

1 Board of Marriage and Family Therapy

2

3 Adopted Permanent Rules Relating to Marriage and Family Therapy

4

5 Rules as Adopted

6 5300.0100 DEFINITIONS.

7 Subpart 1. **Scope.** For the purpose of parts 5300.0100 to
8 5300.0360, unless the context otherwise requires, the following
9 terms have the meanings given.

10 Subp. 2. **Advertising.** Advertising includes, but is not
11 limited to, business solicitations, with or without limiting
12 qualifications, in a card, sign, or device issued to a person;
13 in a sign or marking in or on a building; or in a newspaper,
14 magazine, directory, or other printed matter. Advertising also
15 includes business solicitations communicated by individual,
16 radio, video, or television broadcasting.

17 Subp. 3. **Applicant.** "Applicant" means an individual
18 seeking licensure by the Board of Marriage and Family Therapy as
19 a marriage and family therapist.

20 Subp. 4. **Board.** "Board" means the Board of Marriage and
21 Family Therapy created in Minnesota Statutes, section 148B.30,
22 subdivision 1.

23 Subp. 5. **Certified professions or occupations.** "Certified
24 professions or occupations" means those professions or
25 occupations that have a certification process based upon
26 specific criteria identified as necessary for effective
27 performance of the profession or occupation. The certification
28 process must include:

29 A. eligibility requirements established through
30 education or experience or both;

31 B. successful completion of a competency-based
32 written examination;

33 C. successful demonstration of competent clinical
34 skills; and

35 D. assurance of practitioner competencies through

1 mandatory recertification and continuing education requirements.

2 Subp. 6. **Dual relationship.** "Dual relationship" means a
3 relationship between a therapist and a client that is both
4 professional and one or more of the following: cohabitational,
5 familial, or supervisory, or that includes significant personal
6 involvement or financial involvement other than legitimate
7 payment for therapeutic services rendered.

8 Subp. 7. **Fee splitting.** "Fee splitting" means the
9 practice of paying commissions to colleagues out of the fees
10 received from clients who have been referred by the colleague.

11 Subp. 8. **Licensee.** "Licensee" means a licensed marriage
12 and family therapist.

13 Subp. 9. **LMFT.** "LMFT" are the initials permitted to be
14 used by a licensed marriage and family therapist to designate
15 that the individual is licensed by the Board of Marriage and
16 Family Therapy.

17 Subp. 10. **Marriage and Family Therapy.** "Marriage and
18 Family Therapy" has the meaning given in Minnesota Statutes,
19 section 148B.29, subdivision 3.

20 Subp. 11. **Postgraduate supervised experience.**
21 "Postgraduate supervised experience" means supervised experience
22 occurring after the educational institution grants the degree
23 for licensure as shown on the applicant's transcript.

24 Subp. 12. **Regionally accredited.** "Regionally accredited"
25 means those educational institutions accredited by the North
26 Central Association of Schools and Colleges or a similar
27 accrediting body with accreditation standards equal to or
28 greater than the accreditation standards used by the North
29 Central Association of Schools and Colleges.

30 Subp. 13. **Sexual contact.** "Sexual contact" means any of
31 the following, whether or not occurring with the consent of a
32 patient or former patient:

33 A. sexual intercourse, cunnilingus, fellatio, anal
34 intercourse or any intrusion, however slight, into the genital
35 or anal openings of the patient's or former patient's body by
36 any part of the therapist's body or by any object used by the

1 therapist for this purpose, or any intrusion, however slight,
2 into the genital or anal openings of the therapist's body by any
3 part of the patient's or former patient's body or by any object
4 used by the patient or former patient for this purpose, if
5 agreed to by the therapist;

6 B. kissing of, or the intentional touching by the
7 therapist of the patient's or former patient's genital area,
8 groin, inner thigh, buttocks, or breast or of the clothing
9 covering any of these body parts;

10 C. kissing of, or the intentional touching by the
11 patient or former patient of the therapist's genital area,
12 groin, inner thigh, buttocks, or breast or of the clothing
13 covering any of these body parts if the therapist agrees to the
14 kissing or intentional touching.

15 Sexual contact includes requests by the therapist for
16 conduct described in items A to C.

17 Sexual contact does not include conduct described in items
18 A or B that is a part of standard medical treatment of a patient.

19 Subp. 14. **Sexual harassment.** "Sexual harassment" includes
20 unwelcome sexual advances, requests for sexual favors, sexually
21 motivated physical contact or other verbal or physical conduct
22 or communication of a sexual nature when:

23 (1) submission to that conduct or communication
24 is made a term or condition, either explicitly or implicitly, of
25 obtaining employment, public accommodations or public services,
26 education, or housing;

27 (2) submission to or rejection of that conduct or
28 communication by an individual is used as a factor in decisions
29 affecting that individual's employment, public accommodations or
30 public services, education, or housing; or

31 (3) that conduct or communication has the purpose
32 or effect of substantially interfering with an individual's
33 employment, public accommodations or public services, education,
34 or housing, or creating an intimidating, hostile, or offensive
35 employment, public accommodations, public services, educational,
36 or housing environment; and in the case of employment, the

1 employer knows or should know of the existence of the harassment
2 and fails to take timely and appropriate action.

3 Subp. 15. **Supervisee.** "Supervisee" means an individual
4 who is engaged in postgraduate, supervised experience under the
5 direction of a supervisor.

6 Subp. 16. **Supervision.** "Supervision" means taking full
7 professional responsibility for training, work experience, and
8 performance in the practice of marriage and family therapy of a
9 supervisee, including planning for and evaluation of the work
10 product of the supervisee, and including face-to-face contact
11 between the supervisor and supervisee.

12 Subp. 17. **Supervisor.** "Supervisor" means an individual
13 who has met the requirements in part 5300.0160, and takes
14 responsibility for the practice of the supervisee during a
15 specific time to enable the supervisee to meet the requirements
16 of licensing.

17 Subp. 18. **Therapeutic deception.** "Therapeutic deception"
18 means a representation by a therapist that sexual contact with
19 the therapist is consistent with or part of the patient's or
20 former patient's treatment.

21 Subp. 19. **Therapist.** "Therapist" means a licensee of the
22 board.

23 Subp. 20. **Variance.** "Variance" means permission from the
24 board to comply with a rule in a manner other than that
25 generally specified in parts 5300.0100 to 5300.0360.

26 5300.0110 LICENSE REQUIREMENT.

27 Subpart 1. **License required.** No person, other than those
28 individuals exempt in Minnesota Statutes, sections 148B.32,
29 subdivision 2, and 148B.38, shall engage in marriage and family
30 therapy practice, advertise the performance of such services, or
31 use a title or description denoting marriage and family
32 therapist without obtaining a license issued under Minnesota
33 Statutes, sections 148B.29 to 148B.39, and parts 5300.0100 to
34 5300.0360.

35 Subp. 2. **Engaging in marriage and family therapy practice,**

1 **defined.** An individual engages in marriage and family therapy
2 practice if the individual performs or offers to perform
3 marriage and family therapy or if the individual is held out as
4 able to perform such a service.

5 5300.0120 EXCEPTIONS TO LICENSE REQUIREMENT.

