

**RULES  
OF  
TENNESSEE BOARD FOR PROFESSIONAL COUNSELORS,  
MARITAL AND FAMILY THERAPISTS, AND CLINICAL PASTORAL THERAPISTS**

**CHAPTER 0450-01  
GENERAL RULES GOVERNING PROFESSIONAL COUNSELORS**

**TABLE OF CONTENTS**

0450-01-.01	Definitions	0450-01-.12	Continuing Education
0450-01-.02	Scope of Practice	0450-01-.13	Professional Ethics
0450-01-.03	Necessity of Certification or Licensure	0450-01-.14	Evidence of Professional Experience
0450-01-.04	Qualifications for Licensure	0450-01-.15	Disciplinary Actions and Civil Penalties
0450-01-.05	Procedures for Licensure	0450-01-.16	Duplicate Certificate or License
0450-01-.06	Fees	0450-01-.17	Change of Address and/or Name
0450-01-.07	Application Review, Approval, Denial, Interviews	0450-01-.18	Mandatory Release of Client Records
0450-01-.08	Examinations	0450-01-.19	Board Meetings, Officers, Consultants, Records, Declaratory Orders, and Screening Panels
0450-01-.09	Renewal of Certificate or License	0450-01-.20	Consumer Right-To-Know Requirements
0450-01-.10	Supervision - Post-Masters	0450-01-.21	Advertising
0450-01-.11	Retirement and Reactivation of Certificate or License		

**0450-01-.01 DEFINITIONS.** As used in this rule, the terms and acronyms shall have the following meanings ascribed to them.

- (1) **Actively engaged** - Engaged in the practice of professional counseling 10 clock or more face-to-face client contact hours per week.
- (2) **Advertise** - Means, but is not limited to, the issuing or causing to be distributed any card, sign, or device to any person, or the causing, permitting or allowing any sign or marking on or in any building or structure, or in any newspaper, or magazine or in any directory, or on radio or television, or by advertising by any other means designed to secure public attention;
- (3) **Applicant** - Any individual seeking licensure by the board who has submitted an official application and paid the application fee.
- (4) **Approved Supervisor** - An approved supervisor for professional experience subsequent to the master's degree must be a currently Licensed Professional Counselor, Licensed Marital and Family Therapist, Licensed Clinical Pastoral Therapist, Licensed Clinical Social Worker, Licensed Psychologist with Health Service Provider designation, Licensed Senior Psychological Examiner, or Licensed Psychiatrist, who has been licensed at least five (5) years and who takes responsibility for the practice of the supervisee during a specific time to enable the supervisee to meet the requirements of licensing. If the supervisor is a Licensed Professional Counselor who is supervising a candidate for Licensed Professional Counselor with Mental Health Service Provider designation, the supervisor must have the Mental Health Service Provider designation.
- (5) **Board** - The Board for Professional Counselors, Marital and Family Therapists, Clinical Pastoral Therapists.
- (6) **Board administrative office** - The office of the administrator assigned to the board located at 665 Mainstream Drive, Nashville, TN 37243.
- (7) **Board Designee** - Any person who has received a written delegation of authority from the board to perform board functions subject to review and ratification by the full board where provided by these rules.

(Rule 0450-01-.01, continued)

