-approved supervision
565 plan/agreement prior to providing any counseling services. The Licensed Associate
566 Counselor must notify the Board immediately and in writing of any proposed change in
567 supervisors. The Licensed Associate Counselor must obtain Board approval of any
568 change in supervisors. Failure to maintain an approved current supervision agreement
569 will result in license suspension or revocation.
570
571 (b) All Licensed Associate Marriage and Family Therapists must have a Board-approved
572 supervision plan/agreement prior to providing any therapy services. The Licensed
573 Associate Marriage and Family Therapists must notify the Board immediately and in
574 writing of any proposed change in supervisors. The Licensed Associate Marriage and
575 Family Therapists must obtain Board approval of any change in supervisors. Failure to
576 maintain an approved current supervision agreement will result in license suspension or
577 revocation.
578
579 (c) Counselors or Marriage Family Therapists licensed at the associate level may offer
580 professional counseling services beginning the date of approval on a valid and current
581 supervision agreement filed with the Board and be under the supervision of a Board
582 licensed supervisor. Not one client may be seen prior to that date. No clients may be seen
583 by the associate licensee if the supervision agreement has expired and a new one has not
584 been Board approved. There is no grace period for a supervision agreement that has
585 expired; the associate licensee must cease and desist practice the expiration date of the
586 agreement. Both supervisee and supervisor are responsible for being cognizant of the
587 expiration date and for maintaining a current supervision agreement.
588
589 (d) The LAC or LAMFT is the responsible party for:
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591 (1) Maintaining a current, valid, and approved supervision contract on file with the
592 Board prior to providing any counseling services. The primary responsibility is with
593 the LAC or LAMFT, but is a shared responsibility with the supervisor. Any practice
594 or service rendered by the supervisee or any supervision by the supervisor becomes
595 illegal at 12:01 midnight the expiration date of the agreement.
596

597 (2) Maintaining an accurate Statement of Intent (Scope of Practice) and filing a
598 copy of the current Board approved statement with the supervisor of record.
599

600 (3) Submission of supervision reports each six (6) months.
601

602 (e) Supervisees must carefully avoid multiple relationships with supervisors that interfere
603 with the supervisory relationship; such as, having the ability to hire or dismiss the
604 supervisee from employment.
605

606 Section 4.3 Supervisor Requirements and Restrictions 607

608 (a) A Counselor or Therapist, holding a Supervision Specialization License, shall not sign
609 new supervision plans/agreements if supervisor's license has not been renewed or if the
610 supervisor is under investigation. If under investigation, no new contracts may be signed
611 or submitted to the Board until all reviews, hearings, or disciplinary actions (if any in
612 progress) are completed and resolved.
613

614 (b) Supervisors will be limited to ten (10) active supervision contracts at any given time.
615 If ten supervision agreements are on record, the supervisor may submit a written appeal
616 for Board approval of inactive contracts. Attached to the appeal must be documentation
617 of the extenuating circumstances. Board approval and directive must be completed prior
618 to expansion of the ten contracts on file with the Board office.
619

620 (c) The Board office staff may not approve supervision contract/agreements to exceed ten
621 (10) for any one supervisor.
622

623 (d) Supervisors must have a Board approved copy of a supervision plan/agreement dated
624 prior to providing supervision to a LAC or LAMFT.
625

626 (e) Supervisors must carefully avoid multiple relationships with supervisees that interfere
627 with the supervisory relationship; such as, having the ability to hire or dismiss the
628 supervisee from employment.
629

630 (f) The supervisor and the supervisee are both the responsible parties for maintaining a
631 current Board approved supervision agreement/plan. Any practice or service rendered by
632 the supervisee or any supervision by the supervisor becomes illegal at 12:01 midnight the
633 expiration date of the agreement.
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Section 4.4 Supervision of Client Contact Hour Report and Supervision Evaluation

- (a) Supervision evaluations and Client Contact Hours reports are due every six (6) months regardless of the number of CCH accumulated.
- (b) The LAC or LAMFT is the party responsible for submission of supervision reports and evaluations every six (6) months.
- (c) The maximum of a thirty (30) day grace period is allowed for the Board to receive the reports and evaluations.
- (d) Reports submitted thirty-one to sixty days (31-60) days in arrears will be reviewed by the Board on a case by case basis to determine whether or not the hours will be accepted. The licensee and the supervisor must send written explanation for the late report. The Board will evaluate the stated reasons for the late reports. The Board may request the Supervisor and Supervisee to meet with the Board for additional information prior to making a decision concerning the situation.
- (e) Reports submitted sixty-one (61) days in arrears will not be accepted by the Board for the contract period in question. A continual pattern of violation and failure to comply with the law may result in an Administrative Hearing for disciplinary action, suspension or revocation of license.
- (f) The supervisor and the supervisee are both the responsible parties for maintaining a current; Board approved supervision agreement/plan. Any practice or service rendered by the supervisee or any supervision by the supervisor becomes illegal at 12:01 midnight the expiration date of the agreement.