6 As stated in Minnesota Statutes, section 148B.38, those
7 qualified individuals of other licensed or certified professions
8 or occupations who are performing services consistent with their
9 training are exempt from parts 5300.0110 to 5300.0360 so long as
10 they do not represent themselves by a title denoting marriage
11 and family therapist, such as marriage and family therapist,
12 marriage therapist, family therapist, marriage and family
13 counselor, marriage counselor, or family counselor unless
14 specifically allowed to do so under Minnesota Statutes, section
15 148B.32, subdivision 2. Those qualified individuals listed in
16 Minnesota Statutes, section 148B.38 may advertise the
17 performance of marriage and family therapy services.

18 5300.0130 REQUIREMENTS FOR LICENSURE.

19 Subpart 1. **Requirements.** To be eligible for licensure, an
20 applicant must meet the following requirements:

21 A. complete the education requirements in Minnesota
22 Statutes, section 148B.33, subdivision 1, clauses (5)(i) and
23 (ii);

24 B. have obtained the age of majority, the age of
25 majority being 18 years according to Minnesota Statutes, section
26 645.451, subdivision 5.

27 C. complete the experience requirements in Minnesota
28 Statutes, section 148B.33, subdivision 1, clause (4), and
29 defined in part 5300.0150;

30 D. provide evidence of meeting the requirements of
31 Minnesota Statutes, section 148B.33, subdivision 1, clause (2),
32 through endorsements from at least two individuals with the
33 qualifications in part 5300.0230;

34 E. agree to conduct all professional activities as a
35 licensed marriage and family therapist in accordance with the

1 code of ethics for marriage and family therapists in part
2 5300.0350; and

3 F. pass both parts of the examination listed in part
4 5300.0240.

5 Subp. 2. Denial of licensure to applicant. An applicant
6 who fails to meet all requirements in this part shall be denied
7 a license.

8 5300.0140 EDUCATIONAL REQUIREMENTS; DETERMINATION OF EQUIVALENT
9 DEGREE.

10 Subpart 1. Evaluation by board. In determining whether an
11 applicant holds a master's or doctoral degree that is equivalent
12 to degrees described in Minnesota Statutes, section 148B.33,
13 subdivision 1, clause (5)(i), the board shall evaluate the
14 applicant's transcripts, documentation from the educational
15 institution that describes the substance and purpose of the
16 applicant's academic training, accreditation and other
17 professional recognition of the educational institution by
18 accrediting bodies, and other necessary information as
19 determined by the board. All requested documentation must be
20 sent directly from the educational institution to the board.

21 Subp. 2. Degrees; course work requirements. A master's or
22 doctoral degree is equivalent to a master's or doctoral degree
23 in marriage and family therapy if the degree is from a
24 regionally accredited institution, if the degree is in a related
25 subject field, and if the degree contains the following
26 coursework:

27 A. three courses in human development covering human
28 development, human behavior, personality theory, human
29 sexuality, psychopathology, and behavior-pathology;

30 B. three courses in marital and family studies
31 covering theories of family development, theories of family
32 functioning, the family life cycle, sociology of the family,
33 families under stress, contemporary family forms, family
34 subsystems, and theories of marital and family interaction;

35 C. three courses in marital and family therapy

1 covering marital and family communication, family psychology,
2 family therapy, methods of intervention, family assessment, sex
3 therapy, major theories of marital and family therapy such as
4 structural, strategic, transgenerational, experiential, object
5 relations, contextual, and systemic therapy;

6 D. one course in research covering research design,
7 methods, statistics, and special issues research in marital and
8 family studies or a related field;

9 E. one course in professional studies covering
10 professional socialization, professional organizations, legal
11 issues, interprofessional cooperation, professional ethics, and
12 family law; and

13 F. a clinical practicum in marriage and family
14 therapy of at least 300 hours of clinical client contact with
15 individuals, couples, and families for the purpose of assessment
16 and intervention. Of the 300 hours, no more than 150 hours may
17 be with individuals.

18 Each course listed in items A to F must be equivalent to a
19 three-credit semester or four-credit quarter course. This
20 curriculum may be completed during the qualifying master's or
21 doctoral degree programs; or additional course work may be taken
22 at a college or university accredited by a regionally accredited
23 educational institution after receiving the graduate degree in
24 order to fulfill the requirements for each of the areas
25 described in items A to F. An applicant may not use a course
26 for more than one area described in items A to F.

27 Subp. 3. Proof of equivalency. The burden is on the
28 applicant to prove by a preponderance of the evidence that the
29 coursework is equivalent to the requirements in subpart 2.

30 5300.0150 EXPERIENCE REQUIREMENTS.

31 Subpart 1. Supervised experience required. The two years
32 supervised, postgraduate experience required by Minnesota
33 Statutes, section 148B.33, subdivision 1, clause (4), must meet
34 the requirements in subparts 2 to 6.

35 Subp. 2. Years of experience; computation. In calculating

1 two years of supervised postgraduate experience in marriage and
2 family therapy, the board shall accept a minimum of 1,000 hours
3 of clinical client contact and 200 hours of supervision over a
4 period of not less than 24 months.

5 Subp. 3. **Clinical client contact; requirements.** The
6 applicant must demonstrate at least 500 hours of the clinical
7 client contact required in the following categories of cases:

- 8 A. unmarried couples;
- 9 B. married couples;
- 10 C. separating and divorcing couples; and
- 11 D. family groups including children.

12 Subp. 4. **Supervision; setting.** The supervision shall take
13 place in individual and group settings, according to items A and
14 B.

15 A. The individual supervision shall take place in a
16 setting in which a supervisor and not more than two supervisees
17 are present.

18 B. The group supervision shall take place in a
19 setting in which a supervisor and not more than six supervisees
20 are present.

21 Subp. 5. **Supervision requirements.** Supervision must
22 involve:

23 A. at least 200 hours of face-to-face contact between
24 the supervisor and supervisee of which at least 100 hours must
25 be in individual settings;

26 B. 100 hours of supervision per year; and

27 C. a focus on the raw data from the supervisee's
28 clinical work that is made directly available to the supervisor
29 through means of written clinical materials, direct observation,
30 and audio recordings.

31 Subp. 6. **Verifying supervised experience.** A supervisee
32 must verify the required supervised experience by completing a
33 form supplied by the board. The form must be signed by the
34 applicant's supervisor and be notarized. The form must include
35 the setting, nature, and extent of the supervised experience,
36 the time period involved, the number of hours of clinical client

1 contact, the number of hours of supervision, and the name and
2 qualifications of each supervisor.

3 5300.0160 REQUIREMENTS FOR SUPERVISOR.

4 A supervisor is acceptable to the board if the supervisor:

5 A. is licensed as a marriage and family therapist in
6 Minnesota;

7 B. has at least three years and 3,000 hours of
8 experience in clinical practice as a marriage and family
9 therapist; and

10 C. provides evidence of training in supervision.

11 Evidence must be shown through academic course work, continuing
12 education, or designation by a national professional
13 organization as a marriage and family therapy supervisor.

14 5300.0170 RESPONSIBILITIES OF SUPERVISOR.

15 A supervisor has the following responsibilities:

16 A. The supervisor must be knowledgeable of the
17 clinical skills required for effective delivery of marriage and
18 family therapy services;

19 B. The supervisor must be knowledgeable of the
20 important literature in the field of marriage and family therapy
21 and professional ethics; and

22 C. The supervisor must see that all supervised work
23 is conducted in appropriate professional settings, with adequate
24 administrative and clerical controls.

