

56 N.J.R. 1822 (a)

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PUBLIC NOTICES

Reporter

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Agency

LAW AND PUBLIC SAFETY > DIVISION OF CONSUMER AFFAIRS

Administrative Code Citation

N.J.A.C. 13:34-13

Text

Notice of Final Action on Petition for Rulemaking

Board of Marriage and Family Therapy Examiners

Professional Counselor Examiners Committee

Authority: N.J.S.A. 45:8B-13.

Petitioners: Vanessa Woods, LPC, and Glenn Duncan, LPC.

Take notice that on February 26, 2024, the Professional Counselor Examiners Committee (Committee) of the Board of Marriage and Family Therapy Examiners (Board) received a petition for rulemaking from Vanessa Woods, LPC, and Glenn Duncan, LPC, requesting that the Committee amend N.J.A.C. 13:34-13, which governs the supervision of licensed associate counselors. Specifically, the petitioners ask the Committee to allow licensed associate counselors who are completing the 4,500 hours of supervised professional counseling experience required for licensure as a professional counselor to be supervised virtually.

Currently, licensed associate counselors must obtain their supervised experience pursuant to the supervision of a qualified supervisor through face-to-face supervision. The petitioners believe that the Committee's face-to-face supervision requirement is inconsistent with the requirements of other professional boards, like the Board of Social Work Examiners and the Board of Marriage and Family Therapy Examiners, that allow their licensees to obtain up to 50 percent of their required supervision hours through virtual supervision. In addition, the petitioners note that they have not found any scientific research to support the need to limit virtual supervision to only 50 percent of the required supervision hours. Accordingly, they request that the Committee permit licensed associate counselors to complete all of the required hours of supervised professional counseling experience through virtual supervision. Lastly, while other professional boards require qualified supervisors to complete a six-hour course in virtual supervision before providing such supervision, the petitioners urge a different approach. Instead of a six-hour course, the petitioners request that the Committee mandate that licensees obtain this training either through a graduate-level supervision course or as part of the training required to obtain an Approved Clinical Supervisor credential from the Center for Credentialing and Education of the National Board for Certified Counselors (NBCC) or an equivalent clinical supervisor credential.

A notice acknowledging receipt of the petition was filed with the Office of Administrative Law on March 8, 2024, and was published in the New Jersey Register on April 15, 2024, at 56 N.J.R. 620(a).

On March 7, 2024, the Committee referred this matter to its Regulations Sub-Committee for further deliberation in order to develop a better understanding of the implications this request would have for licensees and the public. A notice acknowledging the Committee's action on March 7, 2024, was filed with the Office of Administrative Law on June 26, 2024, and was published in the New Jersey Register on July 15, 2024, at 56 N.J.R. 1263(a).

Take further notice that at its May 2, 2024 meeting, the Committee, after an oral report of the Regulations Sub-Committee, determined to deny the petition for rulemaking. The Committee agrees with the petitioners that rules concerning the provision of professional counseling experience supervision virtually may be necessary to provide licensees more flexibility and protect the public by ensuring that qualified supervisors are trained and competent to provide virtual supervision. However, because the Committee disagreed with the petitioners' virtual supervision training request, the Committee determined to deny the petition.

The petitioners requested that the Committee require licensees to obtain virtual supervision training either through a graduate-level supervision course or as part of the 45 hours of clinical supervision training required by the National Board for Certified Counselors to obtain an Approved Clinical Supervisor credential. The Committee notes that it does not have the authority to dictate the content of the training required by the NBCC or other credentialing entities. However, because the Committee sees the merit in promulgating virtual supervision rules, the Committee returned the issue to the Regulations Sub-Committee and intends to initiate a rulemaking based on the Sub-Committee's recommendations.

The Board duly considered the Committee's recommendation at its June 13, 2024 public meeting. The Board voted to affirm the Committee's recommendation to deny the petition for the reasons stated by the Committee. Accordingly, the petition is denied.

A copy of this notice has been mailed to the petitioners pursuant to N.J.A.C. 1:30-4.2.

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