

State of Utah
Administrative Rule Analysis
 Revised May 2025

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: CPR (Change in Proposed Rule)		
Rule or section number:	R156-60e	Filing ID: 57656
Date of previous publication (only for CPRs):	12/01/2025	

Agency Information

1. Title catchline:	Commerce, Professional Licensing	
Building:	Heber M. Wells Building	
Street address:	160 E. 300 S.	
City, state:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146741	
City, state and zip:	Salt Lake City, UT 84111-6741	
Contact persons:		
Name:	Phone:	Email:
Brian Pedersen	801-530-6651	bpedersen@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:	
R156-60e. Mental Health Professional Practice Act Rule.	
3. Are any changes in this filing because of state legislative action?	Changes are not because of legislative action.
If yes, any bill number and session:	HB 1 (2025 General Session), SB 25 (2024 3rd Special Session)
4. Purpose of the new rule or reason for the change:	
<p>The Division of Professional Licensing (Division) in collaboration with the Behavioral Health Board (Board) is filing this Change in Proposed Rule (CPR) to clarify new requirements in the original filing in response to public comments. The proposed changes adjust the requirements for Supervision to align them with the statute, the recommendations made by OPLR and SB26, and address the concerns brought forth by public comments. This CPR also changes the proposed minimum hour requirement for the supervision course from 20 hours to eight hours to better align with statutory requirements.</p>	
5. Summary of the new rule or change:	
<p>The proposed changes for this change in proposed rule (CPR) are as follows:</p> <p>R156-60e-305.1(3)(c)(i) and (ii): adds clarifying language for a compromised relationship where the supervised individual has ownership in their employing agency.</p> <p>R156-60e-306.1(1): the proposed section outlining the graduate level coursework pathway for supervisor training from the original filing was removed since the statutory language in Subsection 58-60-102(4)(a)(iii)(B) already adds this pathway.</p> <p>R156-60e-306.1(1)(a) through (f): changes the proposed supervisor court from a 20-hour course to an eight -hour course and changes the specific topic hour requirements to align with the minimum 8-hour training course as outlined in the statute. The proposed change also adjusts the soonest date that the training may be completed from 18 months to 24 months after the individual obtains licensure to align with R156-60e-305.1. Clinical Supervisor Eligibility. This change better comports with the statutory requirements in Subsection 58-60-102(4)(a)(iii)(A).</p> <p>R156-60e-307.1(2)(a)(ii)(A): adjusts the rate of supervision meetings from “proportional” to at least twice each month.</p>	

R156-60e-307.1(2)(a)(iv)(v): clarifies the general progress goals for the supervised individual as part of the contract.

R156-60e-307.1(2)(e)(ii)(C): removes the requirements to disclose remote supervision to the client.

R156-60e-308.1(2)(a)(ii): clarifies that a supervisor may not supervise an individual if that individual has ownership in the supervisor's employing agency.

R156-60e-308.1(2)(b)(ii): clarifies the general progress goals and learning objectives for the supervised individual.

R156-60e-308.1(2)(c)(iv): clarifies the clinical supervisor's duties and expectations in the event of a supervised individual's violation or practice outside the scope of their practice.

R156-60e-308.1(2)(e)(ii): adjusts the rate of supervision meetings from weekly to at least twice each month.

R156-60e-309.1(1)(b)(ii)(B): clarifies that a supervisor may not supervise an individual if that individual has ownership in the supervisor's employing agency.

R156-60e-309.1(2): clarifies hours that a supervised individual cannot count towards licensure.

R156-60e-501.4(1): updates the Code of Ethics for ACMHCA.

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A. State budget:

The changes in this change in proposed rule reduce the supervisor course hour requirement from 20 hours to eight hours to more closely align with statutory requirements. The changes further clarify and update language from the previous draft filing. These proposed changes are expected to have zero net impact on state revenues or expenditures because these changes should not result in any additional complaints, investigations, or disciplinary actions or any additional licensing issues.

B. Local governments:

The changes in this change in proposed rule reduce the supervisor course hour requirement from 20 hours to eight hours to more closely align with statutory requirements. The changes further clarify and update language from the previous draft filing.

For local government entities that employ supervisors who need to complete the supervision course, the proposed change to reduce the supervision course from 20 hours to eight hours may reduce the original estimated fiscal impact on these local government entities that pay for the supervisors' training as provided in the previously published proposed changes. Any reduction in costs from these proposed changes is not measurable currently as several courses are in the process of development by local associations and the cost of those training courses is not currently known. Additionally, whether the supervisor or the supervisor's employer will cover the cost of the eight-hour training course will vary.

C. Small businesses ("small business" means a business employing 1-49 persons):

There are approximately 1,532 small businesses in Utah with licensees engaged in the practice of mental health therapy and who may employ those engaged in the practice of mental health therapy, such as private or group practices, hospitals, or medical centers (NAICS 621112, 621420, 621330, 622210, 623220, 623210).

The changes in this change in proposed rule reduce the supervisor course hour requirement from 20 hours to eight hours to more closely align with statutory requirements. The changes further clarify and update language from the previous draft filing.

For small businesses that employ supervisors who need to complete the supervision course, the proposed change to reduce the supervision course from 20 hours to eight hours may reduce the original estimated fiscal impact on small businesses that pay for the supervisors' training as provided in the previously published proposed changes. Any reduction in costs from these proposed changes is not measurable currently as several courses are in the process of development by local associations and the cost of those training courses is not currently known. Additionally, whether the supervisor or the supervisor's employer will cover the cost of the eight-hour training course will vary.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons):

There are approximately 96 non-small businesses in Utah comprising of licensees engaged in the practice of mental health therapy who may employ those engaged in the practice of mental health therapy, such as private or group practices, hospitals, or medical centers (NAICS 621112, 621420, 621330, 622210, 623220,623210).

The changes in this change in proposed rule reduce the supervisor course hour requirement from 20 hours to eight hours to more closely align with statutory requirements. The changes further clarify and update language from the previous draft filing.

For non-small businesses that employ supervisors who need to complete the supervision course, the proposed change to reduce the supervision course from 20 hours to eight hours may reduce the original estimated fiscal impact on non-small businesses as provided in the previously published proposed changes. Any reduction in costs from these proposed changes is not measurable currently as several courses are in the process of development by local associations and the cost of those training courses is not currently known. Additionally, whether the supervisor or the supervisor's employer will cover the cost of the eight-hour training course will vary.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

The changes in the change in proposed rules reducing the hours for the supervision course from 20 hours to eight hours may reduce the original estimated fiscal impact on government entities such as the Utah Department of Health and Human Services (DHHS), The Division of Correctional Health Services, Local Mental Health Authorities (LMHAs), and the Utah State Board of Education (UBE) & Local School Districts as provided in the previously published proposed changes. Mental health supervisors employed by these agencies will need to complete the required training as outlined in the rule and incur the cost to pay for the training.

There are an estimated 300-500 therapists directly employed by the state and likely 1500-2000 therapists employed by Local Mental Health Authorities and Utah's 41 school districts. Any reduction in costs from these proposed changes are not measurable currently as several courses are in the process of development by local associations and the cost of those training courses is not currently known. Additionally, whether the supervisor or the supervisor's employer will cover the cost of the eight-hour training course will vary.

F. Compliance costs for affected persons:

The changes in this change in proposed rule reduce the supervisor course hour requirement from 20 hours to eight hours to more closely align with statutory requirements. The changes further clarify and update language from the previous draft filing.

As of early 2026, there are approximately 17,400 licensed independent mental health providers in the state of Utah. For affected persons who need to complete the supervision course, the proposed change to reduce the supervision course from 20 hours to eight hours may reduce the original estimated fiscal impact as provided in the previously published proposed changes for this rule. However, the costs are not measurable currently as several courses are in the process of development by local associations and the cost of those training courses is not currently known. Additionally, whether the supervisor or the supervisor's employer will cover the cost of the eight-hour training course will vary.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0

Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

H. Department head comments on fiscal impact and approval of regulatory impact analysis:
The Executive Director of the Department of Commerce, Margaret W. Busse, has reviewed and approved this regulatory impact analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Subsection 58-1-103(1)(a)	Subsection 58-1-202(1)(a)	Section 58-60-201
Section 58-60-301	Section 58-60-401	Section 58-60-501

Incorporation by Reference Information

8. Incorporation by Reference (if this rule incorporates more than two items by reference, please include additional tables):
A. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

Official Title of Materials Incorporated (from title page)	AAMFT Code of Ethics
Publisher	American Association for Marriage and Family Therapy
Issue Date	January 1, 2026
Issue or Version	

B. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until: 05/15/2026

B. A public hearing (optional) will be held (The public may request a hearing by submitting a written request to the agency, as outlined in Section 63G-3-302 and Rule R15-1.):

Date:	Time (hh:mm AM/PM):	Place (physical address or URL):
05/08/2026	11:00 a.m.	Anchor Meeting Location: Heber M. Wells Building Room 474 160 E. 300 S. Salt Lake City, UT 84111 Google Meet joining info Video call link: https://meet.google.com/nyf-

		ymve-nrg Or dial: (US) +1 318-373-3469 PIN: 191 500 317# More phone numbers: https://tel.meet/nyf-ymve-nrg?pin=5750197820340
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To the agency: If more than one hearing is planned to take place, continue to add rows.