25 5300.0180 LICENSURE PROCESS.

26 The process of licensure by the board as a marriage and
27 family therapist is divided into two separate parts: admission
28 to written examination and admission to licensure.

29 5300.0190 PROCEDURES FOR ADMISSION TO WRITTEN EXAMINATION.

30 Subpart 1. Information required. To be admitted to
31 written examination, an applicant must submit to the board the
32 information in items A to C.

33 A. The applicant must submit a completed, notarized
34 application for admission to written examination on a form

1 provided by the board. The application must include an
2 affirmation by the applicant that the statements made in the
3 application are true and correct to the best knowledge of the
4 applicant;

5 B. The applicant must submit the required,
6 nonrefundable fee for application for admission to written
7 examination specified in part 5300.0360, item A, made payable to
8 the Board of Marriage and Family Therapy; and

9 C. The applicant must submit official transcripts of
10 all graduate education of the applicant, including verification
11 of the degree granted. The transcripts must be sent directly to
12 the board from the institution granting the degree.

13 (1) The applicant must demonstrate to the board,
14 by a preponderance of the evidence, that the degreed program
15 documented by the applicant's transcripts meets the requirements
16 of part 5300.0130, subpart 1, item A.

17 (2) The institution granting the degree must be
18 regionally accredited at the time the degree is granted.

19 Subp. 2. **Verification of information; board's powers.** The
20 board has authority to investigate or contact persons to verify
21 the authenticity of the information in the application for
22 admission to written examination and to require the applicant to
23 provide verification.

24 Subp. 3. **Time requirements.** An applicant's file shall be
25 closed if the applicant fails to complete the application for
26 admission to written examination and provide all information
27 required within six months from the date the board receives the
28 application.

29 Subp. 4. **Admission to written examination.** An applicant
30 shall be admitted to the first regularly scheduled written,
31 objective part of the examination that occurs 60 days or more
32 after the applicant has met the requirements of subpart 1,
33 unless admission is denied under subpart 5.

34 Subp. 5. **Denial of admission to written examination.** The
35 board shall deny an applicant admission to written examination
36 if the applicant has not met the education requirements of part

1 5300.0130, subpart 1, item A. The board shall notify the
2 applicant of the denial in writing and state the reasons for the
3 denial. An application for admission to written examination
4 submitted after denial is a new application for admission to
5 written examination which must be accompanied by the fee for
6 application for admission to written examination specified in
7 part 5300.0360, item A.

8 5300.0200 PROCEDURES FOR ADMISSION TO LICENSURE.

9 Subpart 1. Information required. To be eligible for
10 admission to licensure, an applicant must submit to the board
11 the information in items A to E.

12 A. The applicant must submit evidence of having
13 passed the written part of the examination in part 5300.0240,
14 subpart 3.

15 B. The applicant must submit a completed, notarized
16 application for licensure on a form provided by the board. The
17 application must include an affirmation by the applicant that
18 the statements in the application are true and correct to the
19 best knowledge of the applicant and an agreement by the
20 applicant that the applicant will conduct all professional
21 activities as a licensed marriage and family therapist according
22 to the code of ethics in part 5300.0350.

23 C. The applicant must submit the required,
24 nonrefundable application for licensure fee specified in part
25 5300.0360, item C, made payable to the Board of Marriage and
26 Family Therapy.

27 D. The applicant must submit a completed notarized
28 form provided by the board, verifying the applicant's
29 postgraduate, supervised experience, conforming to the
30 requirements of part 5300.0150, subpart 6.

31 E. The applicant must submit two endorsements
32 attesting to the applicant's good moral character. The
33 endorsements must be completed and signed by individuals who
34 meet the requirements for endorsers under part 5300.0230,
35 subparts 1 and 2. The endorsements must be notarized on forms

1 provided by the board.

2 Subp. 2. **Verification of information; board's powers.** The
3 board has authority to investigate or contact persons to verify
4 the authenticity of the information in the application for
5 licensure and to require the applicant to provide verification.

6 Subp. 3. **Denial of admission to licensure.** An applicant
7 who fails to meet all the requirements in subpart 1 shall be
8 denied licensure. An applicant who is denied licensure shall be
9 informed in writing of the denial and the reasons for it. An
10 application for licensure submitted following denial is a new
11 application for licensure which must be accompanied by the fee
12 for application for licensure specified in part 5300.0360, item
13 C.

14 5300.0210 CONCURRENT APPLICATIONS FOR EXAMINATION AND LICENSURE.

15 An applicant may file both the application for admission to
16 written examination and the application for licensure at the
17 same time if the experience requirements in part 5300.0150 have
18 been met.

19 5300.0230 REQUIREMENTS FOR ENDORSEMENT.

20 Subpart 1. **Endorser; requirements.** For an endorsement to
21 meet the requirements of parts 5300.0130, subpart 1, item D, and
22 5300.0200, subpart 1, item E, the endorser must:

23 A. be licensed by the board; or

24 B. be licensed to practice marriage and family
25 therapy by another state whose licensure standards are at least
26 equivalent to or exceed the requirements for licensure in
27 Minnesota.

28 Subp. 2. **Limitations.** An endorser must not be an
29 employee, independent contractor, patient, or former patient, or
30 be related in any way to the applicant.

31 5300.0240 EXAMINATION METHODS; SUBJECTS AND PROCEDURES.

32 Subpart 1. **Written and oral examination required.**
33 Examination of an applicant for a license as a marriage and
34 family therapist shall be composed of:

1 A. a written, objective part designed and scored by a
2 professional examination service approved by the Association of
3 Marriage and Family Therapy Regulatory Boards; and

4 B. an oral part conducted by members of the board.

5 Subp. 2. Examination fee. An applicant who is admitted to
6 written examination under part 5300.0190 must pay the written
7 examination fee in part 5300.0360, item B, before taking the
8 examination.

9 Subp. 3. Written part of examination. The written
10 examination is the examination approved by the Association of
11 Marriage and Family Therapy Regulatory Boards. The written
12 examination shall be offered twice per year on dates established
13 by the Association of Marriage and Family Therapy Regulatory
14 Boards.

15 Subp. 4. Oral part of examination. The oral examination
16 of an applicant shall be held according to those methods
17 determined by the board to be the most practical and expeditious
18 in testing the applicant's qualifications for licensure. The
19 oral examination of an applicant shall take place after the
20 applicant's application for licensure has been accepted by the
21 board and before the applicant is approved for licensure. The
22 oral examination of an applicant shall cover:

23 A. the applicant's knowledge of the laws governing
24 marriage and family therapists;

25 B. the applicant's knowledge of the code of ethics;

26 C. the applicant's awareness of the responsibilities
27 to the board and to the public; and

28 D. other practice-related areas.

29 Subp. 5. Notification procedures. The board shall notify
30 an applicant in writing of admission to either part of the
31 examination at least 30 days before either part of the
32 examination is scheduled to take place. The notice shall state
33 the date, time, and place where the applicant is scheduled to be
34 examined.