- (8) **Certified Associate Counselor** - Any person who has met the qualifications for CAC and holds a current, unsuspended or unrevoked certificate which has lawfully been issued by the board.
- (9) **Certified Professional Counselor** - Any person who has met the qualifications for CPC and holds a current, unsuspended or unrevoked certificate which has lawfully been issued by the board.
- (10) **Clinically-related activities** - Clinically-related workshops, trainings and seminars, treatment teams, clinical supervision, and research and leadership preparation for individual and group counseling. Graduate coursework in pursuit of licensure and administrative supervision in the work setting are not clinically-related activities.
- (11) **Clinical setting** - A place where the practice of professional counseling occurs. An appropriate setting for an applicant's pre and post master's professional experience must meet the following criteria:
  - (a) The place or practice shall be a public, private, or community agency/mental health setting and must have integrated programs for the delivery of clinical mental health counseling in accordance with these rules and defined by definition (29) for non-Mental Health Service Provider designation and definition (30) for the Mental Health Service Provider designation.
  - (b) The place or practice shall offer adequate physical resources, such as a private space that meets HIPAA requirements, necessary to allow for supervision and appropriate service delivery.
  - (c) The place or practice shall have at least one licensed mental health professional on site for a cumulative minimum of 20 hours per week whose assigned job duties include being available to the applicant for supervision and/or consultation while the applicant is engaging in the practice of counseling or counseling related services. In addition, the place or practice shall have a written emergency plan in place to include method(s) of contacting supervisor(s) or other consultant(s), alternative contacts when supervisor(s) is(are) unavailable, information regarding crisis services, and crisis decision-making. The licensed mental health professional can serve as the applicant's supervisor if he or she meets the supervisor requirements pursuant to 0450-01-.10. If the licensed mental health professional on staff at the place or practice is unable or unwilling to serve as the applicant's supervisor, the applicant must secure a supervisor who meets the supervisor requirements pursuant to 0450-01-.10.
  - (d) For an applicant pursuing post-master's professional experience, the place or practice shall not be owned, or independently operated by the applicant. An applicant shall not seek a clinical setting or supervision that is in conflict with the multiple relationships addressed by the American Counseling Association's Code of Ethics. Prior to choosing a clinical setting, if an applicant is uncertain, he or she shall seek advice about what is considered acceptable from the Board.
  - (e) In the case of pre-master's professional experience, the place or practice shall have written provisions to provide supervision and training experience as defined by graduate counseling program expectations.
  - (f) The applicant shall be an employee of the place or practice, or shall be affiliated by agreement. All agreements shall include but not be limited to the following information: the name of the individual responsible for supervision, specific job duties/responsibilities, method for obtaining and scheduling clients, liability insurance information, payment arrangements, emergency plan, and facility and service logistics. Compensation for services provided by the applicant shall be paid directly to the place

(Rule 0450-01-.01, continued)

- (37) Relative - Parent, spouse, former spouse, siblings, children, cousins, in-laws (present and former), aunts, uncles, grandparents, grandchildren, step-children, employees, or anyone sharing the same household.
- (38) Supervisee - An individual who is engaged in post graduate or graduate, supervised experience under the direction of a supervisor.
- (39) Supervision - Ongoing, direct clinical oversight for the purpose of training or teaching. Supervision may include, without being limited to, the review of case presentations, audio tapes, video tapes, and direct observation.
  - (a) Supervision shall be by an approved supervisor.
  - (b) An approved supervisor shall monitor the performance of an applicant's interaction with a client and provide regular documented face-to-face or live video conferencing (with prior board approval based on hardship), consultation, guidance, and instructions with respect to the clinical skills and competencies of the applicant.
  - (c) Individual supervision is supervision as defined by models developed by the Council for Accreditation of Counseling and Related Educational Programs (CACREP) for individual (one supervisor to supervisee) or triadic supervision (one supervisor to two supervisees).
  - (d) Group supervision is supervision by one supervisor of a minimum of three (3) and a maximum of eight (8) supervisees. Of the 150 hours collected, no more than fifty (50) hours may be group supervision.
- (40) Use a title or description of - To hold oneself out to the public as having a particular status by means of stating on signs, mailboxes, address plates, stationery, announcements, business cards or other instruments of professional identification.
- (41) Written evidence - Includes, but is not limited to, verification from supervisors or other professional colleagues familiar with the applicant's work.

**Authority:** T.C.A. §§ 4-5-202, 4-5-204, 63-1-145, 63-22-102, 63-22-104, 63-22-117, and 63-22-120.  
**Administrative History:** Original rule filed October 9, 1986; effective November 23, 1986. Repeal and new rule filed April 29, 1992; effective June 13, 1992. Amendment filed April 16, 1996; effective June 30, 1996. Amendment filed June 18, 1996; effective September 4, 1996. Amendment filed December 13, 2000; effective February 26, 2001. Amendment filed November 21, 2001; effective February 4, 2002. Amendment filed April 30, 2002; effective July 14, 2002. Amendment filed August 16, 2002; effective October 30, 2002. Amendment filed October 30, 2002; effective January 13, 2003. Amendment filed July 21, 2004; effective October 4, 2004. Amendment filed April 17, 2007; effective July 1, 2007. Amendment filed November 26, 2008; effective February 9, 2009. Amendment filed October 25, 2012; effective January 23, 2013.

#### **0450-01-.02 SCOPE OF PRACTICE.**

- (1) The following shall be considered necessary when addressing the scope of practice for professional counselors:
  - (a) Assisting an individual, through the counseling relationship, in a manner intended to facilitate normal human growth and development, using a combination of mental health and human development principles, methods and techniques, to achieve mental, emotional, physical, social, moral, educational, spiritual and/or career development and adjustment through the lifespan.

