

54 N.J.R. 1212(c)

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Reporter

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Agency

LAW AND PUBLIC SAFETY > DIVISION OF CONSUMER AFFAIRS

Administrative Code Citation

N.J.A.C. 13:34-10.2 and 13.1

Text

Notice of Action on Petition for Rulemaking

Board of Marriage and Family Therapy Examiners

Professional Counselor Examiners Committee

Petitioner: Jeffrey W. Cox Jr, LPC, LCADC, ACS.

Take notice that on April 3, 2022, the Professional Counselors Examiners Committee (Committee) of the Board of Marriage and Family Therapy Examiners (Board) received a petition for rulemaking from the above-named petitioner, requesting that the Board amend N.J.A.C. 13:34-13.1 to require that supervisors of licensed associate counselors be professional counselors licensed in New Jersey for at least three years and have an approved clinical supervisor certification. A notice of receipt of the petition was published at 54 N.J.R. 949(a) on May 16, 2022.

[page=1213] Pursuant to N.J.A.C. 13:34-13.1(a), supervisors of licensed associate counselors must have 4,500 hours of work experience subsequent to obtaining a clinical license to provide mental health counseling services. They must also have either an approved clinical supervisor credential from the Center for

Credentialing and Education of the National Board for Certified Counselors, an equivalent supervisor credential recognized by their respective professional healthcare licensing board, or three graduate credits in clinical supervision from a regionally accredited institution of higher education. Granting the petition would require amending N.J.A.C. 13:34-13.1(a) to require that supervisors of licensed associate counselors hold both a professional counseling license in New Jersey for at least three years and an approved clinical supervisor certification.

Granting the petition would also require amending the definition of "qualified supervisor" at N.J.A.C. 13:34-10.2. The definition of "qualified supervisor" includes professionals licensed to practice professional counseling, marriage and family therapy, psychology, psychiatry, and social work. The petitioner states that the education and training social workers receive do not match the education and training required of a professional counselor and, therefore, social workers are not qualified to serve as supervisors of associate counselors. The petitioner does not address whether professionals licensed to practice marriage and family therapy, psychology, or psychiatry should be permitted to supervise associate counselors. However, the petitioner's proposed amendment at N.J.A.C. 13:34-13.1 would limit eligibility to supervise associate counselors to professional counselors. Accordingly, granting the petition would require amending N.J.A.C. 13:34-10.2 to remove the references to marriage and family therapists, psychologists, psychiatrists, and social workers from the definition of "qualified supervisor."

The Committee duly considered the petition at its public meeting on May 5, 2022. The Committee voted to deny the petition because the existing rules at N.J.A.C. 13:34-10.2 and 13.1 provide the Committee with the ability to evaluate supervisors and plans of supervision on an individual basis and approve only qualified supervisors. Pursuant to N.J.A.C. 13:24-13.1(c) and (d), the Committee must approve a detailed plan of supervision that includes the supervisor's responsibilities and qualifications prior to the performance of any counseling by the licensed associate counselor. In addition, the Committee notes that it has the authority to respond to any complaints regarding supervisors that it receives, which provides an additional means of ensuring that supervisors are fulfilling their duties competently and responsibly. The Committee also considered the possibility that removing a profession as possible supervisors may create barriers to entering the field of professional counseling. Reducing the number of qualified supervisors may make it more difficult for licensed associate counselors to obtain the supervised clinical hours necessary to become licensed professional counselors.

The Board duly considered the Committee's recommendation at its May 12, 2022 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.

In accordance with the provisions of N.J.A.C. 1:30-4.2, a copy of this notice has been mailed to the petitioner.

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