V. Application Requirements

Section 5.1 Statement of Professional Intent

The Statement of Intent (Scope of Practice) to practice must be machine produced, either by word processing or typing, signed and dated on each page. The statement must be consistent with the credentials documented in the application for licensure and include a satisfactory response to all items on the Statement of Intent (Scope of Practice) form.

Section 5.2 Transcripts

- (a) Applicants must submit official transcript documentation for Board review. The Board office staff will review applicants' transcripts to ensure:

682 (1) That all academic coursework for licensure has been completed at institutions
683 of higher education having accreditation duly recognized by the Board for degree
684 programs and courses;

685
686 (2) That applicants are minimally qualified to sit for the appropriate written
687 examination (s) by having completed either the required CACREP or COAMFTE
688 core curriculum courses; and

689
690 (3) That core curriculum courses have been completed prior to admission to
691 written examination/examinations unless exempt under section 6.2 (d).

692
693 (4) That all course grades are B or above.

694
695 (b) If the transcript courses titles are ambiguous or do not adequately convey the pertinent
696 content of the courses, the Board office staff is to request documentation of content from
697 the applicant for clarification purposes.

698
699 Section 5.3 Proof of Supervision

700
701 The applicant will submit a record of post-master's supervised counseling work experience
702 and/or marriage and family therapy supervised work related work experience for Board approval.
703 The approved experience will determine the applicant's license (Associate or Professional) level.

704
705 Section 5.4 References

706
707 (a) The applicant will submit a minimum of three (3) references. Copies of references
708 sent directly from other state boards or university placement centers will be accepted by
709 endorsement if no more than five years old. Two of the three must be from mental health
710 professionals. One may be from personal choice.

711
712 (b) The Board will not accept evaluations recommendations, and documentation of
713 supervised experience from persons related either by blood (both lineal and collateral
714 consanguinity) or marriage (affinity). Current members of the Board may not submit
715 references for the applicants.

716
717 (c) If a Board member supervised an applicant in graduate courses, the supervision may
718 be documented and verified by that Board member. A Board member will not lead the
719 Oral Examination nor evaluate the application file of a former student.

720
721 Section 5.5 Board Decisions

722
723 An affirmative vote of a majority of those Board members present and voting will be held as
724 evidence that the applicant:

725
726 (a) Has passed the oral examination.

- 728 (b) Has to pass a situational examination required because of unresolved questions.
729
730 (c) Application be processed for the Associate or the Professional License as
731 determined by the documented, approved post-master's work experience.
732
733 (d) Has been denied the license. The applicant will be so notified by certified or
734 signature confirmation mail. Specific reasons for the denial will be stated.
735
736 (e) Has been granted the license based on satisfactory completion of the application
737 process.
738

739 Section 5.6 Applicant Status with Other Professional Organizations and Boards
740

741 Applications from individuals who are under investigation, sanction, probation, disciplinary
742 supervision, revocation, or rehabilitation by counseling, psychology, social work, or other related
743 Boards or credentialing bodies will not be considered for an Arkansas license until
744 documentation from the issuing body is received that the sanctions are removed or completed.
745 Applications from individuals who have violations of Ark. Code Ann. § 17-27-313 and are
746 pardoned by the Governor are not exempt from the requirements of Ark. Code Ann § 17-27-313.
747

748 Section 5.7 Duration of Application
749

- 750 (a) Applications are active for twelve (12) calendar months from the date the application
751 is received in the Board office.
752
753 (b) If the application process is not completed and the license issued in the twelve
754 months, an applicant may request Board approval for an extension of the twelve month
755 application window. If an extension is not requested, or is denied, the application
756 becomes void and the individual must apply as any new applicant at any future date.
757
758 (c) If new requirements have been placed for applicants in the twelve-month window the
759 Board may require that the new requirements be met within the extension period as part
760 of the application extension approval.
761
762 (d) A second extension period is discouraged and will only be considered by the Board
763 when very unusual, extenuating circumstances are documented.
764

765 **VI. Examinations**
766

767 Section 6.1 General Administration
768

- 769 (a) An applicant, whose credentials meet the requirements of Ark. Code Ann. § 17-27-
770 301 through 305, will be scheduled for written and oral examinations by the Board staff.
771 Situational examinations may be required by the Board if deemed necessary.
772

773 (b) The Board administrative staff will compile lists of applicants who have met all
774 requirements for admission to the NCE, AMFTRB, and/or NCMHCE examination(s).
775 The list will be supplied to the national test administrators on the deadline date for the
776 designated examination.