10. This rule change MAY become effective on: 05/22/2026

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

To the agency: Information requested on this form is required by Sections 63G-3-301, 63G-3-302, 63G-3-303, and 63G-3-402. The office may return incomplete forms to the agency, possibly delaying publication in the *Utah State Bulletin* and delaying the first possible effective date.

Agency head or designee and title:	Jana Johansen, Assistant Division Director	Date:	03/13/2026
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R156. Commerce, Professional Licensing.

R156-60e. Mental Health Professional Practice Act Rule.

R156-60e-101.1. Title - Authority - Relationship to Rule R156-1.

- (1) This rule is known as the "Mental Health Professional Practice Act Rule."
- (2) This rule is adopted by the Division under Subsection 58-1-106(1)(a), to enable the Division to administer Title 58, Chapter 60, Mental Health Professional Practice Act.
- (3) The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-101.

R156-60e-102.1. Definitions Applicable To All Mental Health Professionals.

Terms used in this rule are defined in Title 58, Chapter 1, Division of Professional Licensing Act, and Title 58, Chapter 60, Mental Health Professional Practice Act. In addition:

- (1) "Accredited institution of higher education," unless otherwise specified in this rule, means an educational institution that has accreditation recognized by the Council for Higher Education Accreditation (CHEA).
- (2) "AI" as used in Subsection R156-60e-307.1(2)(c)(iii) means artificial intelligence.
- (3) "Approved diagnostic and statistical manual for mental disorders" means one of the following:
 - (a) Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, Text Revision (DSM-5-TR), published by the American Psychiatric Association; or
 - (b) International Classification of Diseases, Tenth Revision, Clinical Modifications (ICD-10-CM), published as the ICD-10-CM: The Complete Official Codebook by the American Medical Association.
- (4) "APRN" means an advanced practice registered nurse licensed under Subsection 58-60-102(15)(b).
- (5) "Asynchronous" as used in Subsections R156-60e-302.1(3)(d) and R156-60e-402.1(3)(b)(vii) means the individual:
 - (a) accesses material online;
 - (b) learns at the individual's own pace and not in real-time; and
 - (c) with or without instructor interaction.
- (6) "CHEA" means the Council for Higher Education Accreditation.
- (7) "CSWE" means the Council on Social Work Education.
- (8) "Client" or "patient" means:
 - (a) an individual who is competent to request mental health services; or
 - (b) an individual who is not competent to request mental health services but is lawfully provided professional services by a mental health therapist who:
 - (i) agrees orally or in writing to provide professional services to that individual; or
 - (ii) without an overt agreement, provides professional services to that individual.
- (9) "Clinical supervision form" means the form provided by the Division for use by a supervisor and a supervised individual to document who is providing supervision to a supervised individual and includes at least the following:
 - (a) name and license number of the supervised individual;

- (b) name and license number of the supervisor; and
- (c) supervised individual's place of employment.

(10) "Independent of control" as used in Subsection R156-60e-309.1(1)(b)(ii)(A) means the supervisor is not employed by the supervised individual, an agency owned in total or part by the supervised individual, or an agency in which the supervised individual has a controlling interest.

(11) "Internship" means one or more courses completed as part of a graduate program at an accredited institution of higher education where the internship hours are obtained:

- (a) at a public agency or private clinic;
- (b) while the individual is engaged in the clinical practice of mental health therapy as defined in Subsection 58-60-102(17); and
- (c) under supervision of a qualified mental health training supervisor as defined in Section R156-60e-305.1.

(12) "Interpersonal and intrapersonal dysfunction" as used in Subsection 58-60-302(2)(d) means the dysfunction is a core feature of a diagnosable disorder.

(13) "Mild to moderate behavioral health symptoms or disorders" as used in Subsections 58-60-202(1)(a)(ii)(A), 58-60-202(1)(a)(v)(B), 58-60-502(6)(e)(iii)(B), 58-60-601(4)(c)(v)(A), 58-60-601(4)(c)(vi)(A), and 58-60-601(4)(d)(iii)(B), means symptoms that:

- (a) cause clinically significant disturbances in an individual's cognition, emotion regulation, or behavior that reflect a dysfunction, but are not so severe as to be debilitating or require hospitalization or medications;
- (b) satisfy the legal definition of a disability as defined in Subsection 26B-6-801(1) or the equivalent; and
- (c) can be treated with brief, solution-focused therapy.

(14) "NASW" means the National Association of Social Workers.

(15) "On-the-job training program" as used in Subsections 58-1-307(1)(c) and 58-60-107(2)(g) means a program that:

- (a) applies to an individual who has completed courses required for graduation in a degree or formal training program that qualifies the individual for licensure under Title 58, Chapter 60, Mental Health Professional Practice Act;
- (b) starts immediately upon completion of coursework required for graduation;
- (c)(i) ends 60 days from the date it begins or upon licensure, whichever is earlier; and
- (ii) may not be extended or repeated a second time;
- (d) is completed while the individual is providing clinical mental health services in a public agency or private clinic; and

(e) is supervised by a qualified mental health training supervisor qualified under Section R156-60e-305.1 who conducts supervision meetings at least weekly in circumstances where the supervisor is physically present in the same room at the same time as the supervised individual.

(16) "Practicum" means one or more courses completed as part of a graduate program at an accredited institution of higher learning where the practicum hours are obtained:

- (a) at a public agency or private clinic;
- (b) while engaged in the clinical practice of mental health therapy as used in Subsection 58-60-102(17), 58-60-202(2), 58-60-302(2), 58-60-502(7), or Section 58-60-402; and
- (c) under supervision of a qualified mental health training supervisor as defined in Section R156-60e-305.1.

(17) "Public agency or private clinic" as used in Subsections 58-60-308(2)(a)(i), 58-60-407(2)(a)(i), 58-60-512(2)(a), R156-60e-102.1(11)(a), R156-60e-102.1(15)(d), R156-60e-102.1(16)(a), R156-60e-304.1(1)(b), and R156-60e-309.1(1)(b)(vi), means one of the following:

- (a) mental health agency;
- (b) in-patient or out-patient hospital;
- (c) educational institution;
- (d) non-profit organization; or
- (e) government agency.

(18) "Supervisee" as used in Subsections 58-60-102(3)(d) and (4)(a)(v) means a supervised individual.

(19) "Supervision contract" as used in Subsections 58-60-102(8)(a) and (9) means a written contract between a clinical supervisor and a supervised individual that:

- (a) is signed by both parties;
- (b) facilitates the experience requirements for licensure; and
- (c) meets the requirements of Section R156-60e-307.1.

(20) "Synchronous" as used in Subsections R156-60e-102.2(4)(a)(ii), R156-60e-302.1(3)(c), R156-60e-306.1(1)[~~(e)~~], R156-60e-307.1(2)(e)(i)(A), and R156-60e-402.1(3)(b)(vi) means a meeting or class where the parties gather:

- (a) virtually or in a physical place; and
- (b) interact in real-time.

R156-60e-102.2. Definitions Specific To Social Work.

