

DEPARTMENT OF REGULATORY AGENCIES

Board of Marriage and Family Therapist Examiners

4 CCR 736-1

PURPOSE AND SCOPE

These rules inform the public in general and those desiring Colorado licensure as marriage and family therapists in particular of the following, among other things: The Operations of the Board of Marriage and Family Therapist Examiners; The Procedures for Public Participation at Board meetings; Confidentiality of Board Proceedings and Records of the Board; Release of Information to Other Agencies; Procedures for Investigation and Disposition of Inquiries; Declaratory Orders; Mandatory Disclosure Statement; Information Required to be Reported to the Board; Supervision of Psychotherapists; The information needed, the qualification required, and the type and amount of supervised experience necessary for licensure; the general content of the licensure examination; Continuing Professional Competence Requirements. These rules include licensure by endorsement (i.e., admission from another jurisdiction) and by examination and cover initial, reinstatement ~~of~~, reactivation and renewal of licensure.

The rules affect every person seeking Colorado licensure as a marriage and family therapist, as defined in CRS 12-43-201(7) and CRS 12-43-501(4) and (5).

RULE 12

RENEWAL OF LICENSE (CRS 12-43-204(3))

- (a) Failure to Receive Renewal Notice. Failure to receive notice for renewal of license from the Board does not excuse a licensee from the requirement for renewal under the Act and this Rule.
- (b) Grace period. Licensees shall have a sixty-day grace period after the expiration of his or her license to renew such license without the imposition of a disciplinary sanction for practicing on an expired license. During this grace period a delinquency fee will be charged for late renewals. A licensee who does not renew his or her license within the sixty-day grace period shall be treated as having an expired license and shall be ineligible to practice until such license is reinstated.
- (c) Continuing Professional Competence. Pursuant to §12-43-506, C.R.S., effective January 1, 2011, Licensed Marriage and Family Therapists shall demonstrate continuing professional competence in order to renew.

RULE 15

REINSTATEMENT OF LICENSE (CRS 12-43-204)

- (a) General. A license that has expired is subject to the following reinstatement provisions.
- (b) Application requirements. To be considered for license reinstatement, an applicant must submit a completed reinstatement application form and the reinstatement fee.
- (c) Required statements.
 - (1) Each applicant for reinstatement shall certify the following:
 - (A) Every license, certificate, or registration to practice marriage and family therapy held by the applicant is in good standing;

- (B) Applicant ~~knows of ne~~has no knowledge of any injunction or disciplinary action completed or pending against her/his license, certificate, registration, or listing to practice psychotherapy or marriage and family therapy;
 - (C) Applicant ~~knows of ne~~has no knowledge of any malpractice judgment against her/him, ~~knows of ne~~has no knowledge of any settlement of a malpractice action or claim against her/him, and ~~knows of ne~~has no knowledge of any malpractice action or claim pending against her/him, where the malpractice alleged relates to her/his practice of psychotherapy or marriage and family therapy;
 - (D) Applicant ~~knows of ne~~has no knowledge of any complaint pending before, investigation being conducted by, or disciplinary proceeding pending before the licensing, grievance, or disciplinary board of any jurisdiction in which ~~s/he or she~~ is licensed, certified, or registered to practice psychotherapy or marriage and family therapy where the complaint, investigation, or proceeding concerns her/his practice of psychotherapy or marriage and family therapy.
- (2) The Board may ~~not decline to~~ issue a license to an applicant for reinstatement if disciplinary action is pending or if there is an unresolved complaint.

~~(d) Criteria. The Board has established the following criteria for determining whether an applicant for reinstatement has demonstrated her/his continued professional competence as required by CRS 12-43-204(3). An applicant must meet all applicable criteria to establish her/his continued professional competence.~~

~~(1) License expired more than two years. An applicant whose license has been expired more than two years shall pass a Board developed jurisprudence examination and demonstrate her/his continued professional competency by either:~~

~~(A) A written statement detailing work experience related to practice of marriage and family therapy or psychotherapy during the time the licensure has been expired. If work experience was in other jurisdiction(s), verification of licensure from each jurisdiction(s) is required; or~~

~~(B) Documenting the applicant has 10 hours of continuing education acceptable to the Board for each year or portion thereof the license has been expired; or~~

~~(C) Retaking and passing the Association of Marital and Family Therapy Regulatory Boards (AMFTRB) Examination.~~

~~(d) Continuing Professional Competence. Pursuant to §12-43-506, C.R.S., effective January 1, 2011, Licensed Marriage and Family Therapists shall demonstrate continuing professional competence in order to reinstate.~~

~~(1) An applicant for reinstatement must comply with all Continuing Professional Development requirements pursuant to Board Rule 19 including the Professional Practice Survey, Learning Plan and documentation of having completed forty (40) Professional Development Hours within the two (2) years immediately preceding the application receipt date.~~

~~(e) License expired more than two (2) years criteria. The Board has established the following criteria for determining whether an applicant for reinstatement has demonstrated her/his competency to practice as required by § 24-34-102(8)(d)(II), C.R.S.~~

~~(1) An applicant whose license has been expired more than two years shall pass a Board approved jurisprudence examination and either:~~

- (A) A written statement detailing work experience related to the practice of marriage and family therapy or psychotherapy during the time the license has been expired. If work experience was in other jurisdiction(s), verification of licensure from each jurisdiction(s) is required; or
- (B) Retaking and passing the Association of Marital and Family Therapy Regulatory Boards (AMFTRB) Examination; or,
- (CD) Completion of an additional 10 Professional Development Hours as defined in Board Rule 19 for each year or portion thereof the license has been expired; or
- (DE) Other means determined by the Board.