777
778 (c) Each year the Board will contract for the administration of:

779
780 (1) The National Counseling Examinations (NCE) with the National Board for
781 Certifying Counselors (NBCC).

782
783 (2) The National Clinical Mental Health Counseling Examinations (NCMHCE)
784 with NBCC.

785
786 (3) The Examinations in Marital and Family Therapy with the Association of
787 Marital and Family Therapy Regulatory Boards (AMFTRB).

788
789 (d) National cut-off scores established by the national examination agencies for each
790 examination date are the minimum scores accepted by the Arkansas Board for an
791 applicant to meet respective written examination requirements for licensure.

792
793 (e) If the Board votes to deny the license, the applicant will be so notified by certified or
794 signature confirmation mail. Specific reasons for denial will be stated.

795
796 (f) License will be granted to applicants who satisfactorily complete the application
797 process and are approved by a majority vote of the Board.

798
799 (g) Examinations may be repeated once.

800
801 (h) Failure to pass written, oral, or situational examination(s) in two trials will result in
802 removal of the applicant's file from active status. The applicant must wait two years and
803 apply as a new applicant meeting any requirements in place the date the new application
804 is received in the Board office.

805
806 (i) Prior to an application being processed when an examination has been failed two
807 times, the Board requires:

808
809 (1) A new application for licensure and examinations may not be made prior to
810 two years following the date of the second failed examination; and

811
812 (2) Documentation of completed additional graduate study in Counseling or
813 Marriage and Family Therapy or other remedial work that the Board may specify.

814
815 Section 6.2 Written Examinations

816
817 (a) All applicants for licensure must complete one of the following written examinations.

818

819 (1) Counselor applicants must satisfactorily complete the National Counseling
820 Examination (NCE) unless licensed in another state and required to take the
821 NCMHCE [Section 9.1(c)].
822

823 (2) Marriage and Family Therapist applicants must satisfactorily complete the
824 American Marriage and Family Therapy Regulatory Board (AMFTRB)
825 examination.
826

827 (b) The Board will adopt a prepared standardized test covering the specialized knowledge
828 common to each license. The Board may contract with test design specialists to prepare
829 and provide materials for such testing and to revise the examination as deemed necessary.
830 Subtests in specialty skill areas may be a part of updating. The national pass score
831 determined for each examination by the testing company is the acceptable score
832 determined by the Board to be the pass level to qualify the applicant for the oral and
833 situational examinations.
834

835 (c) Submission of application documentation and fees for national written examinations
836 occurs in two (2) steps:
837

838 (1) Test application and associated fees must be made directly to the national
839 examining organizations for admission to sit for the written examinations. The
840 test applications and fees for written examinations must comply with the national
841 organization's deadlines.
842

843 (2) The licensure application, including transcripts, statements of intent, letters of
844 recommendation and payment of the licensure application fee, must be received
845 by the Board office 4 weeks prior to the test application deadline set by the
846 national examining organization.
847

848 (d) Persons who are enrolled in the final semester of graduate study in counseling or
849 marriage and family therapy and have completed the core curriculum courses may be
850 admitted to the written examination by submitting to the Board, with their application, a
851 letter stating their projected graduation date from one of the following college or
852 university officials:
853

854 (1) Faculty Internship Coordinator
855

856 (2) Master's Committee Chair
857

858 (3) Graduate Coordinator
859

860 (4) Department Chair
861

862 (5) Registrar
863

864 (6) Associate Dean

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(7) Dean

Section 6.3 Oral Examinations

(a) All applicants for licensure must complete an oral examination prior to being granted a license as:

- (1) Associate Counselor
- (2) Associate Marriage and Family Therapist
- (3) Professional Counselor
- (4) Marriage and Family Therapist
- (5) Clinical Supervisor Supervision License
- (6) Clinical Mental Health Counselor Specialization License

(b) Oral Examination - An oral examination will be scheduled for applicants upon receipt by the Board office staff of a passing score on the written examination, their final official transcripts, reflecting degree completion, and all other application requirements completed.

(c) The oral examination will include a review of the applicant's Statement of Intent, questions from the Board relative to the profession of counseling/therapy, and questions about credentials submitted with the application.