**0450-01-.03 NECESSITY OF CERTIFICATION OR LICENSURE.**

- (1) It is unlawful for any person who is not certified or licensed in the manner prescribed in T.C.A. §§ 63-22-101, et seq., to represent himself as a certified or licensed professional counselor or to hold himself out to the public as being licensed by means of using a title on signs, mailboxes, address plates, stationery, announcements, telephone listings, calling cards, or other instruments of professional identification.
- (2) Professional counseling is one of the healing arts and as such the practice of which is restricted to those persons credentialed by the board. Persons engaging in the practice of professional counseling without being credentialed or expressly exempted by the law are in violation of division law T.C.A. § 63-1-123.
- (3) Nothing in these rules shall be construed to constrict or limit the Medical Practice Act, the Social Work Certification and Licensing Law, the Nursing Practice Act, or the Psychology Licensing Act (T.C.A. § 63-22-113(a)).
- (4) These rules shall not apply to any Christian Science practitioner or to any priest, rabbi, or minister of the gospel of any religious denomination when performing counseling services as part of his pastoral or professional duties, or to any person who is licensed to practice medicine, when providing counseling services as part of his professional practice.
- (5) No other person shall hold himself out to the public by a title or description of services incorporating the words "certified professional counselor" (CPC) or "licensed professional counselor" (LPC), and he shall not state or imply that he is certified or licensed. Nothing in this rule shall prohibit a person from stating or using the educational degrees which he has obtained.
- (6) Use of Titles -
  - (a) Any person who possesses a valid, unsuspended and unrevoked certificate issued by the Board has the right to use the title "Certified Professional Counselor" and to practice professional counseling, as defined in Rule 0450-01-.01.
  - (b) Any person who possesses a valid, unsuspended and unrevoked license issued by the Board has the right to use the title "Licensed Professional Counselor" and to practice professional counseling, as defined in T.C.A. § 63-22-150.
  - (c) Any person licensed by the Board to whom this rule applies must use the titles authorized by this rule whenever he or she is "advertising" [as that term is defined in rule 0450-01-.01(2)] or the failure to do so will constitute an omission of a material fact which makes the advertisement misleading and deceptive and subjects the professional counselor to disciplinary action pursuant to T.C.A. §§ 63-22-110(b)(4) and 63-22-117(a)(1).
- (7) These provisions do not apply to counselors working in a community/human services agency nor to professional counselors whose work is directly being supervised by an approved supervisor while obtaining the required years of work experience.

**Authority:** T.C.A. §§ 4-5-202, 4-5-204, 63-1-145, 63-1-146, 63-22-102, 63-22-110, 63-22-117, and 63-22-150. **Administrative History:** Original rule filed October 9, 1986; effective November 23, 1986. Repeal and new rule filed April 29, 1992; effective June 13, 1992. Amendment filed April 10, 2002; effective June 24, 2002. Amendment filed April 17, 2007; effective July 1, 2007. Amendment filed November 26, 2008; effective February 9, 2009.

**0450-01-.04 QUALIFICATIONS FOR LICENSURE.**

- (1) Professional Counselor by Examination. To be eligible to submit an application, a candidate must show completion of the following qualifications:
  - (a) Be at least 18 years of age.
  - (b) Must provide evidence that he is highly regarded in moral character and professional ethics (rule 0450-01-.05).
  - (c) Education. The educational requirements must be completed prior to the date of application.
    1. Sixty (60) graduate semester hours, based upon a program of studies with a major in counseling, completed from an institution accredited by the Southern Association of Colleges and Schools, the Counsel for Accreditation of Counseling and Related Educational Programs, or a comparable accrediting body.
    2. The graduate coursework should include, but is not limited to, core areas of (one course may satisfy study in more than one of the study areas):
      - (i) Theories of human behavior, learning and personality;
      - (ii) Abnormal behavior;
      - (iii) Theories of counseling and psychotherapy;
      - (iv) Evaluation and appraisal procedures;
      - (v) Group dynamics, theories and techniques;
      - (vi) Counseling techniques;
      - (vii) Multicultural counseling;
      - (viii) Ethics;
      - (ix) Research;
      - (x) Clinical practicum or internship (pursuant to T.C.A. § 63-22-104)
  - (d) A minimum of two (2) years of supervised post master professional experience consisting of not less than ten (10) hours per week and fifty (50) contact hours of supervision per year as defined by Rule 0450-01-.10(1).
  - (e) Pass the examination pursuant to rule 0450-01-.08.
  - (f) Until receipt of a license to practice as a Professional Counselor, an applicant will be required to practice under supervision, pursuant to Rule 0450-01-.10.
- (2) Upgrading from Certified Professional Counselor Status to Licensed Professional Counselor Status
  - (a) Individuals certified on July 1, 1991, as professional counselors may upgrade from certification to licensure by any of the following methods:

(Rule 0450-01-.04, continued)

1. Providing a copy of his current CPC renewal certificate and verification to the board's satisfaction, that he has had five years work experience, pursuant to rule 0450-01-.14, as a certified professional counselor.
  2. Providing a copy of his current CPC renewal certificate and evidence that he has been certified by the NBCC.
  3. Providing a copy of his current CPC renewal certificate and complying with the requirements pursuant to rule 0450-01-.04(1).
- (b) Upgrading from Certified Associate Professional Counselor Status to Licensed Professional Counselor Status
1. Any person certified as an Associate Counselor on July 1, 1991, shall be deemed to be a Certified Professional Counselor, but only for the purpose of upgrading to Licensed Professional Counselor.
  2. For the purpose of upgrading to Licensed Professional Counselor from Certified Associate Counselor, the board will accept a passing score on the PES examination, which was previously required for Associate Professional Counselors, as fulfilling the requirement of 0450-01-.08.
- (3) Licensed Professional Counselor (LPC) by Reciprocity. Individuals seeking licensure by reciprocity must meet the following qualifications:
- (a) Hold a current, undisciplined, professional counselor or equivalent license from another state of the United States which has entered into a mutual reciprocity agreement with the Tennessee Board for Professional Counselors, Marital and Family Therapists, and Clinical Pastoral Therapists.
  - (b) Provide evidence that he or she is highly regarded in moral character and professional ethics.
  - (c) Pass the Tennessee Jurisprudence Examination pursuant to rule 0450-01-.08.
- (4) Licensed Professional Counselor with Mental Health Services Provider designation (LPC/MHSP). To be eligible to submit an application, a candidate must show completion of the following qualifications:
- (a) Be at least 18 years of age.
  - (b) Provide evidence that he or she is highly regarded in moral character and professional ethics.
  - (c) Education. The educational requirements must be completed prior to the date of application.
    1. Sixty (60) graduate semester hours, based upon a program of studies with a major in counseling, completed from an institution accredited by the Southern Association of Colleges and Schools, the Council for the Accreditation of Counseling and Related Educational Programs, or a comparable accrediting body;
    2. The graduate coursework should include, but is not limited to, the following core areas (one course may satisfy study in more than one of the study areas):

(Rule 0450-01-.04, continued)

- (i) Theories of human behavior, learning and personality;
  - (ii) Abnormal behavior;
  - (iii) Theories of counseling and psychotherapy;
  - (iv) Evaluation and appraisal procedures;
  - (v) Group dynamics, theories and techniques;
  - (vi) Counseling techniques;
  - (vii) Multicultural counseling;
  - (viii) Ethics;
  - (ix) Research;
  - (x) Clinical practicum or internship (pursuant to T.C.A. § 63-22-104);
  - (xi) Use of the DSM;
  - (xii) Treatment and treatment planning
3. Pursuant to T.C.A. § 63-22-120, a minimum of nine (9) graduate semester hours of coursework must be "specifically related to diagnosis, treatment, appraisal and assessment of mental disorders." This will be interpreted to mean passing nine (9) semester hours, either during the course of a graduate degree or as post-graduate work, in courses in which diagnosis, treatment and treatment planning, appraisal and assessment of mental disorders, psychopathology, and the use of the DSM were the entire focus of the course or comprised a substantial portion of the course work.
- (d) Meet the following requirements for post-masters professional experience:
- 1. Complete three thousand (3000) hours of supervised post-masters professional experience, including one hundred and fifty (150) contact hours of supervision obtained pursuant to Rule 0450-01-.10(6).
    - (i) One thousand and five hundred (1500) of the three thousand (3000) hours of supervised post-masters professional experience shall be face-to-face client contact hours.
    - (ii) One thousand and five hundred (1500) of the three thousand (3000) hours of supervised post-masters professional experience shall be clinically-related activities;
- (e) Pass the National Counselors Examination, the National Clinical Mental Health Counseling Examination, and the Tennessee Jurisprudence Exam pursuant to Rule 0450-01-.08.
- (5) Licensed Professional Counselor with Mental Health Service Provider designation (LPC/MHSP), by reciprocity. Individuals seeking licensure by reciprocity as LPC/MHSPs must meet the following qualifications.

