

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 32:035

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Subject Headings: Licensing, Marriage and Family Therapy, Occupations and Professions

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation creates certain definitions and criteria for the clinical supervision requirements of marriage and family therapist associates, that must be fulfilled under KRS 335.330(2)(b) before a person may be licensed as a marriage and family therapist. It also creates criteria for which a licensee may be approved by the board as a supervisor, and establishes certain requirements for both supervisors and supervisees.

(b) The necessity of this administrative regulation: This administrative regulation is necessary because it provides necessary definitions, guidelines and expectations for licensees who are either providing clinical supervision, or being supervised.

(c) How this administrative regulation conforms to the content of the authorizing statutes: This administrative regulation amendment conforms with the Board's authority in KRS 335.320(9) to promulgate administrative regulations to carry out the provisions of KRS Chapter 335.300 to 335.399. Further, KRS 335.330(2)(b) permits the board to establish the criteria for clinical supervision toward the 200-hour statutory requirement.

(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 statute by i) providing clear definitions relevant to clinical supervision; ii) establishing qualifying criteria for licensees providing clinical supervision, along with minimum criteria and expectations for supervision for both the supervising licensee and the supervisee licensee; and iii) setting forth the requirements for supervision, for the annual renewal of a marriage and family therapist associate permit.

(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: This amendment enumerates a defined term and establishes a new definition relevant to clinical supervision. It also requires prospective action from a licensee wishing to become board-approved for clinical supervision, and it creates different continuing education requirements based upon the licensee's status that relates to rendering clinical supervision, both for initial approval and renewal. This amendment also creates an express requirement of annual supervision for the renewal of an associate permit along with a process to request a waiver, and specifies that clinical supervision must take place while the associate holds a valid board-issued permit in order to count toward the statutory requirement under KRS 335.330(2)(b). Finally, this amendment lowers the minimum

requirement of use of raw data in clinical supervision from 50 hours to 36, toward the 200-hour requirement in KRS 335.330(2)(b).

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to provide more detailed definitions, requirements and guidelines concerning clinical supervision required for marriage and family therapist licensure. These changes will result in a more effective realization of the aims and objectives of requiring clinical supervision of associates prior to full licensure.

(c) How the amendment conforms to the content of the authorizing statutes: This administrative regulation amendment conforms with the Board's authority in KRS 335.320(9) to promulgate administrative regulations to carry out the provisions of KRS Chapter 335.300 to 335.399. Further, KRS 335.330(2)(b) permits the board to establish the criteria for constituting clinical supervision required of applicants for a marriage and family therapist license.

(d) How the amendment will assist in the effective administration of the statutes: This amendment will assist in the effective administration of the statutes by providing clear and consistent definitions and enumerated examples for use by the licensees and the Board, as well as reflect appropriate criteria for obtaining board-approved status as a supervisor and for renewal of such status.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This administrative regulation will affect i) the approximately 180 current licensees of the board who currently hold a marriage and family therapist associate permit and who are therefore accruing clinical supervision hours toward statutory requirements for full licensure; and ii) the approximately 146 licensees who currently have board-approved supervisor status.

(5) Provide an analysis of how the entities identified in question (4) 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 that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment: No action will need to be taken by the licensees to comply with this amendment.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): There will be no increased cost for compliance with this amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4): All licensees will have a better and clearer understanding of the requirements and expectations for clinical supervision, with respect to both quality and quantity. Such should result in better training and skill development for all licensees within the profession.

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

- (a) Initially: There will be no initial cost to the administrative body to implement this administrative regulation.
- (b) On a continuing basis: There will be no continuing cost to the administrative body to implement this administrative regulation.
- (7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The Board's operations are funded by fees paid by license holders and applicants.
- (8) 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 or funding will be necessary to implement this change to this administrative regulation.
- (9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This administrative regulation does not establish any new fees or increase any fees paid to the Board.
- (10) TIERING: Is tiering applied? (Explain why or why not) Tiering is not applied because this regulation applies to all applicants equally.