(d) Oral Examination Waiver option for Licensed Associate Counselors - The National Clinical Mental Health Counseling Examination (NCMHCE) **option** is available for the Licensed Associate Counselor (LAC) who petitions for the Licensed Professional Counselor (LPC) license upon completion of the required supervised Client Contact Hours (CCH) as a Licensed Associate Counselor (LAC).

- (1) The LAC may petition the Board to take the NCMHCE with approval of the contracted supervisor. When approved, the applicant may apply to NBCC and take the NCMHCE upon completion of 2500 CCH of the required supervision. The passing score will be the national cut off score.
- (2) No oral examination will be required if the LAC petitions to become a LPC under the NCMHCE option. When the passing score on the NCMHCE, all supervised CCH's are completed and documented, revised Statement of Intent and LPC license fee are received, the LPC License may be issued and supervision may cease.

911 (3) If the LAC/LPC applies for the Arkansas Clinical Mental Health Counselor
912 License and has completed the NCMHCE option, the applicant must come for an
913 Oral Examination with the Board for that specialization license.

914
915 (4) Test dates for the NCMHCE will be the same as the dates established for the
916 NCE and all examinations will be administered by NBCC. The candidate will
917 send test application and test fee directly to NBCC.
918

919 Section 6.4 Situational Examinations

920
921 (a) Situational exam - A situational demonstration of counseling or marriage and family
922 therapy skills may be requested by the Board in the form of a video tape. A consent and
923 release statement signed by each participant must accompany such recordings. The
924 Board may utilize Licensed Marriage and Family Therapists or Licensed Professional
925 Counselors, who have specialized knowledge common to the license being sought, to
926 review and advise regarding the videotape. At least one reviewer will have specialized
927 knowledge appropriate to the tape under review.

928
929 (b) The Board does not routinely require a situational examination be passed prior to the
930 oral examination. The Board may request a situational examination be administered and
931 passed if the applicant does not successfully complete the oral examination or if the
932 Board has unresolved questions about the competency and/or skills of the applicant.

933
934 (c) The situational examination will consist of a videotaped recording of the applicant
935 engaged in a counseling interaction with an internship client or volunteer.

936
937 (d) Volunteer clients to make the situational tapes may not be persons related either by
938 blood (both lineal and collateral consanguinity) or marriage (affinity) or from other
939 inappropriate multiple relationships with the applicant.

940
941 (e) When the Board requires a situational examination, a signed and witnessed consent
942 form signed by the client, even if a volunteer, must accompany the submitted videotape.

943
944 (f) Evaluation of the situational examination is based on demonstration of basic
945 counseling skills on the part of the applicant appropriate to the content, effect, and
946 behavior of the client/volunteer. The tape review and evaluation forms signed by the
947 Board will be retained in the applicant's file.

948
949 (f) Videotape(s) from situational examination(s) are to be retained in the applicant's
950 file.

951 Section 6.5 Unresolved Questions

952
953
954 (a) Should the Board have unresolved questions of competence it may require any one or
955 all of the following:
956

- 957 (1) Additional academic work;
958
959 (2) Additional supervised experience;
960
961 (3) Additional references or recommendations;
962
963 (4) Clarification of Statement of Intent;
964
965 (5) Situational Examination; and
966
967 (6) Other evidence deemed necessary to satisfy the Board as to the qualifications
968 and/or fitness and competence of the applicant to practice as a counselor/therapist.
969

970 Section 6.6 Fees

- 971
972 (a) Written examination fees are determined by the national testing company.
973
974 (b) An examination fee will be set by the Board for the processing and conducting
975 situational examinations.
976
977 (c) An annual file maintenance fee, determined by the Board, will be charged when
978 application materials are retained in an active status longer than twelve (12) months from
979 application date.
980
981 (d) The schedule of fees will be reviewed annually and will be set at the lowest possible
982 level to meet the operational expenses of the Board as appropriated by the legislature.
983 The fees established by the Board are published on the web (www.state.ar.us/abec) and
984 are in each application packet.
985

986 **VII. License Renewal**

987
988 Section 7.1 Expiration

989
990 All licenses expire biennially on June 30 of the renewal year. Licensing dates and
991 payment of fees will be set to conform to the State's fiscal year, July 1 through June 30.
992

993
994 Section 7.2 Renewal Fees

- 995
996 (a) The biennial license renewal fee is due and payable by June 30 of the renewal year.
997 Checks should be made payable to the Arkansas Board of Examiners in Counseling. The
998 Board will establish and determine appropriate fees and adjust according to operational
999 expenses.
1000
1001 (b) A late fee will be assessed if the envelope containing the renewal fee is postmarked
1002 after 12:01 midnight, June 30 of the renewal year.