RULE 19

CONTINUING PROFESSIONAL COMPETENCE (CRS 12-43-506)

Pursuant to §12-43-506, C.R.S., effective January 1, 2011, Licensed Marriage and Family Therapists shall demonstrate continuing professional competence through participation and compliance with the Continuing Professional Development program in order to renew, reinstate or reactivate a license to practice Marriage and Family Therapy in the State of Colorado.

(a) Definitions.

Continuing Professional Competence: Continuing Professional Competence (CPC) means the ongoing ability of a Licensed Marriage and Family Therapist to learn, integrate and apply the knowledge, skill, and judgment to practice according to generally accepted industry standards and professional ethical standards in a designated role and setting.

Continuing Professional Development: Continuing Professional Development (CPD) is the program through which a Licensed Marriage and Family Therapist satisfies the Continuing Professional Competence requirements set forth in §12-43-506, C.R.S. to renew, reinstate or reactivate a license.

Continuing Professional Development Portfolio: The Continuing Professional Development Portfolio (CPD Portfolio) is an instructional guide and workbook for the CPD program.

Professional Development Hours: Professional Development Hours (PDH) are the units of measurement of active learning used to accrue credit in the CPD program. PDH are equivalent to clock hours.

Professional Development Activities: Professional Development Activities (PDA) are Board approved learning activities undertaken for the purpose of continuing professional development.

(b) Requirements.

- (1) Licensed Marriage and Family Therapists shall demonstrate continuing professional competence through participation and compliance with the Continuing Professional Development program in order to renew, reinstate or reactivate a license to practice Marriage and Family Therapy in the State of Colorado.
- (2) Licensed Marriage and Family Therapists must complete the following requirements in accordance with the current CPD Portfolio:

- (A) Professional practice survey
 - (B) Learning plan
 - (C) Documentation of their PDA and PDH.
- (c) Professional Practice Survey. The Professional practice survey should be completed prior to renewing, reinstating or reactivating a license.
- (d) Learning plan. Licensees shall draft a personal learning plan based upon the professional practice survey. The learning plan shall consist of PDA approved by the Board. Licensees shall execute their learning plan by completing all PDAs and PDHs before the date upon which they renew their license. Changes to the learning plan shall not be allowed after renewing, reinstating or reactivating a license.
- (e) Professional Development Hours. Licensed Marriage and Family Therapists shall complete forty (40) PDH each renewal cycle in order to renew their license or certification.
- (1) Licensees shall document their completion of their PDAs and PDHs according to the guidelines set forth in the current CPD Portfolio. Licensees should be prepared to submit documentation of their CPD compliance upon request by the Board.
 - (2) No more than twenty (20) PDH in a single Professional Development Activity shall be credited and recognized each renewal cycle.
 - (3) Licensees receiving an original, reinstated or reactivated license, during the renewal cycle must accrue one point sixty six (1.66) PDH for each month or portion thereof they are licensed during the current renewal cycle.
 - (4) A maximum of five (5) PDH may be carried from the last renewal cycle to the next renewal cycle if the PDH were earned within three (3) months of license expiration and are in excess of the forty (40) PDH required for the current renewal cycle.
 - (5) Licensees shall retain documentation of their CPD compliance for a minimum of ~~seven (7)~~ five (5) years from the license expiration date for the renewal cycle during which PDH were accrued.
- (f) Professional Development Activities. To qualify for PDH credit, Licensees must select PDAs that have been approved by the Board.
- (1) The Board approves the following PDAs:
 - (A) Volunteering
 - (B) Mentoring
 - (C) Presenting
 - (D) Supervision
 - (E) Publishing
 - (F) Coursework
 - (G) Independent Learning

(H) Group Learning

- (2) Professional Development Activities must enhance, improve or maintain your competence as a Licensed Marriage and Family Therapist. You should be able to show or describe how the activity either provided new knowledge or skills, or how you were able to sharpen or hone existing skills by synthesizing new knowledge.
- (3) It is within the discretion of the Board to deny credit for any PDH that does not meet the criteria set forth in the current CPD Portfolio or the definition of Continuing Professional Competence contained in §12-43-506(3), C.R.S.
- (4) Unacceptable Professional Development Activities. The following types of activities are ineligible for credit. Serving on a federal, state or municipal board or commission.

(g) Deem Status.

