LOUISIANA
Licensed Professional Counselors Board of Examiners

Report Required by LA RS. 49:968(K) RE Rule Changes by the LA LPC Board in 2013

In 2013, the Louisiana Licensed Professional Counselors Board of Examiners promulgated rules in the Louisiana State Register relative to the LPC Scope of Practice, LPC Code of Conduct, LPC Privilege Renewal, and the Regulation of the LPC Licensure Endorsement Application Process. This rule-making was necessary to correct previously promulgated rules and to implement Act 276 (relative to licensure of military and spouses) and Act 636 (amends definitions relative to Mental Health Counselors Licensing Act) of the 2012 Regular Session of the Louisiana Legislature. Additionally, revised rules were needed for the Board to be in compliance with the most recent Code of Conduct established by the American Counseling Association. There were no penalty fine or fee changes associated with the Code of Conduct revisions; however the Board promulgated rules implementing a renewal period and associated fee for the renewal of privileges for LPCs.

Specifically, the Louisiana Licensed Professional Counselors Board of Examiners (hereafter referred to as "Board") amended Sections 103, 301, 307, 501, 503, 701, 703, 705, 801, 803, 901, 903, 1101, 1303, 1305, 1309, 1311, 1321, 1323, 1703, 2101, 2103, 2105, 2107, 2109, 2113, 2115, 2117, 2118, 3313, 3315, 3701, and added Sections 505, 1103, 1505, and 3703. The adopted rules instituted a $50.00 fee for those applicants for approval of a specialty area or designation. The rules also specify a renewal period for those LPCs with the Supervisor and Appraisal privileges. LA R.S. 37:1106 (A)(2) provides authority for the board to collect the following fees: "For privileging review and registration, a fee of $100 per occurrence". Given that a "supervisory" status and "appraisal" status are "privileges" within the meaning and purview of the "Louisiana Mental Health Counselor Licensing Act", this fee is authorized, but had never been implemented previously. No other fee changes were implemented and there was no impact on the cost to apply for licensure as LPC or for registration as a Counselor Intern.

At this time, no new fees have been collected as a result of rules adopted in 2013. The Board has chosen to implement the renewal fee for LPC Supervisors and for LPCs with appraisal privileges effective July 1st, 2014. Regarding the renewal period and fee for LPC Supervisors, amounting to $25 per year, the Board's hope is that those LPC Supervisors who currently hold this privilege but do not engage in supervision will not renew this privilege. Counselor Interns currently have a very difficult time finding a LPC-S who is actually accepting Interns and willing to supervise because so many hold the privilege without any intention of supervising. Additionally, the Board does not want LPC Supervisors supervising Counselor Interns without regular Continuing Education Hours (CEHs) in supervision. The promulgated rules instituted a renewal period for the supervisory credential which includes completion of CEHs in supervision as a subset of the currently required 40 CEHs per renewal period for the LPC license.

Current LPCs with appraisal privileges will be also subject to an additional fee for renewal every two years, effective July 1st, 2014. Those with the appraisal privilege may find job opportunities

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more abundant as they may provide additional services to their employer by obtaining said privilege. Prior to 2013 and to date, those applying for the appraisal privilege or for the supervisor privilege must submit a $100 fee with their formal application for said privilege.

Other rules adopted in 2013 include the codification of the current practice for endorsement applicants, which requires applicants for LPC licensure through endorsement that have been licensed in another state and actively practicing for over five years to either pass the National Counselor Examination, the National Clinical Mental Health Counseling Examination, or successfully complete the Board administered oral examination. For those who have been practicing less than five years, passage of one of the national exams is required as opposed to the Board administered oral exam. The Board's practice which is now codified in rules regarding endorsement has encouraged licensure portability and is especially helpful to those military applicants and families.

Under section 1505 of adopted rules, the Board now requires that client records for adults must be maintained up to five years and up to seven years for minors. This rule was a result of many inquires to the Board from licensees who were concerned about record-keeping practices. Also, since it is not explicitly mentioned in the ACA Code of Ethics, the ban on LPCs receiving referral fees is eliminated from section 2109; however, the Board intends to reinstate the ban on referrals fees through the rulemaking process. Rule revisions to section 503 codify current practice that any counselor/therapist serving Louisiana residents over the Internet must be licensed in Louisiana. Finally, section 505 was added to clarify the scope of practice of LPCs regarding serious mental illnesses.

The Board received no comments regarding any rule changes and therefore did not conduct a hearing pursuant to R.S. 49:953(A) (2). Any questions regarding this report or any rule changes may be directed to the Executive Director of the Board. Thank you for the opportunity to adopt rules for the protection of the public and also for your dedication to the safety and welfare of the citizens of Louisiana.

Respectfully submitted by,

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