Terms used in this rule are defined in Title 58, Chapter 1, Division of Professional Licensing Act, and in Title 58, Chapter 60, Part 2, Social Worker Licensing Act. In addition:

- (1) "ASWB" means the Association of Social Work Boards.
- (2) "Clinical social work concentration and practicum," "case work," "group work," or "family treatment course sequence with a clinical practicum," as used in Subsection 58-60-109(2)(b) and Section 58-60-205 mean a track of professional education that is specifically established to prepare an individual to practice or engage in clinical mental health therapy.
- (3) "CSW" means a licensed certified social worker.
- (4) "General supervision" as used in Subsection 58-60-202(1)(a) means that the supervisor is available for consultation with the supervised individual:
 - (a)(i) when both are physically present in the same room at the same time; or
 - (ii) remotely via a synchronous electronic method that provides real-time communication through interactive technology that enables a supervisor at a distant site and a supervised individual at an originating site to interact simultaneously through two-way audio and video transmission; and
 - (b) within a reasonable time and consistent with the acts and practices in which the supervised individual is engaged.
- (5) "Human growth and development" as used in Subsection 58-60-205(3)(c)(iii)(A)(II) means a course completed from a CSWE-accredited bachelor's degree in social work program that includes an emphasis on human growth and development across the lifespan and from conception to death.
- (6) "LCSW" means a licensed clinical social worker.
- (7) "Social welfare policy" as used in Subsection 58-60-205(3)(c)(iii)(A)(I) means a course completed from a CSWE-accredited bachelor's degree in social work program that includes an emphasis on the following:
 - (a) local, state, and federal social policies and how those policies impact individuals, families, and communities; and
 - (b) the diverse needs of social welfare recipients.
- (8) "Social work practice methods" as used in Subsection 58-60-205(3)(c)(iii)(A)(III) means a course from a CSWE-accredited bachelor's degree in social work program that includes an emphasis on the following:
 - (a) generalist social work practice at the individual, family, group, organization, and community levels;
 - (b) planned client change processes and social work roles at various levels;
 - (c) application of key values and principles of the NASW Code of Ethics and resolution of ethical dilemmas; and
 - (d) evaluation of programs and direct practice in the social work field.
- (9) "SSW" means a licensed social service worker.

R156-60e-102.3. Definitions Specific To Marriage and Family Therapy.

Terms used in this rule are defined in Title 58, Chapter 1, Division of Professional Licensing Act, and Title 58, Chapter 60, Part 3, Marriage and Family Therapist Licensing Act. In addition:

- (1) "AAMFT" means the American Association for Marriage and Family Therapy.
- (2) "AMFT" means an associate marriage and family therapist.
- (3) "AMFT-Extern" means an associate marriage and family therapist extern under Section 58-60-117.
- (4) "Deficiency" as used in Subsections 58-60-117(1)(d) and R156-60e-302.3(4)(a) relating to MFT licensure means the applicant's completed and required educational degree for licensure lacks no more than six semester credit hours or eight quarter credit hours that cover the coursework listed in Subsections R156-60e-302.3(3)(a) through (g).
- (5) "MFT" means a marriage and family therapist.

R156-60e-102.4. Definitions Specific To Clinical Mental Health Counselor.

Terms used in this rule are defined in Title 58, Chapter 1, Division of Professional Licensing Act, and Title 58, Chapter 60, Part 4, Clinical Mental Health Counselor Licensing Act. In addition:

- (1) "ACMHC" means an associate clinical mental health counselor.
- (2) "ACMHC-Extern" means an associate clinical mental health counselor extern under Section 58-60-117.
- (3) "CMHC" means a clinical mental health counselor.
- (4) "Deficiency" as used in Subsections 58-60-117(1)(d) and R156-60e-302.4(2) relating to CMHC licensure means that the applicant's completed and required educational degree for licensure lacks no more than 12 semester credit hours or 18 quarter credit hours of the hours required under Subsection 58-60-405(1)(c)(ii) but still meets the coursework requirements of Subsection R156-60e-302.4(1).
- (5) "Equivalent field" as used in Subsection 58-60-405(1)(c)(i)(B) means that the educational program:
 - (a) prepares students to practice mental health counseling through the study of generally recognized clinical mental health counseling principles, methods, and procedures;
 - (b) meets the requirements of Subsection R156-60e-302.4(1); and
 - (c) has adequately prepared the applicant for practice as demonstrated by the applicant passing the NBCC's National Counselor Examination (NCE) to verify education.
- (6) "NBCC" means the National Board for Certified Counselors.

R156-60e-102.5. Definitions - Specific To Substance Use Disorder Counselor and Master Addiction Counselor.

Terms used in this rule are defined in Title 58, Chapter 1, Division of Professional Licensing Act, and Title 58, Chapter 60, Part 5, Substance Use Disorder Counselor Act. In addition:

- (1) "AMAC" means associate master addiction counselor.
- (2) "ASAM" means the American Society of Addiction Medicine.
- (3) "ASUDC" means an advanced substance use disorder counselor.
- (4) "General supervision" as used in Subsection 58-60-502(3) means experience gathered under the general supervision of a licensed individual who meets the requirements of Section 58-60-508.
- (5) "Human growth and development" as used in Subsection R156-60e-302.5(2)(b)(i)(A) means a course at an accredited institution of higher education that includes an emphasis on human growth and development across the lifespan and from conception to death.
- (6) "IC&RC" means the International Certification and Reciprocity Consortium.
- (7) "Initial assessment" means the procedure of gathering psycho-social information from a client or patient that:
 - (a) includes the application of the Addiction Severity Index (ASI) as the basis for recommending a level of treatment to assist the mental health therapist supervisor in the information collection process; and
 - (b) that may include a referral to an appropriate treatment program.
- (8) "MAC" means Master Addiction Counselor.
- (9) "NAADAC" means the Association for Addiction Professionals.
- (10) "NCC AP" means the National Certification Commissions for Addiction Professionals.
- (11) "Prerequisite courses" as used in Subsections 58-60-506(6)(a)(ii) and R156-60e-302.5(2) means courses that shall be completed before an individual may qualify for licensure.
- (12) "SASSI" means Substance Abuse Subtle Screening Inventory.
- (13)(a) "Screening" as used in Subsections 58-60-502(6)(b) and 58-60-502(9)(b)(i) means a brief interview with the client that is conducted in-person or by other electronic means and is used to determine the potential of a substance abuse problem.
 - (b) The screening may also include the following:
 - (i) a preliminary ASAM Criteria recommendation to expedite the subsequent assessment and evaluation process;
 - (ii) screening instruments such as the SASSI; or
 - (iii) if a potential problem is identified, a referral for an initial assessment or a substance use disorder evaluation.
- (14) "Substance use disorder evaluation" means the process used to interpret information gathered from a client during an initial assessment, other instruments as needed, and a face-to-face interview with the client by a licensed mental health therapist to determine if the client or patient meets the DSM-5-TR or ICD-10-CM criteria for substance abuse or dependence and requires an individualized treatment plan.
- (15) "Substance use disorder education program" as used in Subsections 58-60-502(13) and 58-60-506(6)(b) means college or university coursework at a regionally accredited institution.
- (16) "Supervised experience" as used in Subsection 58-60-506(4)(c)(ii) means experience gathered under the general supervision of a licensed individual who meets the requirements of Section 58-60-508.

(17) "SUDC" means a substance use disorder counselor.

R156-60e-102.6. Definitions - Specific To Behavioral Health Coach and Behavioral Health Technician.

Terms used in this rule are defined in Title 58, Chapter 1, Division of Professional Licensing Act, and Title 58, Chapter 60, Part 6, Behavioral Health Coach and Technician Licensing Act.

R156-60e-202.1. Utah Behavioral Health Board -- Advisory Committees.

(1) Under Subsection 58-60-102.5(3)(b), the Board shall hear advisory committee reports and make determinations based upon those reports regarding any Division action to be taken on an individual's license or on an application for licensure.

(2) Under Subsection 58-60-102.5(4)(b)(i), the Board shall annually elect a member to serve as chair on each advisory committee that reports to the Board.

(3) Under Subsection 58-60-102.5(4)(c)(i), a member of the Qualifications and Professional Development Advisory Committee may be both a licensed individual and an educator.

(4) Under Subsection 58-60-102.5(4)(c)(ii), a criminal justice professional is an individual who is actively employed or who has retired from employment in at least one of the following capacities:

(a) as a member of law enforcement including a police officer, sheriff, patrol officer, police investigator, police detective, state trooper, or federal agent;

(b) as an attorney in criminal law court including a city attorney, county attorney, district attorney, attorney general, assistant attorney general, city public defender, county public defender, or judge who is a member of the attorney Bar;

(c) in corrections including as a corrections officer, probation officer, parole officer, or warden; or

(d) as an instructor of a criminal justice program from a regionally accredited institution of higher education.

R156-60e-302.1. Qualifications for Licensure or Certification - Suicide Prevention Course.