- (1) To be eligible for Deem Status pursuant to §12-43-506(1)(C), C.R.S., a State Department CPC program must satisfy the definition of Continuing Professional Competence pursuant to §12-43-506(3), C.R.S. Employees and contractors of qualifying programs in State Departments shall be deemed to have met the CPC requirements.
- (2) Licensees deemed to have met the CPC requirements are subject to an audit. The audit shall review the program for which the licensee has justified their Deem Status to ~~see~~ ensure that it meets the definition of CPC outlined in §12-43-506(3), C.R.S and shall verify the licensee's successful completion of the program.
- (3) Licensees found to have falsified their Deem Status or who attested their fulfillment of CPC requirements for an unqualified State Department program, are subject to discipline by the Board.

(h) Exemptions.

- (1) **Military Service.** The Board may grant exemptions from the CPD program requirements for reasons of military service. A licensee shall not be eligible for an exemption under this section for two (2) consecutive renewal periods. In the event a licensee cannot complete the CPD requirements following an exemption, the licensee's license will remain expired until they are able to meet all CPD requirements. Request for exemptions must be submitted in writing and provide evidence that the licensee was absent from Colorado because of military service for a period of one (1) year or longer during the renewal period, preventing completion of the CPD requirements.
- (2) **Dual Licensure.** The Board may grant an exemption from the CPD requirement if the ~~addiction counselor~~ Licensed Marriage and Family Therapist has fulfilled the CPD requirements set forth in: §12-43-411, C.R.S.; §12-43-605, C.R.S.; or §12-43-805, C.R.S.

RULE 20

INACTIVE LICENSE STATUS AND REACTIVATION OF LICENSE

- (a) Inactive status. Pursuant to § 12-70-101, C.R.S., any licensee may apply to the ~~Bb~~board to be transferred to an inactive status. Such application shall be in the form and manner designated by the ~~Bb~~board. The holder of an inactive license shall not be required to comply with the continuing competency requirements for renewal so long as he or she remains inactive.

- (1) During such time as a licensee remains in an inactive status, he or she shall not perform those acts restricted to active licensure pursuant to § 12-43-505, C.R.S. The Board shall retain jurisdiction over inactive licensees for the purposes of disciplinary action pursuant to § 12-43-221(1)(d), C.R.S.
 - (2) Practicing with an inactive license shall constitute unlicensed practice and, therefore, may be grounds for disciplinary or injunctive action, up to and including revocation.
- (b) Reactivation requirements. To be considered for license reactivation, an applicant must submit a completed reactivation application and the reactivation fee.
- (c) Required statements.
- (1) Each applicant for reactivation shall certify the following:
 - (A) Every license, certificate, or registration to practice marriage and family therapy held by the applicant is in good standing;
 - (B) Applicant ~~knows of no~~ has no knowledge of any injunction or disciplinary action completed or pending against her/his license, certificate, registration, or listing to practice psychotherapy or marriage and family therapy;
 - (C) Applicant ~~knows of no~~ has no knowledge of any malpractice judgment against her/him, ~~knows of no~~ has no knowledge of any settlement of a malpractice action or claim against her/him, and ~~knows of no~~ has no knowledge of any malpractice action or claim pending against her/him, where the malpractice alleged relates to her/his practice of psychotherapy or marriage and family therapy;
 - (D) Applicant ~~knows of no~~ has no knowledge of any complaint pending before, investigation being conducted by, or disciplinary proceeding pending before the licensing, grievance, or disciplinary board of any jurisdiction in which s/he or she is licensed, certified, or registered to practice psychotherapy or marriage and family therapy where the complaint, investigation, or proceeding concerns her/his practice of psychotherapy or marriage and family therapy.
 - (2) The Board may not issue a license to an applicant for reactivation if disciplinary action is pending or if there is an unresolved complaint.
- (d) Continuing Professional Competence. Pursuant to §12-43-506, C.R.S., effective January 1, 2011, Licensed Marriage and Family Therapists shall demonstrate continuing professional competence in order to reactivate.
- (1) An applicant for reactivation must comply with ~~all~~ Continuing Professional Development reactivation requirements pursuant to Board Rule 19 including the professional practice survey, learning plan and documentation of having completed forty (40) Professional Development Hours within the two (2) years immediately preceding the application receipt date.
- (e) License ~~expired-inactive~~ more than two (2) years. The Board has established the following criteria for determining whether an applicant for reactivation has demonstrated competency to practice as required by § 12-43-204(3), C.R.S.
- (1) An applicant whose license has been ~~expired-inactive~~ more than two (2) years shall pass a Board approved jurisprudence examination and either:

- (A) A written statement detailing work experience related to the practice of marriage and family therapy or psychotherapy during the time the license has been expired inactive. If work experience was in other jurisdiction(s), verification of licensure from each jurisdiction(s) is required; or
- (B) Retaking and passing the Association of Marital and Family Therapy Regulatory Boards (AMFTRB) Examination; or
- (C) Completion of an additional 10 Professional Development Hours as defined in Board Rule 19 for each year or portion thereof the license has been inactive; or
- (D) Other means determined by the Board.