35 Subp. 6. Passing score required on examination. The
36 passing score of the written part of the examination is the

1 passing score determined by the Association of Marriage and
2 Family Therapy Regulatory Boards. The passing score for the
3 oral examination shall be determined by the board. An applicant
4 must pass both parts of the examination to qualify for licensure
5 as a marriage and family therapist.

6 Subp. 7. **Reexamination permitted.** An applicant who has
7 failed a part of the examination may be reexamined on the part
8 the applicant failed, but not more than five times without a
9 variance. An applicant who is reexamined on the written part of
10 the examination must pay the written examination fee in part
11 5300.0360, item B.

12 5300.0250 RECIPROCITY.

13 Subpart 1. **Other states recognized.** The board shall issue
14 a marriage and family therapist license to an individual who
15 holds a current license as a marriage and family therapist from
16 another state if the board determines that the standards for
17 licensure in effect when the individual was licensed in the
18 other state are at least equivalent to or exceed the current
19 requirements for licensure in Minnesota.

20 Subp. 2. **Application required.** An individual who holds a
21 current license as a marriage and family therapist from another
22 state must file a completed application for licensure by
23 reciprocity and must pay the fee for application for licensure
24 by reciprocity specified in part 5300.0360, item E. The
25 application must be on a form provided by the board. The
26 application must include a notarized statement that the
27 information in the application is true and correct to the best
28 knowledge of the applicant and an agreement by the applicant
29 that the applicant will conduct all professional activities
30 according to the code of ethics in part 5300.0350.

31 Subp. 3. **Verification from other state required.** The
32 applicant must direct the board of examiners of the state in
33 which the license is held to send to the board directly a
34 statement that the license is in effect and in good standing on
35 a form provided by the board, and a copy of the state's current

1 licensing law and rules.

2 Subp. 4. Discipline in another jurisdiction; effect on
3 licensing. The board may refuse to grant a license or may
4 impose disciplinary action as described in Minnesota Statutes,
5 section 148B.37, subdivision 1, for:

6 A. revocation, suspension, restriction, limitation,
7 or other disciplinary action against the applicant's license in
8 another state or jurisdiction;

9 B. failure to report to the board that charges
10 regarding the applicant's license have been brought in another
11 state or jurisdiction; or

12 C. having been refused a license by another state or
13 jurisdiction.

14 Subp. 5. Proof of equivalency. The burden is on the
15 applicant to establish, by a preponderance of the evidence, that
16 the standards for licensing in effect when the individual was
17 licensed in the other state are at least equivalent to or exceed
18 the current licensing requirements in Minnesota.

19 5300.0260 TERM OF LICENSE.

20 Subpart 1. Effective date. An initial license is
21 effective after:

22 A. the board notifies the applicant in writing that
23 the applicant has been approved for licensure;

24 B. the applicant has paid the initial license fee in
25 part 5300.0360, item D; and

26 C. the board assigns a license number to the
27 applicant.

28 Subp. 2. Initial licensure period; term of license. An
29 initial license granted by the board is valid for a period
30 beginning with the effective date in subpart 1 and ending on
31 December 31 of the year in which the license was initially
32 granted. For example, an initial license granted on May 6,
33 1989, is valid from May 6, 1989, to December 31, 1989. A
34 subsequent license is valid for a one-year period ending on
35 December 31. The license must be renewed according to the

1 procedures in part 5300.0280.

2 5300.0270 DISPLAY OF LICENSE.

3 A licensed marriage and family therapist must display the
4 therapist's license and evidence of current renewal in a
5 conspicuous place in the therapist's office, or place of
6 business or employment. Evidence of current renewal will be
7 provided by the board upon renewal of the license. A duplicate
8 license shall be issued to a licensee after the licensee
9 requests a duplicate license from the board and pays the
10 duplicate license fee in part 5300.0360, item K.

11 5300.0280 RENEWAL OF LICENSE.

12 Subpart 1. **Renewal every year.** Licenses issued by the
13 board must be renewed every year upon the payment of the renewal
14 fee required in part 5300.0360, item F, completion of a
15 notarized renewal application, and the fulfillment and notarized
16 reporting of continuing education requirements in part 5300.0320.

17 Subp. 2. **Notice of renewal.** The board shall send the
18 licensee a written renewal notice identifying the amount of the
19 renewal fee. The notice shall be sent to the licensee's last
20 known address on record with the board.

21 A licensee must notify the board in writing of any change
22 of name or address within 45 days after moving.

23 Failure to receive the renewal notice does not relieve the
24 licensee of the obligation to renew the license.

25 Subp. 3. **Renewal application required.** The licensee must
26 submit to the board a completed renewal application on a form
27 provided by the board. The licensee must submit the renewal
28 application so that the application is postmarked on or before
29 December 31.

30 If the postmark is illegible, the renewal application is
31 timely if received in the board office by mail on the first work
32 day after December 31.

33 Subp. 4. **Fee.** The renewal fee required in part 5300.0360,
34 item F, must accompany the renewal application for the renewal
35 application to be complete.

1 Subp. 5. **Affirmation.** The renewal application must
2 include a notarized statement by the licensee that the
3 information in the application is true and correct to the best
4 knowledge and belief of the licensee.

5 Subp. 6. **Late fee.** A licensee must pay a late renewal fee
6 and the renewal fee specified in part 5300.0360, items F and G,
7 if the licensee's application for renewal is postmarked after
8 December 31.

9 5300.0290 FAILURE TO RENEW.

10 Subpart 1. **Procedures.** The following procedure applies if
11 a licensee fails to submit the renewal application according to
12 part 5300.0280, subparts 3, 4, 5, and 6 or fails to fulfill or
13 report continuing education requirements in part 5300.0320.

14 Subp. 2. **Expiration of license.** If the licensee fails to
15 submit to the board the renewal application, information about
16 continuing education requirements, and the renewal and late
17 renewal fees specified in part 5300.0360, items F and G, on or
18 before December 31, the license expires and the licensee's right
19 to practice terminates on December 31.

20 A. The board shall mail to the former licensee a
21 written notice that the licensee's license has expired and the
22 licensee's right to practice has terminated. The board shall
23 send the notice to the licensee's last known address on record
24 with the board.

25 B. A license that expired under this part may be
26 reinstated under part 5300.0300.

27 5300.0300 REINSTATEMENT OF LICENSE.

28 Subpart 1. **Requirements for reinstatement.** A license that
29 has expired under part 5300.0290 may be reinstated if:

30 A. no fact, circumstance, or condition exists which,
31 if the license were reinstated, would justify its revocation or
32 suspension;

33 B. the former licensee verifies that the former
34 licensee has not engaged in the practice of marriage and family
35 therapy in this state or any other state, or used a title

1 denoting marriage and family therapist since expiration of the
2 license unless licensed by another state. The verification must
3 be accompanied by a notarized affirmation that the statement is
4 true and correct to the best knowledge and belief of the former
5 licensee;

6 C. the former licensee submits to the board a
7 completed application for reinstatement on a form provided by
8 the board;

9 D. the former licensee pays the reinstatement fee
10 specified in part 5300.0360, item H;

11 E. the former licensee includes with the application
12 for reinstatement a letter stating the reasons for applying for
13 reinstatement; and

14 F. the former licensee complies with the applicable
15 provisions of subparts 2 and 3.

16 Subp. 2. **Expiration of less than five years.** A former
17 licensee whose license expired under part 5300.0290 less than
18 five years previous to the application for reinstatement must:

19 A. submit evidence of meeting the continuing
20 education requirements that would have applied to the former
21 licensee if the license had not expired; and

22 B. pay the renewal fee specified in part 5300.0360,
23 item F, and late renewal fees specified in part 5300.0360, item
24 G, for each of the years between the date the license expired
25 and the date the former licensee submits a reinstatement
26 application.