Under Subsections 58-60-105(3), 58-60-205(1)(f), 58-60-305(1)(f), 58-60-405(1)(f), 58-60-506(1)(c), and 58-60-506(6)(b)(ii), the Division-approved two-hour suicide prevention course required to obtain licensure shall be:

(1) approved, sponsored, or conducted by one of the following:

(a) an accredited institution of higher education;

(b) county, state, or federal agency;

(c) professional association, or similar body, involved in clinical mental health therapy; or

(d) mental health agency that provides clinical mental health services;

(2) relevant to mental health therapy and suicide prevention that is consistent with the laws of this state and includes one or more of the following components:

(a) suicide concepts and facts;

(b) suicide risk assessment, crisis intervention, and first aid;

(c) evidence-based intervention for suicide risk;

(d) continuity of care and follow-up services for suicide risk; and

(e) therapeutic alliances for intervention in suicide risk;

(3) completed in not less than 50-minute blocks of time in one of the following formats:

(a) classroom lecture and discussion;

(b) workshop;

(c) synchronous webinar;

(d) asynchronous online self-pace module;

(e) case study review; or

(f) simulation; and

(4) certified as complete via an official document that contains at least the following:

(a) course attendance;

(b) title, objective, or official description of the course as outlined in Subsection (2);

(c) hours completed;

(d) name of provider; and

(e) date of completion.

R156-60e-302.2. Qualifications Specific to Social Work Licensure.

(1) Under Subsections 58-60-205(1)(c)(ii) and (2)(c)(ii), a doctoral degree that contains a clinical social work concentration and practicum qualifying an applicant for LCSW licensure or CSW licensure shall include professional education that is specifically established to prepare an individual to practice or engage in clinical mental health therapy.

(2) Under Subsection 58-60-205(3)(c)(ii), a master's degree qualifying an applicant for SSW licensure shall be from a regionally accredited institution of higher education in one of the following areas of study:

- (a) clinical mental health counseling;
- (b) education and human development;
- (c) human and social services;
- (d) marriage and family therapy;
- (e) psychology;
- (f) social, behavioral, or health sciences; or
- (g) social work.

(3) Under Subsection 58-60-205(3)(c)(iii)(B), the supervised individual's 2,000 hours of supervised qualifying experience for SSW licensure shall be performed:

(a) in an agency providing social work services and activities;

(b) according to a written social work job description approved by a licensed mental health therapist supervisor; and

(c) under the general supervision of an SSW, CSW, or master's level mental health license holder.

(4) Under Subsection 58-60-205(1)(h)(i), an applicant for LCSW licensure shall pass the ASWB Clinical Exam.

(5) Under Subsection 58-60-205(4), an applicant requesting additional testing time shall complete an ASWB application for non-standard testing arrangements.

R156-60e-302.3. Qualifications Specific to Marriage and Family Therapy Licensure.

(1) Under Subsection 58-60-305(1)(c)(ii), an applicant for AMFT licensure or MFT licensure shall produce certified transcripts evidencing completion of a clinical master's degree or higher in marriage and family therapy or equivalent from an institution that was accredited by a professional accrediting body approved when the applicant obtained the education.

(2) Under Subsection 58-60-305(1)(e), at least 500 hours of the applicant's required 1,200 direct client hours shall be clinical therapy provided to couples, families, or groups.

(3) Under Subsection 58-60-305(1)(c)(ii), certified transcripts evidencing completion of an equivalent degree shall include the following:

(a) six semester hours or nine quarter hours of coursework in theoretical foundations of marital and family therapy;

(b) nine semester hours or 12 quarter hours of coursework in assessment and treatment in marriage and family therapy including the most current diagnostic statistical manual;

(c) six semester hours or nine quarter hours of course work in human development and family studies that include ethnic minority issues, and gender issues including sexuality, sexual functioning, and sexual identity;

(d) three semester hours or four quarter hours in professional ethics;

(e) three semester hours or four quarter hours in research methodology and data analysis;

(f) three semester hours or four quarter hours in electives in marriage and family therapy; and

(g) a supervised clinical practicum that includes at least 400 hours as follows:

(i) at least 100 hours of direct clinical supervision; and

(ii) at least 300 hours of clinical mental health therapy practice under direct clinical supervision with at least 150 hours in couple or family therapy with two or more clients participating.

(4)(a) An individual whose education after graduation has a deficiency as defined in Subsection R156-60e-102.3(4) may engage in marriage and family therapy under supervision as outlined in Section R156-60e-304.1 if:

(i) the educational deficiency is under Subsection (3)(a), (c), (e), or (f); and

(ii) the applicant qualifies for AMFT-Extern licensure under Section 58-60-117.

(b) No hour earned under Subsection (4)(a) may be counted toward an internship, practicum, or associate-level licensure.

(5) Under Subsection 58-60-305(1)(g)(i), an applicant for MFT licensure shall pass one of the following exams:

(a) Examination in Marital and Family Therapy administered by the Association of Marital and Family Therapy Regulatory Boards (AMFTRB); or

(b) Licensed Marriage and Family Therapist Clinical Examination by the California Board of Behavioral Sciences (BBS).

R156-60e-302.4. Qualifications Specific to Clinical Mental Health Counselor Licensure.

(1) Under Subsection 58-60-405(1)(c), an applicant for ACMHC licensure or ACMHC-Extern licensure shall provide certified transcripts evidencing completion of a degree that includes the following:

(a) at least three semester credit hours or four quarter credit hours of graduate-level courses in the following subjects:

(i) mental status examination, the appraisal of diagnostic and statistical manual maladaptive, and psychopathological behavior; and

(ii) professional and counseling ethics; and

(b) a practicum or internship that includes at least 700 documented hours of supervised clinical mental health counselor training of which at least 240 hours consist of providing clinical therapy directly to clients under the direction of an educational institution.

(2) Under Subsection 58-60-117(1)(d), an individual applying for ACMHC-Extern licensure whose completed educational degree has a deficiency as defined in Subsection R156-60e-102.4(4) may apply for an ACMHC-Extern license while completing the missing coursework post-degree to obtain an ACMHC license if the courses are taken:

(a) for full credit;

(b) through one institution; and

(c) from a master's or doctoral program in:

(i)(A) clinical mental health counseling, clinical rehabilitation counseling, or counselor education and supervision; and

(B) a program that is accredited by the Council for Accreditation of Counseling and Related Education Programs (CACREP); or

(ii) clinical mental health counseling or an equivalent field as defined in Subsection R156-60e-102.4(5), from an institution accredited by CHEA.

(3)(a) An individual who qualifies to complete educational requirements post-degree under this section and qualifies for ACMHC-Extern licensure under Section 58-60-117 may engage in clinical mental health counseling under supervision as outlined in Section R156-60e-304.1.

(b) No hour obtained under Subsection (2)(a) may be counted toward an internship, practicum, or associate-level licensure.

(4) Under Subsection 58-60-405(1)(g)(i), an applicant for CMHC licensure shall pass the National Clinical Mental Health Counseling Examination (NCMHCE) from the NBCC.

R156-60e-302.5. Qualifications Specific to Substance Use Disorder and Master Addiction Counselor Licensure.

(1) Under Subsections 58-60-506(1)(h)(i) and 58-60-506(4)(c)(iii), an applicant for MAC licensure or ASUDC licensure shall pass one of the following examinations:

(a) Advanced Alcohol and Drug Counselor (AADC) Examination administered by the IC&RC;

(b) National Certified Addiction Counselor, Level II (NCAC II) Examination administered by the NCC AP;

(c) Master Addiction Counselor (MAC) Examination administered by the NCC AP; or

(d) Examination for Master Addiction Counselors (EMAC) administered by the National Board of Certified Counselors (NBCC).

(2)(a) Under Subsection 58-60-506(6)(a)(ii), an applicant for SUDC licensure shall complete the prerequisite courses at a regionally accredited institution of higher education.

(b) The prerequisite courses under Subsection (2)(a) shall:

(i) cover the following subjects:

(A) human growth and development across the lifespan and from conception to death; and

(B) general psychology; and

(ii) include a two-hour suicide prevention course as described in Section R156-60e-302.1.

R156-60e-302.6. Qualifications Specific To Behavioral Health Coach and Behavioral Health Technician Licensure.

Reserved.

R156-60e-303.1. Qualifications for Licensure or Certification - Alternate Examination Pathway.