1003
1004 (c) Failure to pay the biennial fee within the time stated shall automatically suspend the
1005 right of any licensee to practice while delinquent. Such lapsed license may be renewed
1006 within a period of twelve (12) months year by payment of all fees in arrears.

1007
1008 (e) Failure to renew a license within twelve (12) months from the date of expiration will
1009 necessitate applying for the license as a new applicant. The Board may require an
1010 appearance before the Board to explain the failure to meet renewal deadlines.

1011
1012
1013 Section 7.3 Continuing Education

1014
1015 (a) No license will be renewed without evidence of satisfactory completion of a minimum
1016 of twenty-four (24) clock hours of continued professional education and/or training in the
1017 twenty-four (24) months prior to renewal and evidence of same on file in the Board
1018 office. Twenty-two (22) of the twenty-four (24) clock hours must support the licensee's
1019 statement of intent. The minimum of two (2) clock hours must be in ethics.

1020
1021 (b) The continuing education policies for documentation and reporting for renewal
1022 purposes are adopted, as applicable, from those published by the National Board for
1023 Counselor Certification (NBCC).

1024
1025 (c) LAC's, LPC's, LAMFT's, and LMFT's are responsible for maintaining all
1026 appropriate documentation of their continuing education hours completed during the
1027 previous twenty-four (24) months should they be required for audit review.

1028
1029 (d) 90% of license renewals are not required to submit documentation for continuing
1030 education. 10% of all renewal notices will be audited and must submit documentation.

1031
1032 (e) If the licensee has not accumulated the required continuing education hours, the
1033 licensee may take the NCE, NCMHCE, or the AAMFT examination and meet the
1034 national pass score as a substitute for continuing education clock hours.

1035
1036 (f) Individuals holding both the Counseling and the Marriage and Family Therapy
1037 Licenses are required to obtain twenty-four (24) clock hours of CEU credit for each
1038 license with the minimum of two of the required hours being in ethics for each license.
1039 CEU credit must be applicable to each license per licensing period. The same hours may
1040 not be submitted for both licenses even if renewal year is the same; for example; if
1041 renewing both at the same time, the total of forty-eight (48) hours and four (4) clock
1042 hours of CEU credit will be required.

1043
1044 (g) American Association of Christian Counselors (AACC) continuing education
1045 documentation CEU'S related to Counseling or Marriage and Family Therapy is
1046 acceptable.

1048 (h) The Arkansas Board of Examiners in Counseling does not screen programs offered by
1049 providers of continuing education. Providers are required to secure Approved Provider
1050 Status through NBCC, AAMFT, AACC, APA, etc., prior to advertising the programs as
1051 approved for license renewal purposes. With official documentation, the continuing
1052 education program hours related to counseling or therapy that are offered by Arkansas
1053 universities and Arkansas state departments will be accepted.

1054
1055 Section 7.4 Statement of Intent

1056
1057 (a) A new Statement of Intent (Scope of Practice) must be received with the renewal fee
1058 and continuing education documentation for any license to be renewed. The Statement of
1059 Intent must be typed or word-processed in the format required by the Board.

1060
1061 (b) The approved Statement of Intent (Scope of Practice) will be in force for the valid
1062 license date.

1063
1064 (c) Each page of the Statement of Intent (Scope of Practice) must be signed and dated.

1065
1066 (d) The Statement of Intent (Scope of Practice) may be revised at any time the scope of
1067 practice changes. The revised Statement of Intent (Scope of Practice) must be submitted
1068 to the Board for approval.

1069
1070 Section 7.5 Renewal Notice

1071
1072 (a) Notices of renewal will be mailed by the Secretary of the Board, on or about, April 1
1073 of the renewal year. Accompanying these notices will be forms for the licensee to use for
1074 the documentation of continued education, statement of intent, and other related
1075 professional activities. Completion of such documentation by the licensee is mandatory
1076 prior to license renewal.

1077
1078 (b) Notices of renewal will be mailed, on or about, March 1, of the renewal year for the
1079 10% of the renewal randomly selected for continuing education audit.

1080
1081 **VIII. Discipline**

1082
1083 Section 8.1 Complaints

1084
1085 (a) When information/complaint that may affect the licensure of an applicant is presented
1086 to the Board, the informant is required to present the information to the Board in signed,
1087 written form unless this creates eminent danger to the informant.

1088
1089 (b) The complaint is investigated following the Arkansas Administrative Procedure Act,
1090 found at Ark. Code Ann. § 25-15-201 et seq.

