



Newsletter



Tennessee Board of Professional Counselors, Marital & Family Therapists, and Clinical Pastoral Therapists

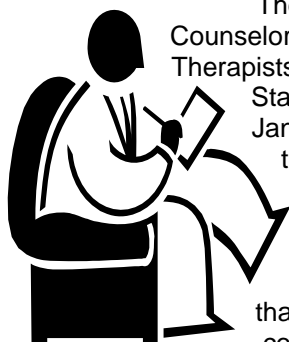
Winter 2009

A Regulatory Agency of the State of Tennessee

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227 French Landing, Suite 300, Heritage Place MetroCenter, Nashville, TN 37243 • <http://tn.gov/health> (615) 532-5138 or 1-800-778-4123 ext. 25138 • Office Hours: Monday – Friday 8:00 a.m. to 4:30 p.m. Central Time (except state and federal holidays) Fax: (615) 532-5369

The Board



The Board for Professional Counselors and Marital and Family Therapists was created in 1984 by the State Legislature. Effective January 1, 1998, a clinical pastoral therapy component was added to this board. The Board is responsible for safeguarding the health, safety, and welfare of Tennesseans, by requiring that all who practice professional counseling, marital and family therapy, and clinical pastoral therapy within this state be qualified. The board interprets the laws, rules, and regulations to determine the appropriate standards of practice in an effort to ensure the highest degree of professional conduct. The board is authorized to issue a license or certificate to qualified applicants who have completed appropriate education and successfully completed required examinations. The board is also responsible for the investigation of alleged violations of the Practice Act and rules, and is responsible for the discipline of licensees who are found guilty of such violation.

The administrative staff of the Division of Health Related Boards supports the board by issuing licenses to those who meet the requirements of the law and rules. Renewal notices are mailed from the board's administrative office forty-five (45) days prior to the expiration of the license to the current address on record. Licenses can be renewed on-line one hundred twenty (120) days prior to expiration at Tennessee.gov/health. Click on the "License Renewal" link and follow the prompts.

Licensees are responsible for renewing their licenses on time and keeping the board aware of current information. It is a violation of the law and of the board's rules to practice on an expired license.

The board consists of five (5) members appointed by the Governor to serve five (5) year terms. The Tennessee Association for Counseling and Development, the Tennessee Association for Marriage and Family Therapy, and the Tennessee Association of Pastoral Therapists each may provide the Governor with a list of four (4) candidates from which to fill vacant positions. One (1) position is a consumer member. A quorum of three (3) members is required to conduct business. The meetings are open to the public.

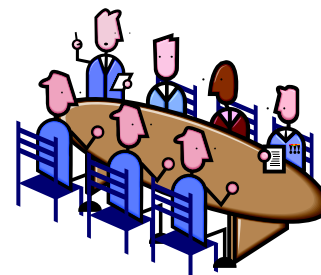
2010 Board Meeting Schedule

February 5, 2010
9 a.m., Poplar Room

June 4, 2010
9 a.m., Poplar Room

August 27, 2010
9 a.m., Poplar Room

December 3, 2010
9 a.m., Poplar Room



All board meetings will be held at 227 French Landing, Suite 300 Heritage Place MetroCenter, Nashville TN, unless otherwise noted.

To contact this Board, call
(615) 532-5138 local or (800) 778-4123
nationwide
or
write to:

Tennessee Board of PC/MFT and LCPT
227 French Landing, Suite 300
Heritage Place – Metro Center
Nashville, TN 37243

Rule Amendments

Rule amendments 0450-1-, 0450-2-, 0450-3-.01, .03, .04, .05, and .10: Graduate coursework in pursuit of licensure and administrative supervision in the work setting are not clinically related activities. Clinical setting shall include, but is not limited to, mental health or community agency settings. Clinical settings which are exclusively in a private practice and/or clinical settings which focus on only one aspect of professional counseling are not acceptable for meeting the supervision requirements.

