

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation: 201 KAR 32:035
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**NOTE: as of March 1, 2021, the contact person is:
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(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation sets forth the requirements of supervision of marriage and family therapist associates.

(b) The necessity of this administrative regulation: The administrative regulation is necessary under KRS 335.320(5), which requires the Board to review and approve contracts between marriage and family therapy associates and approved supervisors for their supervision of practice during the qualifying terms, and KRS 335.320(9), which requires the Board to promulgate administrative regulations to implement the purpose and scope of KRS 335.300 to 335.399.

(c) How this administrative regulation conforms to the content of the authorizing statutes: This administrative regulation conforms to the content of the authorizing statutes by setting forth the requirements for supervision of marriage and family therapy associates.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation assists in the effective administration of the authorizing statutes by setting forth the supervisory requirements for a board-approved supervisor.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: The amendment will change the existing administrative regulation by: (1) clearly defining "two (2) years of post-licensure experience in the practice of marriage and family therapy"; (2) by allowing supervision to take place by live video conference; (3) by clarifying that raw data can only be used for individual supervision not group supervision; (4) changing "marriage and family therapist" associate to "marriage and family therapy associate" to conform with statutory definition; and (5) updating the Board's address.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to clarify the definition of a "two (2) years of post-licensure experience in the practice of marriage and family therapy" and to allow supervision to continue by live video conferencing as it has been allowed during the current state of emergency.

(c) How the amendment conforms to the content of the authorizing statutes: The amendment is consistent with the authorizing statutes.

(d) How the amendment will assist in the effective administration of the statutes: The amendment will provide licensees and associates with clarity regarding board-approved supervisors and allow supervisors and supervisees to continue conducting supervision via live video conferencing.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Board-approved supervisors and supervisees are affected by this administrative regulation. As of January 11, 2021, there were 601 marriage and family therapists and 173 marriage and family therapy associates.

(4) Provide an analysis of how the entities identified in the previous question will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions each of the regulated entities have to take to comply with this regulation or amendment: In order to provide supervision via live video conferencing, the supervisor and supervisee will be required to meet the educational requirements of 201 KAR 32:110, Section 3(1) and (2).

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities: Supervisors and supervisees wanting to conduct supervision via live video conferencing will be required to pay for educational classes to meet the requirements contained in 201 KAR 32:110, Section 3(1) and (2).

(c) As a result of compliance, what benefits will accrue to the entities: As a result of compliance, supervisors and supervisees will be able to conduct supervision via live video conferencing.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: Initially, there is no additional cost to the administrative body to implement this administrative regulation.

(b) On a continuing basis: On a continuing basis, there is no additional cost to the administrative body to implement this administrative regulation.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The board's operation is funded by the registration fees paid by licensed marriage and family therapists, marriage and family therapy associates, and applicants.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees is necessary.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: The administrative regulation did not establish any fees or increase any fees.

(9) TIERING: Is tiering applied? Explain why or why not. Tiering was not applied as the criteria apply to all supervisors and supervisees.