1091
1092 (c) Following the investigation the Board may by majority vote:
1093

- 1094 (1) Close the complaint with no further action.
1095
1096 (2) Process a Consent Order and Resolution Agreement with the licensee that
1097 specifies conditions to be met and maintained. If the licensee fails to keep all
1098 conditions of the agreement, an Administrative Hearing will be held for the
1099 purpose of disciplinary action.
1100
1101 (3) Hold an Administrative Hearing for the purpose of disciplinary action.
1102
1103 (d) Standards and processes of the American Counseling Association April 1995 edition,
1104 effective July 1, 1995, pages 27-36, will be followed as closely as possible for processing
1105 complaints.
1106
1107 Section 8.2 Hearings
1108
1109 (a) Any applicant or licensee who has been aggrieved by an action of the Board shall be
1110 entitled to the provisions under Ark. Code Ann. § 25-15-201 et seq.
1111
1112 Section 8.3 Suspension, Revocation, Denial of Renewal
1113
1114 (a) In accordance with Ark. Code Ann. § 25-15-201 et seq. (Arkansas Administration
1115 Procedure Act), the Board will suspend, revoke, or deny renewal of any license if the
1116 Board finds that the holder thereof:
1117
1118 (1) Has been found guilty of violating any ethical or professional standard under
1119 which the license holder practices.
1120
1121 (2) Has not paid biennial renewal fee within the time stated.
1122
1123 (3) Has not satisfied the Board, by June 30 of the renewal year, with evidence of
1124 the completion of relevant professional or continued education experience.
1125
1126 (4) Has been found to be incompetent, has misused the license, or has been
1127 negligent in the rendering of counseling services.
1128
1129 (5) Has been convicted of a felony.
1130
1131 (6) Has failed to follow any special directions of the Board.
1132
1133 (7) Has had one's professional license/certificate revoked suspended, or under
1134 investigation by any other Arkansas Board or certifying/licensing agency or by
1135 any state Board or certifying/licensing agency.
1136
1137 (8) Has failed to meet requirements of the Criminal Background Check. (Act
1138 1317 of 1997)
1139

1140 (b) If the Board finds that it has erred in the granting of a license, the Board will give
1141 written notice by certified or signature confirmation mail of intent to annul the license.
1142 The notice will allow the applicant the opportunity to meet the requirements of licensure
1143 within 30 days.

1144
1145 (c) A period of suspension shall not exceed six (6) months. During the period of
1146 suspension, the licensee shall not practice counseling/therapy in the state of Arkansas. At
1147 the conclusion of the period of suspension, an individual may petition the Board for
1148 reinstatement. Failure to meet any requirements of the Board during the period of
1149 suspension may result in revocation of the license.

1150
1151 (d) The Board, or any member thereof, or any citizen of the state of Arkansas, may
1152 petition for court proceedings to prohibit the unlawful practice of counseling/therapy
1153 and/or false representation as a licensed counselor/therapist.

1154
1155 Section 8.4 Unauthorized Counseling

1156
1157 (a) When the Board is made aware of a violation, or possible violation, of Ark. Code
1158 Ann. § 17-27-101 et seq., a certified or registered letter with return receipt, showing
1159 delivery to addressee only, shall be mailed to the last known address of the person in
1160 question. The letter will direct attention to pertinent aspects of the law and the rules and
1161 regulations of the law.

1162
1163 (b) If this does not induce said person to cease violation and to desist from practicing,
1164 holding himself/herself out to practice, and/or from practicing, holding himself/herself
1165 out to practice, and/or use of title, in violation, the information shall be forwarded to the
1166 appropriate law enforcement authorities.

1167
1168 (c) This violation will be deemed a Class “A” Misdemeanor. The violator, upon
1169 conviction, shall be punished by a fine of not less than five hundred dollars (\$500) nor
1170 more than one thousand dollars (\$1,000) and the violator may be imprisoned for a term
1171 not exceeding one (1) year. Each violation and conviction shall be deemed a separate
1172 offense.

1173
1174 **IX. Licensing Under Special Conditions**

1175
1176 Section 9.1 Reciprocity

1177
1178 No reciprocity agreement exists between other states or other Arkansas agencies.
1179 Applicants from other states or Arkansas agencies must apply and complete the formal
1180 application process prior to license issue. The following apply to the process:

1181
1182 (a) An applicant who has been licensed as a counselor or mental health professional in
1183 other state/states or by other Arkansas agencies must submit a License Verification Form
1184 (LVF) from each state or agency prior to the oral examination.

1186 (b) Waiver of the NCE, NCMHCE, or the AMFTRB may be granted when the Board has
1187 determined that another examination is equivalent or an endorsement agreement has been
1188 reached with the other boards or agencies responsible for licensing
1189 Counselors/Therapists.