An applicant for licensure using an alternate examination pathway under Subsection 58-60-205(1)(h)(ii) as an LCSW, Subsection 58-60-305(1)(g)(ii) as an MFT, Subsection 58-60-405(1)(g)(ii) as a CMHC, or Subsection 58-60-506(1)(h)(ii) as an MAC, shall submit the following:

(1) proof that the applicant attempted the qualifying professional examination after May 1, 2024, except an applicant for CMHC licensure who uses the NBCC's National Counselor Examination (NCE) to verify education in an equivalent field under Subsection R156-60e-102.4(5) may not use the NCE to qualify for licensure under the alternate examination pathway;

(2) a signed alternate exam pathway supervisor association form provided by the Division verifying that the applicant is choosing to use the alternate exam pathway before starting any hours toward the alternate exam pathway 500-hour requirement;

(3) a signed form provided by the Division verifying that the applicant's 500 hours of direct client care hours were obtained under one supervisor;

(4) a recommendation letter from the direct clinical supervisor that contains the following information:

(a) the applicant's:

(i) clinical competency;

(ii) consistency and accuracy of diagnosing;

(iii) orderly decision-making skills;

(iv) use of population-appropriate practices and modalities; and

(v) ability to efficiently and effectively:

(A) screen patients;

(B) make clinical assessments;

(C) draft appropriate treatment plans;

(D) use proper case management;

(E) use proper discharge procedures;

(F) apply ethics and legal standards including managing crises and required reporting;

(G) work within the professional scope of practice;

(H) document treatment; and

(I) use knowledge of profession-relevant laws and rules; and

(b) any ethical violation or concerning behavior by the applicant that occurred during supervision; and

(5) a letter of recommendation from a mental health professional approved by the applicant's direct clinical supervisor who observed the applicant's direct client care and includes the following information:

(a) observed practice including any concern regarding the applicant's work; and

(b) any ethical violation or concerning behavior by the applicant.

R156-60e-304.1. Supervised Clinical Experience Requirements.

(1) Under Subsections 58-60-102(3) and (7), 58-60-205(1)(d) and (e), 58-60-305(1)(d) and (e), 58-60-405(1)(d) and (e), and 58-60-506(1)(e) and (f), an applicant shall submit proof that the direct clinical supervision and direct client care hours were obtained as follows:

(a)(i) in Utah while providing clinical mental health services;

(ii) in a state, district, or territory of the United States while providing clinical mental health services if legally obtained under the current law of that state, territory, or district; or

(iii) internationally if:

(A) while the applicant obtained the supervision hours, the license was in a regulated mental health profession, active, and in good standing; or

(B) the applicant was unlicensed, with proof that the applicant's supervision hours were legally obtained as a mental health professional;

(b) in a public agency or private clinic;

(c) after the applicant received a master's or doctoral degree in mental health; and

(d) while the applicant holds an active Utah associate or CSW license, or the out-of-state equivalent.

(2) An applicant who is exempt from licensure under Subsection 58-1-307(1)(a) or (j) may obtain supervision hours while exempt from licensure.

(3) An applicant who is exempt from licensure under Subsection 58-1-307(1)(b) or (c) may not obtain supervision hours while exempt from licensure.

R156-60e-305.1. Clinical Supervisor Eligibility.

(1) Under Subsection 58-60-102(4), to be eligible to become a Division-approved clinical supervisor and oversee the clinical supervision of a master's level license holder, a licensed individual shall:

(a) be an active license holder in good standing in one of the following classifications:

(i) APRN specializing in the practice of clinical mental health therapy under Subsection R156-31b-302e(2);

(ii) CMHC;

(iii) LCSW;

(iv) MFT;

(v) physician who is board certified or board eligible in psychiatry;

(vi) psychologist; or

(vii) MAC;

(b) hold a master's degree or higher;

(c) be licensed under Subsection (1)(a) for at least two years before providing supervision;

(d) complete a supervisor training program that meets the requirements of Section R156-60e-306.1;

(e) meet one of the following requirements during the 24 months preceding supervision:

(i) have overseen or engaged in direct clinical supervision of another licensed individual;

(ii) provided clinical mental health therapy; or

(iii) provided direct client care; and

(f) submit proof to the Division that the licensed individual has completed the training program under Subsection (1)(e) and request Division-approved status as a clinical supervisor.

(2) A qualified mental health training supervisor shall comply with the duties and responsibilities established in Sections R156-60e-307.1 and R156-60e-308.1.

(3) A clinical supervisor may not supervise an individual:

(a) who employs or supervises the clinical supervisor;

(b) who is a family member; or

(c) if the supervision is compromised by a relationship where the supervisor is controlled by: ~~the supervised individual or the supervised individual's employing agency.~~

(i) the supervised individual; or

(ii) the supervised individual's employing agency, if the if the supervised individual has ownership in the employing agency.

R156-60e-306.1. Clinical Supervisor Training Program.

(1) Under Subsection 58-60-102(4)~~(a)(iii)(A)~~, a licensed individual applying to become a Division-approved clinical supervisor shall complete a synchronous training course on learning clinical supervision that meets the following requirements: ~~through one of the following approved training pathways:~~

~~(a) complete graduate level coursework that includes:~~

~~(i) a clinical supervision course that is:~~

~~(A) verified by official transcript;~~

~~(B) completed as a graduate student in an accredited educational institution's doctoral program; and~~

~~(C) taken after obtaining one of the following licenses:~~

~~(I) ACMHC;~~

~~(II) AMAC;~~

~~(III) AMFT; or~~

~~(IV) CSW license; or~~

~~(ii) a clinical supervision course that is:~~

~~(A) verified by official transcript;~~

~~(B) completed as a graduate student in an accredited educational institution's clinical psychology doctoral program; and~~

~~(C) includes a practicum;~~

~~(b) complete a specialized certification by completing an AAMFT approved clinical supervision course; or~~

~~(c) complete a 20-hour synchronous course on learning clinical supervision that:~~

~~(i) is presented by:~~

~~(A) a regionally accredited educational institution;~~

~~(B) a national or state association-approved provider;~~

~~(C) a professional training organization; or~~

(~~(D)~~iv) a government agency;
(~~(H)~~b) is taught by a mental health license [~~holder~~]therapist from any state, territory, or jurisdiction of the United States or Canada;
(~~(H)~~c) is a single, dedicated course of study where all [20-]hours are completed[~~-under that one course~~];
(~~(H)~~d) [~~with~~]has a curriculum that includes:
(A)i) at least one hour on defining and conceptualizing clinical supervision and models;
(B)ii) at least two hours on the supervisory relationship and the supervised individual's development;
(C)iii) [~~six~~]at least two hours on supervision methods and techniques including roles, process, group supervision, multi-cultural supervision, and evaluation;
(D)iv) [~~six~~]at least two hours on standards of practice, codes of ethics, and legal and professional issues;
and
(E)v) [~~two~~]at least one hour[s] on executive and administrative tasks including supervision plans, contracts, record keeping, and reporting;[~~and~~
———(F) other supervision related topics, with up to two hours dedicated to single profession specific topics;]
(v)e) is completed at least [18]24 months after the licensed individual obtains one of the following licenses:

- (A)i) APRN;
- (B)ii) CMHC;
- (C)iii) LCSW;
- (D)iv) MAC;
- (E)v) MFT;
- (F)vi) physician; or
- (G)vii) psychologist license; and
- (v)f) includes a completion certificate verifying:
 - (A)i) the course title;
 - (B)ii) the attendee's name;
 - (C)iii) instructor's name;
 - (D)iv) presenting organization; and
 - (E)v) total hours.

(2)(a) To maintain approved clinical supervisor status under Subsection 58-60-102(4)(a)(iv), a supervisor shall complete at least six hours of ongoing professional development that is specific to clinical supervision.

(b) The required hours under Subsection (2)(a) may count toward the total hours required to maintain licensure if the ongoing professional development course title clearly states that the course is specific to providing clinical supervision.

(3)(a) If the Division takes formal disciplinary action on the license of a Division-approved clinical supervisor, the clinical supervisor's Division-approval status shall be immediately revoked.

(b) A licensed individual whose status was revoked under Subsection (3)(a) who applies to requalify as a Division-approved supervisor shall:

- (i) successfully comply with the disciplinary order;
- (ii) hold an active license in good standing; and
- (iii) retake an approved clinical supervision course.

R156-60e-307.1. Clinical Supervision Contract -- Requirements.

(1) Under Subsections 58-60-102(8)(a) and (9), the requirements of a clinical supervision contract for an individual seeking clinical supervision for licensure are established, defined, and clarified in this section.