27 Subp. 3. **Expiration of five years or more.** A former
28 licensee whose license expired under part 5300.0290 five years
29 or more before the application for reinstatement must:

30 A. retake the written examination required for
31 licensure of marriage and family therapists given by the board
32 according to part 5300.0240, subpart 3;

33 B. submit evidence of meeting the continuing
34 education requirements that would have applied to the former
35 licensee if the license had not expired; and

36 C. pay the renewal fee specified in part 5300.0360,

1 item F, and late renewal fees specified in part 5300.0360, item
2 G, for each of the five years immediately preceding application
3 for reinstatement.

4 Subp. 4. Practice without a license. A former licensee
5 who has engaged in the practice of marriage and family therapy
6 in this state or used a title denoting marriage and family
7 therapist since the date of expiration of the license, is
8 subject to denial of reinstatement or disciplinary action at the
9 time of reinstatement. Nothing in this subpart precludes the
10 board from seeking injunctive relief under Minnesota Statutes,
11 section 214.11 for the unauthorized practice of marriage and
12 family therapy or from referring the matter to criminal law
13 enforcement officials under Minnesota Statutes, section 148B.32,
14 subdivision 3.

15 Subp. 5. Effect of reinstatement. Upon reinstatement, the
16 licensee shall be assigned the same license number which the
17 licensee was assigned before expiration of the license.

18 5300.0310 VOLUNTARY TERMINATION OF LICENSE.

19 A license may be terminated at any time upon written
20 request by the licensee to the board, unless a complaint is
21 pending against the licensee. If a complaint is pending against
22 a licensee, a license may not be voluntarily terminated until
23 any indicated action relative to the complaint is concluded.
24 The board must receive the request to terminate before
25 expiration of the license for failure to renew under part
26 5300.0290, subpart 3. A licensee who has voluntarily terminated
27 the license may be relicensed by complying with the requirements
28 for reinstatement of an expired license in part 5300.0300,
29 except that payment of the late renewal fees shall not be
30 required.

31 5300.0320 CONTINUING EDUCATION REQUIREMENTS.

32 Subpart 1. Continuing education required. A licensee must
33 regularly engage in continuing education related to the practice
34 of marriage and family therapy as defined in this part.

35 Subp. 2. Number of hours required. Continuing education

1 is not required during the licensee's initial licensure period,
2 defined in part 5300.0260, subpart 2. After the initial
3 licensure period, the licensee must complete a minimum of 15
4 hours of continuing education by December 31 every year.

5 Subp. 3. Documentation of courses. When the licensee
6 applies for renewal of the license, the licensee must submit
7 documentation of the licensee's completion of the required hours
8 of continuing education on an appropriate form furnished by the
9 board. A receipt for payment of the fees for the course is not
10 sufficient evidence of completion of the required hours of
11 continuing education.

12 Subp. 4. Courses; board approval required. A course must
13 be approved by the board according to the procedures in this
14 subpart and subparts 5 to 11.

15 The board shall consider the following factors in
16 determining whether a course should be approved:

17 A. The course's relevance to the therapeutic
18 practices of marriage and family therapy or the current
19 psychotherapeutic practices of marriage and family therapy.

20 B. Whether the course is structured on sound
21 educational principles.

22 C. Whether the course is at least one hour in
23 length. "One hour" means at least 50 minutes spent as a student
24 in direct participation in a structured educational format.

25 D. Whether the subject of the course is related to
26 marriage and family therapy with an emphasis upon systemic
27 approaches or the theory, research, or practice of
28 psychotherapeutic work with couples or families. Subject
29 ~~content-areas-with-a-systemic-approach-are:~~

30 ~~(1)-human, biological, psychological, and social~~
31 ~~development;~~

32 ~~(2)-human-sexuality;~~

33 ~~(3)-psychopathology;~~

34 ~~(4)-cross-cultural-mores-and-values;~~

35 ~~(5)-professional-issues, ethics, and family-law;~~

36 ~~(6)-human-communication;~~

1 ~~(7)-theories-of-marriage,-family,-and-child~~
 2 ~~therapy,~~
 3 ~~(8)-research-methodology,~~
 4 ~~(9)-theories-and-application-of-psychometric~~
 5 ~~testing-in-marriage-and-family-therapy,~~
 6 ~~(10)-methods-of-supervision,~~
 7 ~~(11)-assessment,-diagnosis,-prognosis,-and~~
 8 ~~treatment-of-dysfunctions-in-premarital-and-family~~
 9 ~~relationships,-or~~
 10 ~~(12)-psychotherapeutic-techniques.~~

11 E. Whether the course's instructors are qualified by
 12 practical or academic experience to teach, lecture, or make
 13 presentations of the course.

14 Subp. 5. Committee evaluation. The board shall use a
 15 committee, which may include nonboard members, to evaluate
 16 applications for course approval.

17 Subp. 6. Sponsor's application for course approval.
 18 Individuals, organizations, associations, corporations,
 19 educational institutions, or groups intending to offer courses
 20 for approval must submit to the board a completed application on
 21 a form provided by the board. The course sponsor must meet the
 22 requirements in items A to D to receive and maintain course
 23 approval.

24 A. The application for course approval must be
 25 submitted at least 60 days before the course is scheduled to
 26 begin and must include the sponsor's application for approval of
 27 a continuing education course fee specified in part 5300.0360,
 28 item I.

29 B. The application for course approval must include
 30 the following information to enable the board to determine
 31 whether the course meets the standards for board approval
 32 specified in subpart 4:

33 (1) a statement of the objectives of the course
 34 and the knowledge the participants will have gained upon
 35 completion of the course;

36 (2) a description of the content and methodology

1 of the course which will allow the participants to meet the
2 objectives;

3 (3) a description of the method to be used by the
4 participants to evaluate the course;

5 (4) a listing of the qualifications of each
6 instructor which shows the instructor's current knowledge and
7 skill in the course's subject; and

8 (5) a description of the certificate or other
9 form of verification of attendance distributed to each
10 participant upon successful completion of the course.

11 C. If the board approves a course, it shall assign a
12 number to the course. The approval remains in effect for one
13 year from the date of initial approval. The board shall compile
14 a list of approved courses at least once per calendar year. To
15 retain course approval, a course sponsor must submit to the
16 board a new application for course approval required in items A
17 and B and the application fee for approval of a continuing
18 education course required in part 5300.0360, item I, before the
19 expiration of the one-year period.

20 (1) Each sponsor of an approved course may
21 announce, as to a course that has been approved by the board,
22 that: "This course has been approved by the Minnesota Board of
23 Marriage and Family Therapy for ... hours of credit."

24 (2) The course sponsor must submit proposed
25 changes in an approved course to the board for its approval.

