

IC 25-23.6

ARTICLE 23.6. MARRIAGE AND FAMILY THERAPISTS

IC 25-23.6-1

Chapter 1. Definitions

IC 25-23.6-1-1

Application of definitions

Sec. 1. The definitions in this chapter apply throughout this article.

As added by P.L.186-1990, SEC.9.

IC 25-23.6-1-1.2

"Addiction counseling experience"

Sec. 1.2. "Addiction counseling experience" refers to a time during which an applicant provides addiction counseling services directly to clients diagnosed with a substance use disorder, including treatment of clients, and at least fifty percent (50%) of the time consists of providing addiction counseling services directly to clients diagnosed with a substance use disorder.

As added by P.L.122-2009, SEC.10.

IC 25-23.6-1-1.5

"Appraisal"

Sec. 1.5. "Appraisal" means the use or administration of career and occupational instruments, adaptive behavioral and symptoms screening checklists, and inventories of interests and preferences that are administered for the purpose of counseling persons to cope with or adapt to changing life situations that are due to problems in living. The term includes the use of marital, relational, communicational, parent and child, and family systems assessment instruments.

As added by P.L.147-1997, SEC.12. Amended by P.L.197-2007, SEC.84.

IC 25-23.6-1-2

"Board"

Sec. 2. "Board" refers to the behavioral health and human services licensing board.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.13; P.L.122-2009, SEC.11.

IC 25-23.6-1-2.5

Repealed

(As added by P.L.147-1997, SEC.14. Repealed by P.L.1-2006, SEC.588.)

IC 25-23.6-1-2.6

"Clinical addiction counseling experience"

Sec. 2.6. "Clinical addiction counseling experience" refers to a time during which an applicant provides clinical services, including evaluation and treatment of clients, and at least fifty percent (50%) of the time consists of providing addiction counseling services directly to clients diagnosed with a substance use disorder.

As added by P.L.122-2009, SEC.12.

IC 25-23.6-1-3

"Clinical social worker"

Sec. 3. "Clinical social worker" means an individual who is licensed under IC 25-23.6-5.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.15; P.L.122-2009, SEC.13.

IC 25-23.6-1-3.3

"Clinical social work experience"

Sec. 3.3. "Clinical social work experience" means a period of time during which an applicant provides clinical services, including evaluation and treatment of clients, in which at least fifty percent (50%) of the time consists of providing counseling services directly to clients.

As added by P.L.147-1997, SEC.16.

IC 25-23.6-1-3.6

"Counseling"

Sec. 3.6. "Counseling" means techniques used to help individuals learn how to solve problems and make decisions related to personal growth, vocational, family, social, and other interpersonal concerns.

As added by P.L.147-1997, SEC.17.

IC 25-23.6-1-3.8

"Counselor"

Sec. 3.8. Except as provided in IC 25-23.6-7-5, "counselor" refers to a social worker, a clinical social worker, a marriage and family therapist, a mental health counselor, an addiction counselor, or a clinical addiction counselor who is licensed under this article.

As added by P.L.147-1997, SEC.18. Amended by P.L.122-2009, SEC.14.

IC 25-23.6-1-3.9

"Governmental employee"

Sec. 3.9. (a) "Governmental employee" means an individual employed by the office of the secretary of family and social services, the division of family resources, the division of mental health and addiction, the division of disability and rehabilitative services, the division of aging, the department of correction, the department of child services, or the state department of health in one (1) of the

following classifications:

- (1) 2AA3 Behavioral clinician 3.
- (2) 2AA4 Behavioral clinician 4.
- (3) 2AA5 Clinical associate 5.
- (4) 2FL1 Mental health administrator 1.
- (5) 2FL2 Mental health administrator 2.
- (6) 2FL3 Mental health administrator 3.
- (7) 2AN3 Substance abuse counselor 3.
- (8) 2AN4 Substance abuse counselor 4.
- (9) 2AN5 Substance abuse counselor 5.
- (10) 2AH2 Social services specialist 2.
- (11) 2AH3 Social services specialist 3.
- (12) 2AH4 Social services specialist 4.
- (13) 2AI1 Psychiatric services director 1.
- (14) 2AE2 Psychiatric social services specialist 2.
- (15) 2AE3 Psychiatric social services specialist 3.
- (16) 2AP2 Family case manager 2.
- (17) 2AP3 Family case manager trainee 3.
- (18) 7AP3 Family case manager supervisor 3.
- (19) 7AP4 Family case manager supervisor 4.

(b) The term includes any employee of the department of child services, regardless of the employee's job title or classification, who, as part of the employee's assigned job, is carrying out the duties of the department of child services, as set forth in IC 31-25-2-7 and IC 31-25-2-8.

As added by P.L.244-1999, SEC.1. Amended by P.L.215-2001, SEC.99; P.L.141-2006, SEC.108; P.L.145-2006, SEC.162; P.L.1-2007, SEC.177; P.L.104-2015, SEC.2.