1190
1191 (c) Applicants moving from another state, who hold their licenses from that state under
1192 grandfathering, and were not previously tested for licensure, will be required to
1193 satisfactorily complete the National Clinical Mental Health Counseling Self-Assessment
1194 Examination (NCMHCE).

1195
1196 (d) If requirements for full license (LPC or LMFT) in another state required 2000 Client
1197 Contact Hours (CCH) and applicant has passed appropriate National Exam (NCE,
1198 AMFTRB or NCMHCE), the applicant will need to document an additional 1000 CCH of
1199 supervision or the application will be processed for LAC or LAMFT. The 2000 CCH
1200 from another state will be applied first to year three, then year two. The 1000 CCH to be
1201 earned in Arkansas must be year one and supervision provided at the ratio of one (1) hour
1202 of supervision for each ten (10) hours of client contact.

1203
1204 (e) Acceptability of supervision, gained prior to application, under other Licensing
1205 Boards, will be judged according to:

1206
1207 (1) The ethical and professional standards of the Association for Counselor Education
1208 and Supervision or the Commission on Accreditation of Marriage and Family
1209 Therapy Education, the American Association for Pastoral Counselors, Council for
1210 Accreditation of Counseling and Related Educational Programs, National Board for
1211 Certifying Counselors, Commission on Rehabilitation Counselor Certification.

1212
1213 (2) The appropriateness of the supervisory relationship.

1214
1215 (3) The direct counseling hours performed while under supervision. Supervised
1216 experience will be credited at the ratio specified by the Board and must consist of
1217 face-to-face supervision in either individual and/or group format. Indirect services are
1218 not credited for the required supervised work. Graduate school practicum or
1219 Internship hours are not credited for the required supervised professional work. Hours
1220 spent conducting Psycho educational groups (whether inpatient/outpatient or at other
1221 locations) may not be credited as therapy/counseling for the required supervised
1222 work.

1223
1224 (f) Acceptable Post-Master's Supervision may include:

1225
1226 (1) A recognized post-master's internship training program

1227
1228 (2) Supervised CCH approved by another state's counseling Licensure Board or
1229 Marriage and Family Therapy Board

1230
1231 (3) Supervision approved by NBCC, AAMFT, CRCC or AAPC

- 1232
1233 (4) Supervised counseling/therapist hours accrued during employment in a
1234 private practice, agency or institution that meet Board adopted supervision
1235 criteria.
1236
- 1237 Section 9.2 Out of State Consulting
1238
- 1239 (a) Non-resident persons who are licensed by Counseling or Marriage and Family
1240 Therapy regulatory boards in other states or countries may provide consulting or research
1241 services within Arkansas for not more than thirty (30) days (discontinuous or continuous)
1242 per calendar year.
1243
- 1244 (b) Consultant is defined as a licensed LPC/LMFT who has practiced as a professional
1245 for a minimum of three (3) years in another state and contracts with an Arkansas agency
1246 or institution for research, workshops, training, or for providing advice and guidance on
1247 professional issues.
1248
- 1249 (c) Consultant activities and services must be short-term and contractual and must be
1250 sponsored and supervised by a licensed Arkansas LPC or LMFT.
1251
- 1252 (d) Prospective employees, moving to Arkansas from another state, who are applying for
1253 an Arkansas license are not to be considered consultants and are not exempt from
1254 licensure.
1255
- 1256 Section 9.3 Other Professionals and Agencies
1257
- 1258 (a) Neither the National Counselor Examination nor the Association of Marital and
1259 Family Therapy Regulatory Board Examination will be waived for licensed Psychologists
1260 who apply for a license from the Counseling Board.
1261
- 1262 (b) Licensed Psychological Examiners (LPE) who apply for a counseling or a marriage
1263 and family therapy license must complete the supervision requirements in Phase I (1000
1264 Client Contact Hours at the ratio of one (1) hour of supervision for each ten (10) hours of
1265 direct client contact). The maximum of two (2) years of supervised professional
1266 experience may be submitted for approval by the Board if the applicant documents
1267 supervised experience consistent with his/her Statement of Intent by submitting:
1268
- 1269 (1) Documentation from the Arkansas Board of Examiners in Psychology (ABEP)
1270
- 1271 (2) Statement from the ABEP or LPE supervisor verifying the ratio of supervision
1272 to CCH and that the scope of the practice supervised was not related to
1273 assessment, appraisal, testing, or indirect hours as part of their practice
1274
- 1275
- 1276 (c) Any person holding a license from the Arkansas Board of Examiners in Psychology
1277 (ABEP) will not be approved for any appraisal, assessment, or testing under any license

1278 issued by this Board. All appraisal activities will be regulated by the ABEP for any
1279 persons licensed by both the Board of Examiners in Counseling and Board of Examiners
1280 in Psychology.