(2) The clinical supervision contract shall include the following provisions:

(a) a meeting and accessibility plan that includes:

- (i) a plan to ensure the supervised individual has consistent access to the clinical supervisor;
- (ii) a plan [~~for meetings~~]that specifies the following for each meeting:

(A) that the [~~frequency of the meetings will be at least weekly~~];supervisor and supervised individual shall meet:

(I) at least weekly, if the supervised individual works full time; or

(II) at least twice each month;

(B) the [~~weekly~~]meeting under Subsection (2)(a)(ii)(A) shall last at least 50 minutes;

(C) the format of the meeting, such as individual or a small group; and

(D) the location of the meeting, such as in-person or remote;[~~and~~]

~~(iii) the general learning objectives, progress goals for the supervised individual, and expectations of the supervisor; for the supervised individual;~~

~~(iv) the general progress goals for the supervised individual; and~~

~~(v) the supervisor's expectations;~~

(b) a documentation and communication plan that includes:

(i) a plan for documenting ongoing supervision, with a focus on competency-based measures;

(ii) a procedure for ensuring the supervisor signs the clinical supervision hours at least quarterly; and

(iii) a plan for who to contact in case of an emergency;

(c) an ethical and professional standards plan that includes:

(i) the specific code of ethics that will be used by both the clinical supervisor and the supervised individual;

(ii) an outline of the ethical requirement to report any unethical actions or violations of the ethical code; and

(iii) a detailed plan of how the use of artificial intelligence (AI) will be managed in practice, including its role in:

(A) supervision;

(B) administration;

(C) note and report writing; and

(D) best practices;

(d) a conflict and breach resolution plan that includes:

(i) a plan for addressing potential conflicts between the supervisor's clinical recommendations and those of the supervised individual's employer;

(ii) remedies in the event of a contract breach by either party, including procedures for contract termination; and

(iii) a list of reasons why clinical supervision hours may not meet the clinical supervision requirements; and

(e) if any part of the supervision is remote, a remote supervision protocols plan that includes:

(i) an outline of:

(A) how the parties will meet via synchronous electronic methods with two-way audio and video; and

(B) how the security of confidential electronic data will be protected; and

(ii) a specific plan that includes:

(A) how the clinical supervisor will comply with supervision duties;

(B) how the supervised individual will be notified of the use of remote supervision; and

(C) under Subsections 58-60-110(e)(i) and (ii), how the supervised individual's employer and clients or patients [and employer] will be notified; [of the remote supervision.]

(I) that the supervised individual is being supervised; and

(II) of the supervisor's:

(Aa) name;

(Bb) type of license held;

(Cc) license number; and

(Dd) contact information.

R156-60e-308.1. Clinical Supervisor - Duties and Responsibilities.

(1) Before providing clinical supervision, a supervisor shall enter a written supervision contract with the supervised individual that meets the requirements of Section R156-69-307.1.

(2) A clinical supervisor shall have the following duties and responsibilities:

(a) maintain appropriate licensure and independence including:

(i) ensuring that both the clinical supervisor and the supervised individual hold and maintain current, valid licenses; and

(ii) maintaining a professional relationship with the supervised individual by ensuring that: [the clinical supervisor's ability to supervise and direct the individual's practice is not compromised by any relationship where the supervisor is controlled by the supervised individual or the supervised individual's employing agency;]

(A) the clinical supervisor is independent of control from the supervised individual; and

(B) the clinical supervisor's ability to supervise and direct the supervised individual's practice is not compromised by a relationship where the supervisor is controlled by:

(I) the supervised individual; or

(II) the supervised individual's employing agency, if the supervised individual has ownership in the employing agency;

(b) provide guidance and direction including:

(i) being available to the supervised individual for advice, consultation, and direction that is:

(A) consistent with the standards and ethics of the profession; and

(B) tailored to the individual's level of training, patient diagnoses, and other relevant factors;

(ii) working with the supervised individual to:

(A) develop a ~~[well conceptualized]~~ detailed supervision plan[; and] that includes:

(I) learning objectives; and

(II) progress goals; and

(B) update the supervision plan when there is a change in:

(I) employment;

(II) job function;

(III) supervision goals; or

(IV) the method of supervision;

(iii) periodically reviewing the client records assigned to the supervised individual;

(iv) ensuring that each supervised individual knows and adheres to the supervised individual's authorized scope of practice; and

(v) reviewing and understanding the statutes, rules, and ethics specific to the license type the supervised individual is working toward;

(c) monitor and enforce compliance including:

(i) ensuring that both parties follow the supervision contract;

(ii) monitoring the supervised individual's performance for compliance with all applicable laws, rules, standards, and professional ethics;

(iii) being professionally responsible for the supervised individual's acts and practices that are part of the required clinical supervision; and

~~[(iv) ceasing to provide supervision after becoming aware that a supervised individual is practicing outside their authorized scope of practice; and~~

~~[(v) providing notice to the Division within ten days after the supervisor becomes aware of the supervised individual's violation or practice outside the scope of practice;]~~

(iv) after the supervisor becomes aware of a supervised individual's violation or practice outside the scope of practice;

(A) providing notice to the Division within ten days;

(B) not approve a supervised individual's hours performed outside the supervised individual's authorized scope of practice towards licensure; and

(C) take other action in compliance with the applicable code of ethics.

(d) manage documentation and reporting including:

(i) requiring each supervised individual to maintain a monthly supervision log;

(ii) upon completion of the supervised individual's required clinical training, submitting the following to the Division on forms provided by the Division:

(A) documentation verifying that the supervised individual completed the required clinical supervision hours; and

(B) the supervisor's evaluation of the supervised individual's competency to practice subject to Subsection (2)(d)(iii);

(iii) notifying the Division if the clinical supervisor does not support the issuance of a license to the individual or has other concerns and submitting:

(A) the supervised individual's current hours reporting form; and

(B) a written explanation of the clinical supervisor's concerns;

(iv) notifying the Division in writing within 30 days of:

(A) the termination of a supervision contract;

(B) a change in the supervised individual's place of employment; or

(C) disciplinary action taken against a supervised individual at their place of employment that involves professional misconduct or unlawful conduct; and

(v) complying with the confidentiality requirements of Section 58-60-114;

(e) defining the structure of the clinical supervision including specifying the following:

- (i) up to ten hours of direct clinical supervision may be counted toward the supervised individual's licensure hours in any 30-day period;
- (ii) clinical supervision will occur in proportion to the number of actual hours that the supervised individual works;
- (iii) clinical supervisions may be provided:
 - (A) through:
 - (I) group clinical supervision sessions with up to six supervised individuals in a group;
 - (II) in one-on-one sessions; or
 - (III) a combination of Subsections (3)(e)(iii)(A)(I) and (II); and
 - (B) using one of the following formats:
 - (I) in-person; or
 - (II) via electronic means that comply with state and federal laws; and
- (iv) each clinical supervision session and format used will encourage clear, accurate communication that meets confidentiality standards and promotes professional growth; and
- (f) address disciplinary matters including:
 - (i) a clinical supervisor subject to a Division disciplinary order and is no longer a Division-approved supervisor under Section R156-60e-30 shall:
 - (A) inform each supervised individual that the clinical supervisor is no longer a Division-approved clinical supervisor; and
 - (B) assist each supervised individual find alternate clinical supervision; and
 - (ii) a supervisor who agrees to supervise a licensee under a Division-ordered disciplinary action shall review and understand the order, follow all stipulations, and help the licensee remediate the behaviors that led to the discipline.
- (3)(a) If the clinical supervisor's employer compensates the clinical supervisor for supervising a supervised individual, then the clinical supervisor may not charge the supervised individual an additional fee.
- (b) If the supervised individual directly pays the clinical supervisor for the supervision services, then the clinical supervisor shall:
 - (i) notify the clinical supervisor's employing agency;
 - (ii) obtain and maintain written approval from the employing agency; and
 - (iii) produce the written approval to the Division upon request.
- (4) If the clinical supervisor's license expires or receives formal Division discipline, then any of the supervised individual's clinical supervision hours obtained after the expiration or the discipline may only be counted toward licensure hours if approved by the Division in collaboration with the Board.
- (5) If the Division receives a supervisor's written concerns about a supervised individual under Subsection (3)(d)(iii), the Division:
 - (a) shall provide the supervised individual an opportunity to respond;
 - (b) shall review all statements with the Board; and
 - (c) may require the supervised individual to obtain additional hours, education, or training.

R156-60e-309.1. Supervised Individual - Duties and Responsibilities.