26 D. The board shall approve or disapprove a sponsor's
27 application for course approval.

28 E. The board shall deny approval of a course if it
29 does not meet the standards in subpart 4. The board shall
30 notify the course sponsor in writing of its reasons for denying
31 approval of a course.

32 F. The board shall revoke its approval of a course if
33 a course sponsor fails to comply with item C and subpart 4, or
34 if a course sponsor falsifies information requested by the board
35 in the application for approval of a course.

36 Subp. 7. A licensee's application for course approval. A

1 licensee must apply individually for approval of continuing
2 education courses sponsored by organizations that have not
3 applied and been approved by the board in subpart 5. The
4 licensee must submit information required in item A, as well as
5 other information the board reasonably requires to evaluate the
6 course for approval.

7 A. The following information must be submitted to the
8 board, in addition to the form required in subpart 3, by the
9 licensee:

10 (1) the name and address of the organization
11 sponsoring the course;

12 (2) a detailed description of the course content;

13 (3) the name of each instructor making a
14 presentation, and the instructors' credentials; and

15 (4) the location, including the name and address
16 of the facility, at which the course will be conducted.

17 B. Licensees seeking approval for a course not
18 previously approved by the board are strongly encouraged to seek
19 board approval before attending the course.

20 C. The board shall deny approval for a course if it
21 does not meet the standards in subpart 4. The board shall
22 notify the applicant in writing of its reasons for denying
23 approval of a course under this subpart.

24 Subp. 8. **Sources of credit.** Continuing education credit
25 may not be applied for self-study, personal therapy, or other
26 methods not structured on sound education principles.
27 Continuing education credit may be applied for the following
28 programs that comply with the requirements of subpart 4:

29 A. conventions;

30 B. workshops and seminars;

31 C. lectures;

32 D. college postgraduate courses; and

33 E. graduate study.

34 Subp. 9. **Hours of credit.** Continuing education shall be
35 credited on an hour-for-hour basis. "One hour" means at least
36 50 minutes spent as a student in direct participation in a

1 structured educational format.

2 Subp. 10. Exemption from continuing education

3 requirements. A licensee whose license has not expired and who
4 meets any of the following conditions is exempt from continuing
5 education requirements in this part if the licensee files with
6 the board an affidavit specifying that the licensee:

7 A. is retired from practice and does not perform
8 marriage and family therapy services on a volunteer or free
9 basis; or

10 B. is permanently disabled and unable to practice
11 marriage and family therapy, accompanied by a notarized
12 statement from the licensee's physician.

13 Subp. 11. Discontinuance of exemption from continuing
14 education requirements. A licensee claiming exemption under
15 subpart 10 who later decides to resume practice must submit to
16 the board, before resuming practice, a written notice that the
17 licensee intends to resume practice. The licensee must also
18 submit evidence that the licensee has completed continuing
19 education requirements that are equivalent to what the
20 requirements would have been without the exemption for the five
21 years or any portion of the five years immediately preceding the
22 date of the notice of intent to resume practice.

23 5300.0330 REFUSAL TO GRANT LICENSE, SUSPENSION, OR REVOCATION OF
24 LICENSE.

25 Subpart 1. Board authority. The board shall refuse to
26 grant a license, or shall suspend, revoke, condition, limit,
27 qualify, or restrict the license of an individual according to
28 Minnesota Statutes, sections 148B.05 and 148B.37, subdivision 1.

29 Subp. 2. Conviction of crime. According to Minnesota
30 Statutes, section 148B.37, subdivision 1, clause (2), the crimes
31 that the board shall determine to be of a nature to render the
32 convicted individual unfit to practice marriage and family
33 therapy consist of the crimes described in Minnesota Statutes,
34 sections 144.227, 151.37, 152.021, 152.022, 152.023, 152.024,
35 152.025, 152.027, 609.185, 609.19, 609.195, 609.20, 609.205,

1 609.21, 609.215, 609.221, 609.222, 609.223, 609.2231, 609.224,
2 609.231, 609.235, 609.24, 609.245, 609.25, 609.255, 609.26,
3 609.265, 609.342, 609.343, 609.344, 609.345, 609.3451, 609.352,
4 609.365, 609.48, 609.485, 609.498, 609.50, 609.507, 609.52,
5 609.561, 609.562, 609.563, 609.582, 609.595, 609.625, 609.66,
6 609.713, and 609.79.

7 Subp. 3. **Probation.** The board may place a licensee on
8 probation under the following circumstances:

9 A. in lieu of, or in addition to, any order of the
10 board suspending, revoking, or otherwise acting against the
11 license of any licensee; or

12 B. as a condition of restoring any license suspended,
13 revoked, or otherwise acted against by the board.

14 Subp. 4. **Suspended or revoked license; return to the**
15 **board.** A licensee whose license has been suspended or revoked
16 must return the license and evidence of current license renewal
17 to the board office by registered or certified mail postmarked
18 within three days after the effective date of the board's order
19 of suspension or revocation. Failure to return the license and
20 evidence of current license renewal is grounds for the board's
21 denial of any subsequent restoration of a license according to
22 Minnesota Statutes, section 148B.37, subdivision 2.

23 Subp. 5. **Restoring a license.** The board shall restore a
24 license according to Minnesota Statutes, section 148B.37,
25 subdivision 2. A licensee whose license has been revoked or
26 suspended and subsequently restored by the board must comply
27 with the requirements for reinstatement in part 5300.0300 and
28 must pay the penalty fee in part 5300.0360, item J.

29 5300.0340 VARIANCE.

30 Subpart 1. **Variance; when allowed.** A licensee or
31 applicant may petition the board in writing for a variance from
32 rules in parts 5300.0100 to 5300.0360, except for a rule which
33 incorporates a statutory requirement. A variance shall be
34 granted if the board determines that the licensee or applicant
35 has specified alternative practices or measures equivalent to or

1 superior to the rule in question and if the licensee or
2 applicant provides evidence that:

3 A. the rationale for the rule in question can be met
4 or exceeded by the specified alternative practices or measures;

5 B. adherence to the rule would impose an undue burden
6 on the licensee or applicant; and

7 C. the granting of the variance will not adversely
8 affect the public welfare.

9 **Subp. 2. Petition; requirements.** A petition for a
10 variance must contain the following information:

11 A. the specific rule for which the variance is
12 requested;

13 B. the reason for the request;

14 C. the alternative practices or measures that will be
15 taken if a variance is granted; and

16 D. the length of time for which a variance is
17 requested.

18 **Subp. 3. Alternatives must be followed.** Any licensee or
19 applicant who is granted a variance must comply with the
20 alternative practices or measures specified in the petition for
21 the variance.

22 **Subp. 4. Renewal; notice of change; revocation.** If
23 required by the board, a variance shall be renewed upon petition
24 for a renewal of the variance at the time specified by the board
25 when granting the variance if the circumstances justifying the
26 variance continue to exist, their existence is not due to
27 failure to comply with the correction of these conditions, and
28 if all of the requirements of subparts 1, 2, and 3 are met. A
29 licensee or applicant who has been granted a variance must
30 immediately notify the board of any material change in the
31 circumstances that justified the variance. A variance shall be
32 revoked if there is a material change in the circumstances which
33 justified the granting of the variance.