IC 25-23.6-1-4

"Eligible postsecondary educational institution"

Sec. 4. "Eligible postsecondary educational institution" means a postsecondary educational institution that:

- (1) awards a bachelor's or higher degree;
- (2) is located in:
 - (A) the United States; or
 - (B) Canada or another country, if permitted under IC 25-23.6-8-2.1, IC 25-23.6-8.5-2, or another provision of this article; and
- (3) is accredited by a regional accrediting body.

As added by P.L.186-1990, SEC.9. Amended by P.L.33-1993, SEC.34; P.L.2-2007, SEC.328.

IC 25-23.6-1-4.3

"Licensed addiction counselor"

Sec. 4.3. "Licensed addiction counselor" means an individual who is licensed as an addiction counselor under IC 25-23.6-10.5.

As added by P.L.122-2009, SEC.15.

IC 25-23.6-1-4.5

"Licensed clinical addiction counselor"

Sec. 4.5. "Licensed clinical addiction counselor" means an individual who is licensed as a clinical addiction counselor under IC 25-23.6-10.5.

As added by P.L.122-2009, SEC.16.

IC 25-23.6-1-4.8

"Licensed social worker"

Sec. 4.8. "Licensed social worker" means an individual who is licensed under IC 25-23.6-5.

As added by P.L.147-1997, SEC.19. Amended by P.L.122-2009, SEC.17.

IC 25-23.6-1-5

"Marriage and family therapist"

Sec. 5. "Marriage and family therapist" means an individual who is licensed under IC 25-23.6-8.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.20; P.L.122-2009, SEC.18.

IC 25-23.6-1-5.5

"Mental health counselor"

Sec. 5.5. "Mental health counselor" means an individual who is licensed under IC 25-23.6-8.5.

As added by P.L.147-1997, SEC.21. Amended by P.L.122-2009, SEC.19.

IC 25-23.6-1-5.7

"Practice of addiction counseling"

Sec. 5.7. (a) "Practice of addiction counseling" means the providing of professional services that are delivered by a licensed addiction counselor, that are designed to change substance use or addictive behavior, and that involve specialized knowledge and skill related to addictions and addictive behaviors, including understanding addiction, knowledge of the treatment process, application to practice, and professional readiness. The term includes:

- (1) gathering information through structured interview screens using routine protocols;
- (2) reviewing assessment findings to assist in the development of a plan individualized for treatment services and to coordinate services;
- (3) referring for assessment, diagnosis, evaluation, and mental health therapy;
- (4) providing client and family education related to addictions;
- (5) providing information on social networks and community systems for referrals and discharge planning;

- (6) participating in multidisciplinary treatment team meetings or consulting with clinical addiction professionals;
- (7) counseling, through individual and group counseling, as well as group and family education, to treat addiction and substance abuse in a variety of settings, including:
 - (A) mental and physical health facilities; and
 - (B) child and family service agencies; and
- (8) maintaining the highest level of professionalism and ethical responsibility.

(b) The term does not include the use of psychotherapy or diagnosis (as defined in IC 25-22.5-1-1.1(c) or as defined as the practice of psychology under IC 25-33-1-2(a)).

(c) For an individual who obtains a license as an addiction counselor by:

- (1) holding a valid:
 - (A) level II or higher certification or the equivalent certification from a credentialing agency approved by the division of mental health and addiction; or
 - (B) certification as an addiction counselor or addiction therapist from a credentialing agency that is approved by the board;
- (2) having at least ten (10) years of experience in addiction counseling;
- (3) furnishing satisfactory evidence to the board that the individual does not have:
 - (A) a conviction for a crime of violence (as defined in IC 35-50-1-2(a)(1) through IC 35-50-1-2(a)(13)); or
 - (B) a conviction in the previous two (2) years that has a direct bearing on the individual's ability to practice competently; and
- (4) filing an initial application with the board before July 1, 2010;

the term includes the provision of addiction counseling services in private practice in consultation with other licensed professionals as required by the client's individualized treatment plan.

As added by P.L.122-2009, SEC.20.

IC 25-23.6-1-5.9

"Practice of clinical addiction counseling"

Sec. 5.9. (a) "Practice of clinical addiction counseling" means the providing of professional services that are delivered by a licensed clinical addiction counselor, that are designed to change substance use or addictive behavior, and that involve specialized knowledge and skill related to addictions and addictive behaviors, including understanding addiction, knowledge of the treatment process, application to practice, and professional readiness. The term includes:

- (1) gathering information through structured interview screens

using routine protocols and standardized clinical instruments;
(2) using appraisal instruments as an aid in individualized treatment planning that the licensed clinical addiction counselor is qualified to employ because of:

- (A) education;
- (B) training; and
- (C) experience;

(3) providing psychosocial evaluations using accepted classifications, including classifications from the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders, as amended and supplemented, to the extent of the licensed clinical addiction counselor's education, training, experience, and scope of practice as established by this article;

(4) reviewing assessment findings to:

- (A) develop a plan for individualized addiction treatment;
- (B) coordinate services; and
- (C) provide subsequent assessment updates;

(5) using counseling and psychotherapeutic techniques through individual, group, and family counseling to treat addiction and other substance related problems and conditions in a variety of settings, including:

- (A) mental and physical health facilities;
- (B) child and family service agencies; and
- (C) private practice;

(6) providing client and family education related to addictions;

(7) providing information on social networks and community systems for referrals and discharge planning;

(8) participating in multidisciplinary treatment team meetings or consulting with clinical addiction professionals; and

(9) maintaining the highest level of professionalism and ethical responsibility.