Rule amendment 0450-1.04 (4)(a)(4) requires applicants to complete 3,000 hours of supervised post masters professional experience, including 1,500 hours of face to face client contact hours and 1,500 hours of clinically related activities effective July 1, 2009.

You may download a copy of the rules, along with applications and forms, board member list, board meeting schedule, policy statements and board meeting minutes and the board's Web site:

http://health.state.tn.us/boards/PC_MFT&CPT/index.htm



Legislation Update

Public Chapter 529 Prohibition of Employment of Illegal Aliens

Effective July 1, 2008, if the Commissioner of Labor and Workforce Development receives a complaint that a person, licensed by a state regulatory board, knowingly employs, recruits or refers for a fee for

employment an illegal alien, that person is subject to an investigation and contested case hearing.

If there is proof a person knowingly employed, recruited or referred for a fee for employment, an illegal alien, which occurred while acting within the scope of practice of his/her license, the regulatory board will be required to revoke, suspend, or deny the person's license.

For the first violation, the regulatory board will be required to suspend the person's license until they show they no longer employ, recruit or refer for a fee for employment, an illegal alien. This can be made by the person filing a sworn statement that they no longer employ illegal aliens.

If a second violation occurs within three (3) years from the first order, the regulatory agency will be required to suspend the person's license for one (1) year.

Public Chapter 410 Non-Smoker Protection Act

Effective October 1, 21007, Public Chapter 410 creates the Non-Smoker Protection Act which **prohibits** smoking in all enclosed public places within the State of Tennessee including, but not limited to, the following places:

“Areas available to and customarily used by the general public in businesses and non-profit entities patronized by the public including, but not limited to, banks, laundromats, factories, **professional offices**, and retail service establishments; and,

(7) “Health care facilities”. (Nursing homes and long-term care facilities are exempt.)

The legislation requires offices and health care facilities to do the following:

- Inform all existing employees and any prospective employees upon their application for employment of the prohibition on smoking; and
- “No Smoking” signs or the international “No Smoking” symbol, shall be clearly and conspicuously posted at every entrance to every public place and place of employment where smoking is prohibited.

The Department of Health shall, while an establishment is undergoing otherwise mandated inspections, inspect for compliance with this Act. Information about these inspections will be communicated with the appropriate offices and/or health care facilities in the future.

Public Chapter 83 Domestic Violence

Effective July 1, 2007, health care practitioners shall report data for suspected domestic violence to the Tennessee Department of Health.

The mandatory monthly reporting is by a Web-based system. The system was operational in October 2007 and the Department has mailed you the details of the required data to be reported and the instructions on how to use the reporting tool. The board will also keep you informed as more information is available.

Public Chapter 1060 Child Abuse Reporting

Public Chapter 1060 provides immunity from civil and criminal liability for reporting abuse of children by a health care examiner when there is harm or reason to believe there is a mandate to report. No immunity is provided for reports by perpetrators of harm to children.

Public Chapter 1190 Long Term Care

The long term care system shall recognize that aging is not a disease, but rather a natural process that often includes increasing needs for assistance with daily living activities. To the maximum extent possible and appropriate, the system shall be based on a model of care delivery which acknowledges that services delivered in the home and community-based settings are not primarily medical in nature, but rather, support services that will provide needed assistance with activities of daily living and that will allow persons to "age in place" in their homes and communities.

Public Chapter 864 Restroom Access Act

Public Chapter 864 requires any place of business that is open to the general public for the sale of goods or services ("retail establishment") that has an employee toilet facility to allow a customer to use such facility during normal business hours, if:

1. The customer requesting the use of the employee toilet facility suffers from a medical condition that requires immediate access to a toilet facility or utilizes an ostomy device; the customer must present the employee with proof of an eligible medical condition, such as a document issued by a licensed medical provider;
2. Three or more employees of the retail establishment are working at the time of the request;

3. There is not a restroom available for public use in the retail establishment or otherwise immediately accessible to the customer; and
4. The employee toilet facility is not located in an area that poses an obvious safety or security risk.