34 **Subp. 5. Burden of proof.** The burden of proof is upon the
35 licensee or applicant to demonstrate to the board, by a
36 preponderance of the evidence, that the requirements in subparts

1 1 and 2 have been met.

2 Subp. 6. **Notice of variance; denial; revocation.** The
3 board shall notify the licensee or applicant in writing when the
4 board grants, denies, renews, or revokes a variance. The notice
5 must specify the reasons for the action. If a variance is
6 granted, the notification must state the period of time for
7 which the variance is effective, if required, and must state
8 alternative practices or measures the licensee or applicant must
9 meet.

10 5300.0350 CODE OF ETHICS.

11 Subpart 1. **Scope.** The code of ethics applies to all
12 licensees and applicants who practice marriage and family
13 therapy and applies to their conduct during the period of
14 education and training required for licensure.

15 Subp. 2. **Purpose.** The code of ethics constitutes the
16 standards against which the professional conduct of a marriage
17 and family therapist is measured.

18 Subp. 3. **Violations.** A violation of the code of ethics is
19 unprofessional or unethical conduct and is a sufficient reason
20 for disciplinary action or denial of licensure.

21 Subp. 4. **Integrity.** A marriage and family therapist must
22 act in accordance with the highest standards of professional
23 integrity and competence. A marriage and family therapist must
24 be honest in dealing with clients, students, trainees,
25 colleagues, and the public.

26 A. A therapist must not perform, nor pretend to be
27 able to perform, professional services beyond the therapist's
28 field or fields of competence.

29 B. A therapist must not permit a trainee or intern
30 under the therapist's supervision to perform, nor pretend to be
31 competent to perform, professional services beyond the trainee's
32 or intern's level of training.

33 C. A therapist must recognize the potentially
34 influential position the therapist may have with respect to
35 students, interns, employees, and supervisees, and must avoid

1 exploiting the trust and dependency of these persons. A
2 therapist must make every effort to avoid dual relationships
3 that could impair the therapist's professional judgment or
4 increase the risk of exploitation. Sexual contact between the
5 therapist and students, employees, independent contractors,
6 colleagues, or supervisees is prohibited for two years after the
7 date that the relationship is terminated, whether or not the
8 party is informed that the relationship is terminated. Sexual
9 contact after two years with a former student, intern, employee,
10 or supervisee is prohibited:

11 (1) if the former student, intern, employee, or
12 supervisee was emotionally dependent upon the therapist; or

13 (2) if the sexual contact occurred by means of
14 therapeutic deception.

15 D. A therapist must not engage in sexual contact or
16 other harassment, therapeutic deception, or exploitation of
17 students, trainees, interns, employees, independent contractors,
18 colleagues, research subjects, or actual or potential witnesses
19 or complainants in ethical proceedings.

20 E. A therapist must not use or exploit the
21 professional relationship with a student, trainee, intern,
22 employee, independent contractor, colleague, research subject,
23 or actual or potential witness or complainant in ethical
24 proceedings in any manner for the therapist's emotional,
25 financial, sexual, religious, political, or personal advantage
26 or benefit.

27 F. A therapist must recognize that there are other
28 professional, technical, and administrative resources available
29 to clients. The therapist must make referrals to those
30 resources when it is in the best interest of clients to be
31 provided with alternative or complementary services. The
32 therapist must make a reasonably prompt referral when requested
33 to do so by the client, without consideration of limitation of
34 third-party payors.

35 G. A therapist must not offer, nor accept, payment
36 for referrals.

1 H. A therapist must not knowingly offer services to a
2 client who is in treatment with another professional without
3 consultation among the parties involved. If a client refuses to
4 allow consultation, the therapist should delay the
5 administration of service until the client gives consent to
6 consultation. The exception to the consultation requirement
7 would be if the client reports ethical violations by the other
8 professional.

9 I. A therapist must understand the areas of
10 competence of related professions and act with due regard for
11 the need, special competencies and obligations of their
12 colleagues in other allied professions, and must not disparage
13 the qualifications of any colleague.

14 J. A therapist must seek appropriate professional
15 assistance for the therapist's own personal problems or
16 conflicts that are likely to impair the therapist's work
17 performance and clinical judgment.

18 K. A therapist must not practice under the influence
19 of alcohol or any controlled substance not prescribed by a
20 physician.

21 L. A therapist must not allow an individual or agency
22 that is paying for the professional services of a client to
23 exert undue influence over the therapist's evaluation or
24 treatment of the client.

25 M. A therapist must file a complaint with the board
26 when the therapist has reason to believe that another therapist
27 is or has been engaged in conduct which violates this part
28 according to Minnesota Statutes, section 148B.07, subdivision 4.

29 N. A therapist must not engage in any conduct likely
30 to deceive or defraud the public or the board.

31 O. A therapist must not advertise in a way that is
32 false, fraudulent, or misleading to the public.

33 P. A therapist must correct, wherever possible,
34 false, misleading, or inaccurate information and representations
35 made by others concerning the therapist's qualifications,
36 services, or products.

1 Q. A therapist must make certain that the
2 qualifications of a person in a therapist's employ is a student,
3 independent contractor, or an intern represented in a manner
4 that is not false, misleading, or deceptive.

5 R. A therapist must not engage in any unprofessional
6 conduct. Unprofessional conduct is any conduct violating this
7 part or violating those standards of professional behavior that
8 have become established by consensus of the expert opinion of
9 marriage and family therapists as reasonably necessary for the
10 protection of the public interest.

11 Subp. 5. Relations to clients. A marriage and family
12 therapist's primary professional responsibility is to the
13 client. A marriage and family therapist must make every
14 reasonable effort to advance the welfare and best interests of
15 families and individuals. A marriage and family therapist must
16 respect the rights of those persons seeking assistance and make
17 reasonable efforts to ensure that the therapist's services are
18 used appropriately. A marriage therapist is bound by these
19 ethics primarily. These ethics supercede any policies of an
20 employer or contractor that may be contrary to the ethics in
21 this part.

22 A. Once a client has been accepted into therapy, a
23 therapist must not discriminate on the basis of age, sex, race,
24 national origin, religion, physical handicap, political
25 affiliation, or social or economic status. In addition, a
26 therapist must not discriminate on the basis of affectional
27 preference, or choice of lifestyle. When unable to offer
28 services for any reason, a therapist shall make an appropriate
29 referral.

30 B. A therapist must recognize the potentially
31 influential position the therapist may have with respect to
32 clients, and must avoid exploiting the trust and dependency of
33 clients. A therapist must make every effort to avoid dual
34 relationships with clients that could impair the therapist's
35 professional judgment or increase the risk of exploitation.

36 C. A therapist must be careful to truthfully

1 represent to clients facts regarding services rendered.

2 D. A therapist must recognize the importance of clear
3 understandings on financial matters with clients. Arrangements
4 for fees and payments must be made at the beginning of the
5 therapeutic relationship.

6 E. A therapist must not engage in sexual contact or
7 other physical intimacies with a client. Sexual contact with a
8 former client is prohibited for two years after termination of
9 services whether informed or not that the relationship is
10 terminated. Sexual contact after two years with a former client
11 is prohibited:

12 (1) if the former client was emotionally
13 dependent upon the therapist; or

14 (2) if the sexual contact occurred by means of
15 therapeutic deception.