1281
1282 (d)(1) Clergy who are credentialed as member, fellow, or diplomat by the American
1283 Association of Pastoral Counselors (AAPC) or other Board-approved
1284 credentialing organizations will be accepted as meeting the Board definition of
1285 equivalent training for Licensed Associate or Professional Counselor/Therapist.

1286
1287 (2) Upon completion of the application process, providing a passing score on one
1288 of the written examinations (National Counseling Examination, Marriage and
1289 Family Therapy Examination, Pastoral Counselor Examination or equivalent),
1290 passing the situational and oral exams, clergy applicants with appropriate
1291 documented experience will be granted the Licensed Counselor/Therapist license
1292 with the specialty license as pastoral counselor/therapist.

1293
1294 (e) Applicants for the Licensed Professional Counselor license who hold a master's
1295 degree and who are credentialed as CRC by the Commission on Rehabilitation Counselor
1296 Certification (CRCC) standards adopted by CRCC July 1, 2003 will be accepted as
1297 meeting the Board definition of equivalent/parallel training for licensed Associate or
1298 Professional Counselor/Therapist provided the core curriculum courses are included in
1299 the degree or in post-master's course work. The National Certifying Examination for
1300 Rehabilitation Counselors (NCERC) has not been determined equivalent to the National
1301 Counseling Examination (NCE) and will not be substituted for the NCE for the LPC
1302 license. The NCERC will be accepted for the Rehabilitation Counselor Specialization
1303 License.

1304 1305 **X. Records**

1306 1307 Section 10.1 Board Records

1308
1309 In accordance with Ark. Code Ann. § 25-19-101 *et seq.*, examination and copying of
1310 public records, client records "such as state income tax returns, medical records, scholastic
1311 records, adoption records, and other similar records which by law are required to be closed to the
1312 public shall not be deemed to be made open to the public."

1313 1314 **XI. Ethics**

1315 1316 Section 11.1 Standards

1317
1318 (a) The Arkansas Board of Examiners in Counseling (ARBOEC) adopted the 1995
1319 revision of the American Counseling Association (ACA) Code of Ethical Standards with
1320 the exception of the addition given by the A.C.A dated October 1999 on "Ethical
1321 Standards of Internet On-Line-Counseling". The Internet On-Line-Counseling section is
1322 deemed by this Board as **not** appropriate practice or behavior to govern appropriate

1323 practice referred to in Ark. Code Ann. §17-27-101§ et seq. based on the following
1324 rationales:

1325
1326 (1) The Board is not currently convinced of the means of protecting Arkansas’s
1327 citizens in the area of On-Line-Counseling.

1328
1329 (2) Currently, technology is not secure enough to ensure confidentiality for
1330 clients.

1331
1332 (3) Currently, adequate training for the different counseling approaches is needed
1333 for on-line-counseling. There is no way to identify the training, if it exists.

1334
1335 (4) Currently, adequate supervision for on-line-counseling is not available in the
1336 state.

1337
1338 (5) Currently, there is no way for the Board to regulate On-Line-Counseling
1339 practices.

1340
1341 (6) The public cannot be adequately protected.

1342
1343 (b) The American Counseling Association (ACA) Code of Ethics and Standards of Practice,
1344 1995, are adopted for all persons holding a LPC/LAC license.

1345
1346 (c) The American Association of Marriage and Family Therapist (AAMFT) Ethical Code,
1347 2001, is adopted for all persons holding a LMFT/LAMFT license.

1348
1349 (d) Licensees holding multiple licenses must adhere to the codes of ethics of all professional
1350 certificates/licenses held and to the more stringent of the codes of ethics where there may be
1351 any appearance of conflict between codes.

1352
1353
1354
1355 **XII. Counselor – Client Communications**

1356
1357 Section 12.1 Counselor – Client Communications

1358
1359 All counselor - client communications shall be placed on the same basis as those between an
1360 attorney and a client. The Lawyer – Client privilege is defined and regulated by Rule 502 of the
1361 Arkansas Rules of Evidence.

1362
1363 **XIII. Creation -- Members**

1364
1365 Section (c)(1)(e)(1)

1366 *The appointed replacement shall be eligible for reappointment to a full three year term upon*
1367 *completion of the partial term appointment created by the vacancy.*
1368

1369 Section (c) (1)(e) (1) (g)
1370 ***Board members shall be ineligible for reappointment for a period of three (3) years following***
1371 ***completion of each full, three (3) year term.***
1372
1373
1374
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1376
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