- (1) A supervised individual shall have the following duties and responsibilities:
 - (a) before beginning any clinical supervised training:
 - (i) enter a written supervision contract with the clinical supervisor that meets the requirements of Section R156-60e-307.1;
 - (ii) submit a signed clinical supervisor association form, provided by the Division, to the Division; and
 - (iii) within 30 days of initiating supervision, submit to the Division the supervision contract and a clearly defined job description that is consistent with your scope of practice;
 - (b) Maintain compliance and ethical standards including:
 - (i) maintain all required licensure;
 - (ii) maintain a professional relationship with the clinical supervisor ~~where~~ensuring that:
 - (A) the clinical supervisor is independent of control from the supervised individual; and
 - (B) the ability of the clinical supervisor to supervise and direct the practice of the supervised individual is not compromised[;] by a relationship where the supervisor is controlled by:
 - _____ (I) the supervised individual; or
 - _____ (II) the supervised individual's employing agency, if the supervised individual has ownership in the employing agency;

- (iii) comply with the terms of the supervision contract;
- (iv) comply with the confidentiality requirements of Section 58-60-114; ~~and~~
- (v) adhere to all applicable laws, rules, standards, and ethics of the profession; and
- (vi) maintain employment providing clinical mental health services at a public agency or a private clinic;

and

- (c) notify the Division in writing within 30 days of:
 - (i) the termination of a supervision contract;
 - (ii) a change in the supervised individual's place of employment; or
 - (iii) disciplinary action taken against a supervised individual at their place of employment that involves professional misconduct or unlawful conduct.

(2) A supervised individual may not count any hour practicing outside their authorized scope of practice towards licensure.

(~~2~~3) If the supervised individual's license expires or receives formal Division discipline, then any of the supervised individual's clinical supervision hours obtained after the expiration or the discipline may only be counted toward licensure hours if approved by the Division in collaboration with the Board.

R156-60e-402.1. Ongoing Professional Development - Continuing Education.

(1) Under Subsections 58-1-203(1)(g), 58-1-308(3)(b), and 58-60-102.5(5)(d), and Sections 58-60-105 and 58-60-205.5, and subject to Subsection (9), the hours of ongoing professional development requirements or continuing education requirements for each two-year renewal cycle shall:

(a) be completed by a licensed individual based on the educational degree used for licensure or the equivalent as follows:

- (i) 40 hours for a master's degree or higher;
- (ii) 20 hours for a bachelor's degree; or
- (iii) ten hours for an associate's degree; and
- (b) include:

- (i) six hours of professional ethics, law, or ethics of technology; and
- (ii) two hours in suicide prevention through a course that meets the requirements of Section R156-60e-

302.1.

(2) A licensed individual who completes more than the required number of ongoing professional development hours during a two-year renewal cycle may carry over excess hours to the next two-year renewal cycle based on educational degree used for licensure or equivalent as follows:

- (a) up to ten hours for a master's degree or higher;
- (b) up to five hours for a bachelor's degree; or
- (c) up to five hours for an associate's degree.

(3) Under Subsection 58-60-102.5(5)(d) and Sections 58-60-105 and 58-60-205.5, a licensed individual shall complete the ongoing professional development hours required under Subsection (1) through courses that are:

(a) approved, conducted, or under the sponsorship of one of the following:

- (i) an accredited institution of higher education;
- (ii) county, state, or federal agency;
- (iii) professional association, or similar body, involved in clinical mental health therapy or substance use disorder treatment; or
- (iv) mental health agency that provides clinical mental health services or substance use disorder treatment;

(b) completed in one of the following formats:

(i) college or university lecture and discussion, up to three ongoing professional development hours per semester hour or one and one-half hours per quarter hour;

- (ii) professional conference;
- (iii) lecture or instruction, up to two times per course and up to five hours;
- (iv) seminar;
- (v) training session;

(vi) synchronous distance learning course that is clearly documented as real-time and interactive;

(vii) asynchronous distance learning course that is not real-time or interactive, up to ten hours;

(viii) specialty certification;

(ix) certifiable clinical readings, up to ten hours;

(x) direct clinical supervision of a licensed individual completing the experience requirements for advanced licensure, up to ten hours;

- (xi) volunteer service on a board, committee, or in a leadership role in any state, national, or international organization for the development and improvement of the licensed individual's profession up to six hours;
- (xii) volunteer service providing mental health services, up to ten hours;
- (xiii) peer case consultation, up to ten hours; or
- (xiv) peer direct observation, up to ten hours;
- (c) prepared and presented by an individual who is qualified by education, training, and experience to provide ongoing professional development;
- (d) relevant to the licensed individual's scope of practice; and
- (e) is verified by:
 - (i) a certificate of course completion that shall include the following:
 - (A) name of the attendee;
 - (B) name of course provider;
 - (C) name of instructor;
 - (D) date of the course;
 - (E) title of the course;
 - (F) number of course hours;
 - (G) course objectives; and
 - (H) format of professional development under Subsection (3)(b); or
 - (ii) a letter from:
 - (A) a peer who also participated; or
 - (B) an individual who oversaw the licensee's volunteer service.
- (4) A licensed individual shall maintain adequate documentation as proof of compliance for two years after the end of the renewal cycle for which the ongoing professional development is due.
- (5) An individual may only carry forward ongoing professional development hours completed after the renewed license was initially granted including any professional upgrade.
- (6) Ongoing professional development hours shall be increased or decreased proportionately based on the date of licensure within the two-year renewal cycle.
- (7) Under Section R156-1-308d, the Division may defer or waive ongoing professional development requirements.
- (8) The Division shall randomly audit a licensed individual's ongoing professional development hours during each two-year renewal window.
- (9) To maintain approval, Division-approved clinical supervisors shall complete an additional six hours of ongoing professional development specifically related to supervision during each two-year renewal cycle.

R156-60e-403.1. Renewal and Reinstatement of License.

- (1) Under Subsection 58-1-308(1), the renewal date for the two-year renewal cycle applicable to licenses under Title 58, Chapter 60, Mental Health Professional Practice Act, is established in Section R156-1-308a.
- (2) Under Section 58-60-117, the Division may extend a current externship license or reinstate an expired externship license for one additional three-year term if the licensed individual completes the following:
 - (a) submits an application;
 - (b) pays the application fee; and
 - (c) has attempted the profession-specific exam at least once while holding the previous extern license.
- (3) Under Sections 58-60-304, 58-60-404, and 58-60-504, the Division may reinstate an associate license for one additional three-year term if the licensed individual completes the following:
 - (a) submits an application;
 - (b) pays the application fee;
 - (c) has completed at least 40 hours of ongoing professional development under Section R156-60e-402.1 during the preceding two years;
 - (d) has attempted the specific mental health profession exam at least once while holding the previous associate license; and
 - (e) has completed at least one-half of the supervision hours required to advance licensure.
- (4) Under Subsections 58-1-203(g), 58-60-102.5(4)(d)(iii), 58-60-102.5(4)(e)(iii), and 58-60-102.5(4)(f)(iii), reinstatement procedures shall be in accordance with this section and Sections R156-1-308a through R156-1-308l, except as provided in Subsection (5).
- (5) Under Subsection 58-1-308(6)(a) and Section R156-1-308g, an applicant for reinstatement of licensure whose unencumbered license has been expired between two and five years shall, upon Division request:

(a) meet with the Behavioral Health Board's Qualification and Professional Development Advisory Committee to evaluate the applicant's ability to safely and competently practice within the scope for the license held; and

(b) if recommended by the Behavioral Health Board's Qualification and Professional Development Advisory Committee with the concurrence of the Behavioral Health Board, complete one or more of the following:

(i) establish a plan of clinical supervision under an approved supervisor which may include up to 1,200 hours of direct client care while holding an associate's level license or CSW license before qualifying for reinstatement of full master's level licensure; or

(ii) complete up to 40 hours of continuing education in subjects determined by the Behavioral Health Board's Qualification and Professional Development Advisory Committee.

(6) Under Subsections 58-1-308(5)(a) and (6)(a) and Section R156-1-308h, an applicant for reinstatement of licensure whose license was suspended, revoked, or otherwise disciplined shall, upon Division request:

(a) meet with the Behavioral Health Board's Background and Investigations Advisory Committee to evaluate the applicant's ability to safely and competently practice within the scope for the license held; and

(b) if recommended by the Background and Investigations Advisory Committee with the concurrence of the Behavioral Health Board, agree to one of the following:

(i) a three-year probationary license with conditions set by the Behavioral Health Board; or

(ii) a five-year probationary license with conditions set by the Behavioral Health Board.

R156-60e-502.1. Unprofessional Conduct Affecting All Mental Health License Holders.