16 F. A therapist must not engage in sexual or other
17 harassment of a client, nor in any verbal or physical behavior
18 that is sexually seductive or sexually demeaning to the client.
19 For purposes of this item, sexual harassment has the meaning
20 given it in Minnesota Statutes, section 363.01, subdivision 10a.

21 G. A therapist must not use or exploit the
22 professional relationship with a client in any manner for the
23 therapist's emotional, financial, sexual, religious, political,
24 or personal advantage or benefit.

25 H. A therapist must not use any confidence of a
26 client to the client's disadvantage.

27 I. A therapist must terminate a client relationship
28 when it is reasonably clear that the treatment no longer serves
29 the client's needs or interests.

30 J. A therapist must not provide services to a client
31 when the therapist's objectivity or effectiveness is impaired.
32 Whenever a therapist's objectivity or effectiveness becomes
33 impaired during a professional relationship with a client, the
34 therapist must notify the client orally and in writing that the
35 therapist can no longer see the client professionally and must
36 assist the client in obtaining services from another

1 professional.

2 K. A therapist must respect the right of a client to
3 make decisions and must help the client understand the
4 consequences of the decisions. A therapist must advise a client
5 that a decision on marital status is the responsibility of the
6 client.

7 L. A therapist must inform a client of a divergence
8 of interests, values, attitudes, or biases between a client and
9 the therapist that is sufficient to impair their professional
10 relationship. Either the client or the therapist may terminate
11 the relationship.

12 M. In the course of professional practice, a
13 therapist must not violate any law concerning the reporting of
14 abuse of children under Minnesota Statutes, section 626.556 and
15 vulnerable adults under Minnesota Statutes, section 626.557.

16 N. A therapist must display prominently on the
17 premises of the therapist's professional practice or make
18 available as a handout the bill of rights of clients, including
19 a statement that consumers of marriage and family therapy
20 services offered by marriage and family therapists licensed by
21 the State of Minnesota have the right:

22 (1) to expect that a therapist has met the
23 minimal qualifications of training and experience required by
24 state law;

25 (2) to examine public records maintained by the
26 Board of Marriage and Family Therapy which contain the
27 credentials of a therapist;

28 (3) to obtain a copy of the code of ethics from
29 the State Register and Public Documents Division, Department of
30 Administration, 117 University Avenue, Saint Paul, MN 55155;

31 (4) to report complaints to the Board of Marriage
32 and Family Therapy, Colonial Park Office Building, 2700
33 University Avenue West, Suite 225, Saint Paul, MN 55114;

34 (5) to be informed of the cost of professional
35 services before receiving the services;

36 (6) to privacy as defined by rule and law;

1 (7) to be free from being the object of
2 discrimination on the basis of race, religion, gender, or other
3 unlawful category while receiving services;

4 (8) to have access to their records as provided
5 in Minnesota Statutes, section 144.335, subdivision 2; and

6 (9) to be free from exploitation for the benefit
7 or advantage of a therapist.

8 O. A therapist must, upon request from the client,
9 provide information regarding the procedure for filing a
10 complaint with the board.

11 Subp. 6. Confidentiality and keeping of records. A
12 marriage and family therapist must hold in confidence all
13 information obtained in the course of professional services. A
14 marriage and family therapist must safeguard client confidences
15 as permitted by law and rule.

16 A. A therapist, and employees and professional
17 associates of the therapist, must not disclose any private
18 information that the therapist, employee, or associate may have
19 acquired in rendering services except as provided in Minnesota
20 Statutes, sections 148B.11, subdivision 3, and 148B.39. All
21 other private information must be disclosed only with the
22 informed consent of the client.

23 B. A therapist must be responsible for informing
24 clients of the limits of confidentiality.

25 C. For purposes of safeguarding confidentiality, when
26 seeing a couple or a family, a therapist must define who the
27 "client" is as soon as it is possible to determine the client.
28 For example, the therapist must define whether the couple or
29 family, as a unit, is the client or whether the individuals who
30 make up the couple or family are the clients.

31 D. When seeing a couple or a family, a therapist must
32 inform the client, at the beginning of the relationship, what
33 the therapist's procedures are for handling confidences from
34 individual members of the family and for protecting individuals'
35 privacy while safeguarding the integrity of the therapy process.

36 E. Whenever marriage and family therapy services are

1 requested or paid for by one client for another, the therapist
2 must inform both clients of the therapist's responsibility to
3 treat any information gained in the course of rendering the
4 services as private information.

5 F. A therapist must limit access to client records
6 and must inform every individual associated with the agency or
7 facility of the therapist, such as a staff member, student, or
8 volunteer, that access to client records must be limited to only
9 the therapist with whom the client has a professional
10 relationship, an individual associated with the agency or
11 facility whose duties require access, and an individual
12 authorized to have access by the informed written consent of the
13 client.

14 G. A therapist must continue to maintain as private
15 information the records of a client after the professional
16 relationship between the therapist and the client has ceased.
17 The therapist must store and dispose of records in ways that
18 maintain confidentiality.

19 H. A therapist must disclose to the board and its
20 agents client records that the board and its agents consider to
21 be germane to a disciplinary proceeding.

22 I. A therapist must obtain written, informed consent
23 from each client before electronically recording sessions with
24 that client or before permitting third-party supervisory
25 observation of their sessions. The consent form should specify
26 the purpose and proposed audience for the recording.

27 J. A therapist must disguise adequately the identity
28 of a client when using material derived from a counseling
29 relationship for purposes of training, research, professional
30 meetings, or publications.

31 Subp. 7. **Research.** A marriage and family therapist must
32 conduct research activities with full respect for the rights and
33 dignity of participants and with full concern for their welfare
34 according to the requirements of the "Ethical Principles of
35 Psychologists, General Principle 9: Research with Human
36 Participants," American Psychological Association, as amended

1 June 2, 1989. These requirements are incorporated by reference
2 and are not subject to frequent change. The requirements were
3 published in "American Psychologist" March 1990, Volume 45,
4 Number 3, pages 390-395. They are available through the Minitex
5 interlibrary loan system. Participation in research is
6 voluntary.

7 5300.0360 FEES.

8 All fees indicated in items A to K shall be paid by cash or
9 in the form of check, bank draft, or money order, made payable
10 to the Board of Marriage and Family Therapy, Colonial Park
11 Office Building, 2700 University Avenue West, Suite 225, Saint
12 Paul, Minnesota 55114. All fees are nonrefundable.

- 13 A. application for admission to written examination
14 fee, \$200;
- 15 B. written examination fee, not to exceed \$250;
- 16 C. application for licensure fee, \$100;
- 17 D. initial license fee, not to exceed \$100;
- 18 E. application for licensure by reciprocity fee,
19 \$300;
- 20 F. annual renewal of license fee, \$100;
- 21 G. late renewal fee, \$50;
- 22 H. reinstatement of license fee, \$150;
- 23 I. sponsor's application for approval of a continuing
24 education course fee, \$25;
- 25 J. penalty fee, \$75;
- 26 K. duplicate license fee, \$25.

27 The written examination fee in item B will be determined by
28 the professional examination service approved by the Association
29 for Marriage and Family Therapy Regulatory Boards administering
30 the examination.

31 The initial license fee in item E will be prorated
32 accordingly, depending on the month in which the applicant is
33 approved for licensure.