This bill provides immunity from civil damages to any retail establishment or an employee of a retail establishment for any act or omission in allowing a customer to use an employee toilet facility that is not a public restroom if the act or omission:

1. Is not willful or grossly negligent;
2. Occurs in an area that is not accessible to the public; and
3. Results in an injury to or death of the customer or any individual other than an employee accompanying the customer.

This bill does not require any retail establishment to make any physical changes to an employee toilet facility. Any retail establishment or employee of a retail establishment that does not comply with the toilet facility access requirements of this bill commits a Class C misdemeanor punishable only by a fine of up to \$50.

Licensed Professional Counselors

Professional counselors are state licensed mental health professionals authorized to assist clients in achieving personal health or mental health goals, or in the treatment of various issues such as depression and anxiety. In general, professional counselors work with clients on more daily life issues, rather than mental disorders requiring more extensive treatment or medication. Professional counselors interact with clients in a variety of settings from one-on-one discussion to group settings. Therapy sessions can include a variety of techniques, or combinations of techniques, including psychotherapy, art therapy and hypnotherapy.

Pastoral Counselors

Pastoral counseling is a special form of psychotherapy which draws on spiritual resources as well as psychological understanding for healing and growth. Pastoral counselors are mental health professionals with advanced theological training.

Marriage & Family Therapists

Marriage and family therapists (MFTs) are highly-trained mental health professionals who

bring a family-oriented perspective to health care. They evaluate and treat mental and emotional disorders and other health and behavioral problems, and address a wide array of relationship issues within the context of the family system. MFTs believe that individuals and their problems must be seen in context, and that the most important context is the family.

Practitioners Licensed by the Board as of November 2009

Licensed Pastoral Therapists	31
Licensed Professional Counselors	1360
Licensed Marital & Family Therapists	329



Non-Compliance with License Renewal Requirements

All practitioners licensed by the Licensed Professional Counselors Board who fail to renew their licenses pursuant to Rules 0450-1-.09, 0450-2-.09 and 0450-3-.09 will be reviewed by the board. The board will determine, on a case by case basis, what action and/or fees the practitioners must pay to have their licenses reinstated.

Non-Compliance with Continuing Education Requirements

All practitioners licensed by the Licensed Professional Counselors board who fail to comply with the continuing education requirements pursuant to Rules

0450-1.12, 0450-2.12 and 0450-3.12 will be reviewed by the Board. The board will determine, on a case by case basis, what action and/or fees the practitioners must pay to be in compliance with the continuing education requirements.

Disciplinary Actions

Brian Irwin – Unlicensed

Assessed \$1,000 civil penalty and \$946.25 costs. Disciplined February 4, 2009.

Stephanie Scott, LPC – No. 1589

License suspended 1 yr with 5 yrs probation. Assessed \$1,000 civil penalty and \$222.84 costs. Disciplined March 9, 2007.

George C. Trent, LMFT – No. 340

License placed on probation 3 yrs. Assessed \$1,000 civil penalty and \$310.05 costs. Disciplined May 18, 2007.

Moved Recently?

All licensees are required to notify the Board's administrative office within thirty (30) days when they have a change of address. This can be done by contacting the Board at (615) 532-5138 or 1-800/778-4123, extension 2-5138, or at the Board's web site:

http://health.state.tn.us/boards/PC_MFT&CPT/index.htm



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Nashville, TN 37243

**Renew faster by renewing online at <http://health.state.tn.us>
Report all address changes in writing within 30 days of the address change.**

**Tennessee Board of Professional Counselors, Marital & Family Therapists, and Licensed
Clinical Pastoral Therapists
Board Members**

Janet E. Scott
Memphis, TN
Licensed Professional Counselor

Susan Hamonds White
Nashville, TN
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Counselor
President

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Marital & Family Therapist
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