(b) The term does not include diagnosis (as defined in IC 25-22.5-1-1.1(c)).

As added by P.L.122-2009, SEC.21.

IC 25-23.6-1-6

"Practice of clinical social work"

Sec. 6. (a) "Practice of clinical social work" means professional services that are designed to help individuals, marriages, couples, families, groups, and communities to enhance or restore their capacity for functioning by:

(1) assisting in the obtaining or improving of tangible social and health services;

(2) providing psychosocial evaluations using accepted classifications, including classifications from the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DSM-IV) as amended and supplemented, but only to the extent of the counselor's education, training,

experience, and scope of practice as established by this article;
(3) using appraisal instruments as an aid in treatment planning that the clinical social worker is qualified to employ by virtue of the counselor's education, training, and experience; and
(4) counseling and psychotherapeutic techniques, casework social work advocacy, and treatment in a variety of settings that include mental and physical health facilities, child and family service agencies, or private practice.

(b) The term does not include diagnosis (as defined in IC 25-22.5-1-1.1(c)).

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.22.

IC 25-23.6-1-7

"Practice of marriage and family therapy"

Sec. 7. "Practice of marriage and family therapy" means a specialty that:

- (1) uses an applied understanding of the dynamics of marital, relational, and family systems, and individual psychodynamics;
- (2) uses counseling and psychotherapeutic techniques;
- (3) evaluates and treats mental and emotional conditions, resolves intrapersonal and interpersonal conflict, and changes perceptions, attitudes, and behavior, all within the context of family, marital, and relational systems, including the use of accepted evaluation classifications, including classifications from the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DSM-IV) as amended and supplemented, but only to the extent of the counselor's education, training, experience, and scope of practice as established by this article;
- (4) uses individual, group, couple, sexual, family, and divorce therapy; and
- (5) uses appraisal instruments that evaluate individual, marital, relational, communicational, parent and child, and family functioning that the marriage and family therapist is qualified to employ by virtue of the counselor's education, training, and experience.

The term does not include diagnosis (as defined in IC 25-22.5-1-1.1(c)).

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.23.

IC 25-23.6-1-7.5

"Practice of mental health counseling"

Sec. 7.5. "Practice of mental health counseling" means a specialty that:

- (1) uses counseling and psychotherapeutic techniques based on principles, methods, and procedures of counseling that assist

people in identifying and resolving personal, social, vocational, intrapersonal, and interpersonal concerns;

(2) uses counseling to evaluate and treat emotional and mental problems and conditions in a variety of settings, including mental and physical health facilities, child and family service agencies, or private practice, and including the use of accepted evaluation classifications, including classifications from the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DSM-IV) as amended and supplemented, but only to the extent of the counselor's education, training, experience, and scope of practice as established by this article;

(3) administers and interprets appraisal instruments that the mental health counselor is qualified to employ by virtue of the counselor's education, training, and experience;

(4) uses information and community resources for personal, social, or vocational development;

(5) uses individual and group techniques for facilitating problem solving, decision making, and behavioral change;

(6) uses functional assessment and vocational planning guidance for persons requesting assistance in adjustment to a disability or disabling condition;

(7) uses referrals for individuals who request counseling services; and

(8) uses and interprets counseling research.

The term does not include diagnosis (as defined in IC 25-22.5-1-1.1(c)).

As added by P.L.147-1997, SEC.24.

IC 25-23.6-1-8

"Practice of social work"

Sec. 8. (a) "Practice of social work" means professional services that are designed to effect change in human behavior, emotional responses, and social conditions of individuals, couples, families, groups, and communities and that involve specialized knowledge and skill related to human development, including an understanding of unconscious motivation, the potential for human growth, the availability of social resources, and knowledge of social systems. The term includes planning, administration, and research for community social services delivery systems.

(b) The term does not include the use of psychotherapy or diagnosis (as defined in IC 25-22.5-1-1.1(c)).

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.25.

IC 25-23.6-1-9

"Psychotherapy"

Sec. 9. "Psychotherapy" means the assessing and treating of

mental and emotional disorders by any of the various means of communication between the social worker practitioner and the client.
As added by P.L.186-1990, SEC.9.

IC 25-23.6-1-10

"Social worker"

Sec. 10. "Social worker" means an individual who graduates from a program accredited by the Council on Social Work Education.
As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.26.

IC 25-23.6-1-11

"Social work experience"

Sec. 11. "Social work experience" means a period of time during which an applicant provides social worker services, including assessment and evaluation of clients, in which at least fifty percent (50%) of the time consists of providing services directly to clients.
As added by P.L.147-1997, SEC.27.