Under Subsection 58-60-110(2), "unprofessional conduct" includes:

(1) using one of the following abbreviated titles without the required licensure:

(a) ACMHC;

(b) ACMHC-Extern;

(c) AMAC;

(d) AMFT;

(e) AMFT-Extern;

(f) ASUDC;

(g) BHC unless licensed has a behavioral health coach;

(h) CMHC;

(i) CSW;

(j) LCSW;

(k) MAC;

(l) MFT;

(m) SSW; or

(n) SUDC;

(2) acting as a supervisor or accepting supervision from a supervisor without complying with or ensuring compliance with Subsections 58-60-102(3), (4), and (7) through (10), and Sections R156-60e-307.1, R156-60e-308.1, and R156-60e-309.1;

(3) directing one's clinical supervisor to engage in a practice that would violate any statute, rule, or generally accepted professional or ethical standard of the supervisor's profession;

(4) directing a supervised individual to engage in a practice that would violate any statute, rule, or generally accepted professional or ethical standard of the supervised individual's profession;

(5) providing supervision without current and valid status as a Division-approved clinical supervisor;

(6) engaging in, aiding, or abetting:

(a) conduct or a practice that is dishonest, deceptive, or fraudulent;

(b) deceptive or fraudulent billing practices;

(c) sexual harassment or any conduct that is exploitive or abusive concerning a student, trainee, employee, or colleague with whom the licensed individual has supervisory or management responsibility; or

(d) physical contact with a client when there is a risk of exploitation or potential harm to the client resulting from the contact;

(7) engaging in a dual relationship or multiple relationships with a client or former client in violation of the standards set by the licensee's professional code of ethics as established in this rule;

(8) knowingly engaging in a sexual activity or sexual contact with a client's relative or another individual with whom the client maintains a relationship in violation of the standards set by the licensee's professional code of ethics as established in this rule;

- (9) exploiting one of the following for personal gain:
 - (a) a client;
 - (b) a former client; or
 - (c) an individual who has a personal relationship with a client;
- (10) failing to:
 - (a) establish and maintain professional boundaries with a client or former client;
 - (b) exercise professional discretion and impartial judgment required for the performance of professional activities, duties, and functions;
 - (c) provide impartial, objective, and informed services, recommendations, or opinions concerning:
 - (i) custodial or parental rights;
 - (ii) divorce;
 - (iii) domestic relationships;
 - (iv) adoption;
 - (v) mental competency;
 - (vi) mental health; or
 - (vii) another determination concerning an individual's civil or legal rights;
 - (d) maintain client records including records of assessment, treatment, progress notes, and billing information, for at least ten years from the documented termination of services to the client;
 - (e) provide client records in a reasonable time upon written request of the client or the client's legal guardian;
 - (f) obtain informed consent from the client or the client's legal guardian before recording or permitting a third-party observation of a client's activities or records;
 - (g) protect the confidences of an individual named or identified in the client records;
 - (h) follow the Model Standards of Practice for Child Custody Evaluation of the Association of Family and Conciliation Courts (AFCC) May 2006, which is incorporated by reference;
 - (i) cooperate with the Division during an investigation;
 - (j) obtain a thorough working knowledge of the Code of Ethics specifically related to the licensed individual's professional practice;
 - (k) as a supervisor, obtain a thorough working knowledge of the Code of Ethics specifically related to any supervised individual's professional practice; or
 - (l) provide notification as required under Subsection 58-60-110(1)(e) on each agency or practitioner website~~[-, or if no website exists,]~~ or provide notification by paper or electronic document to each individual receiving mental health services;
- (11) when providing services remotely, failing to:
 - (a) practice according to professional standards of care in the delivery of services;
 - (b) protect the security of electronic confidential data and information; or
 - (c) appropriately store and dispose of electronic confidential data and information; or
- (12) violating:
 - (a) Section R156-60e-307.1 regarding the clinical supervision contract;
 - (b) Section R156-60e-308.1 as a clinical supervisor; or
 - (c) Section R156-60e-309.1 as a supervised individual.

R156-60e-502.2. Unprofessional Conduct Specific To Social Work Licensed Professionals.

Under Subsection 58-60-110(2), "unprofessional conduct" includes:

- (1) failing to abide by the following:
 - (a) NASW Code of Ethics as approved by the 1996 NASW Delegate Assembly and revised by the 2020 and 2021 NASW Delegate Assembly, which is incorporated by reference; and
 - (b) NASW, ASWB, CSWE, and Clinical Social Work Association (CSWA) Standards for Technology in Social Work Practice as approved by the 2017 NASW Delegate Assembly, which is incorporated by reference; or
- (2) engaging in the supervised practice of clinical mental health therapy as a licensed CSW if the licensed individual:
 - (a) has not completed a clinical practicum while obtaining a master's degree accredited by CSWE or the Canadian Association of Schools of Social Work; or
 - (b) is not in compliance with Subsection 58-60-110(1)(b) and Sections R156-60e-307.1 and R156-60e-309.1.

R156-60e-502.3. Unprofessional Conduct Specific To Marriage and Family Therapy Licensed Professionals.

Under Subsection 58-60-110(2), "unprofessional conduct" includes:

- (1) failing to abide by the AAMFT Code of Ethics, effective January 1, ~~2015~~2026, which is incorporated by reference; or
- (2) engaging in the supervised practice of clinical mental health therapy as a licensed AMFT or AMFT-Extern if the licensed individual:
 - (a) has not completed a clinical practicum while obtaining a master's degree accredited by the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE); or
 - (b) is not in compliance with Subsection 58-60-110(1)(b) and Sections R156-60e-307.1 and R156-60e-309.1.

R156-60e-502.4. Unprofessional Conduct Specific To Clinical Mental Health Counselor Licensed Professionals.

Under Subsection 58-60-110(2), "unprofessional conduct" includes:

- (1) failing to abide by the American Mental Health Counselors Association's ~~ACMHC~~AMHCA Code of Ethics, Revised 2020, which is incorporated by reference; or
- (2) engaging in the supervised practice of clinical mental health therapy as a licensed ACMHC or ACMHC-Extern if the licensed individual:
 - (a) has not completed a clinical practicum while obtaining a master's degree accredited by CHEA or the Council for Accreditation of Counseling and Related Educational Programs (CACREP); or
 - (b) is not in compliance with Subsection 58-60-110(1)(b) and Sections R156-60e-307.1 and R156-60e-309.1.

R156-60e-502.5. Unprofessional Conduct Specific To Substance Use Disorder and Master Addiction Counselor Licensed Professionals.

Under Subsection 58-60-110(2), "unprofessional conduct" includes:

- (1) failing to abide by the NAADAC/NCC AP Code of Ethics, January 1, 2021 edition, which is incorporated by reference;
- (2) engaging in the supervised practice of substance use disorder treatment as a licensed ASUDC if the licensed individual:
 - (a) has not completed a substance use disorder education program accredited by CHEA; or
 - (b) is not in compliance with Subsection 58-60-110(1)(b) and Sections R156-60e-307.1 and R156-60e-309.1; or
- (3) engaging in the supervised practice of clinical mental health or substance use disorder therapy as a licensed AMAC if the licensed individual:
 - (a) has not completed a clinical practicum while obtaining a master's degree accredited by:
 - (i) CHEA; or
 - (ii) the National Addiction Studies Accreditation Commission (NASAC); or
 - (b) is not in compliance with Subsection 58-60-110(1)(b) and Sections R156-60e-307.1 and R156-60e-309.1.

R156-60e-502.6. Unprofessional Conduct Specific To Behavioral Health Coach and Behavioral Health Technician Licensed Professionals.

Under Subsection 58-60-110(2), "unprofessional conduct" includes:

- (1) failing to abide by the following:
 - (a) NASW Code of Ethics as approved by the 1996 NASW Delegate Assembly and revised by the 2020 and 2021 NASW Delegate Assembly, which is incorporated by reference; and
 - (b) NASW, ASWB, CSWE, and Clinical Social Work Association (CSWA) Standards for Technology in Social Work Practice as approved by the 2017 NASW Delegate Assembly, which is incorporated by reference;
- (2) engaging in the supervised practice of providing mental health or substance use disorder services as a licensed behavioral health coach if the licensed individual:
 - (a) has not completed a practicum while obtaining a bachelor's degree from a regionally accredited institution of higher education; or
 - (b) is not in compliance with Subsection 58-60-110(1)(b) and Subsections 58-60-601(4) and (6).

KEY: licensing, social worker, therapist, marriage and family therapist, counselor, mental health, clinical mental health counselor, substance use disorder counselor, master addiction counselor, behavioral health coach, behavioral health technician
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