(Rule 0450-01-.04, continued)

- (a) Hold a current, undisciplined, professional counselor license with a Mental Health Service Provider designation, or its equivalent, from another state of the United States which has entered into a mutual reciprocity agreement with the Tennessee Board for Professional Counselors, Marital and Family Therapists, and Clinical Pastoral Therapists.
  - (b) Provide evidence that he or she is highly regarded in moral character and professional ethics.
  - (c) Pass the Tennessee Jurisprudence Examination pursuant to rule 0450-01-.08.
- (6) Temporarily Licensed Professional Counselor with Mental Health Service Provider designation.
- (a) A temporary license may be issued by the Board for an applicant for licensed professional counselor designated as a mental health service provider who has:
    - 1. Completed the academic course work and training (except for the required supervised professional experience) required for the license; and
    - 2. Successfully passed the National Counselor Examination.
  - (b) A temporary license obtained pursuant to this section authorizes an applicant to perform the functions specified in T.C.A. § 63-22-150(5), while working under the supervision of an approved supervisor.

**Authority:** T.C.A. §§ 4-5-202, 4-5-204, 63-22-102, 63-22-104, 63-22-107, 63-22-116, 63-22-120, 63-22-121, 63-22-150, and Public Chapter 318, Acts of 1995. **Administrative History:** Original rule filed October 9, 1986; effective November 23, 1986. Repeal and new rule filed April 29, 1992; effective June 13, 1992. Amendment filed October 18, 1995; effective January 1, 1996. Amendment filed April 16, 1996; effective June 30, 1996. Amendment filed June 18, 1996; effective September 4, 1996. Amendment filed January 31, 2000; effective April 15, 2000. Amendment filed September 4, 2003; to have become effective November 18, 2003. However, stay of effective date filed by the Board for Professional Counselors, Marital and Family Therapists, and Clinical Pastoral Therapists on November 7, 2003; new effective date January 17, 2004. Amendment filed November 26, 2008; effective February 9, 2009. Amendments filed October 25, 2012; effective January 23, 2013. Amendments filed January 7, 2014; effective April 7, 2014.

**0450-01-.05 PROCEDURES FOR LICENSURE.** To become licensed as a professional counselor in Tennessee a person must comply with the following procedures and requirements.

**(1) Professional Counselor by Examination**

- (a) An application shall be requested from the Board's administrative office or shall be downloaded from the Internet.
- (b) An applicant shall respond truthfully and completely to every question or request for information contained in the form, and submit it along with all documentation and fees required by the form and this rule to the board's administrative office. It is the intent of this rule that all steps necessary to accomplish the filing of the required documentation be completed prior to filing an application and that all documentation be filed simultaneously.
- (c) Applications for licensure will be accepted throughout the year and files which are completed on or before the 30th day prior to the meeting will ordinarily be processed at the next board meeting scheduled for the purpose of reviewing files. Supporting

(Rule 0450-01-.05, continued)

documents requested in these instructions must be received in the board's office within 60 days of receipt of your application or the file will be closed.

- (d) An applicant shall pay, at the time of application, the nonrefundable application fee as provided in rule 0450-01-.06.
- (e) An applicant shall submit verification of having completed a supervised practicum or internship pursuant to T.C.A. § 63-22-104.
- (f) An applicant shall submit with his application, a certified copy of his birth certificate.
- (g) An applicant shall submit a clear and recognizable recently taken, bust photograph which shows the full head face forward from at least the top of the shoulders up.
- (h) It is the applicant's responsibility to request a graduate transcript from his degree granting institution, pursuant to T.C.A. § 63-22-104, be submitted directly from the school to the board's administrative office. The institution granting the degree must be accredited, pursuant to rule 0450-01-.04(1), at the time the degree was granted. The transcript must show that the degree has been conferred and carry the official seal of the institution and reference the name under which the applicant has applied for licensure. The transcript must show at least 60 graduate semester hours, pursuant to rule 0450-01-.04(1). The educational requirements contained in this rule must be completed prior to the date of application for licensure.
- (i) An applicant shall complete and submit the worksheet form for reporting course work.
- (j) An applicant shall submit evidence of good moral character. Such evidence shall include at least two recent, within the preceding 12 months, original letters from professionals attesting to the applicant's personal character and professional ethics and typed on the signator's letterhead.
- (k) An applicant shall submit evidence of completing a minimum of two (2) years supervised post-master's experience under the direction of an approved supervisor, pursuant to rule 0450-01-.04(1)(d).
- (l) An applicant shall direct NBCC to submit directly to the Board's office evidence that he or she passed the National Counselor Examination pursuant to rule 0450-01-.08.
- (m) An applicant shall disclose the circumstances surrounding any of the following:
  1. Conviction of any criminal law violation of any country, state, or municipality, except minor traffic violations.
  2. The denial of certification or licensure application by any other state or the discipline of certification or licensure in any state.
  3. Loss or restriction of certification or licensure.
  4. Any civil suit judgment or civil suit settlement in which the applicant was a party defendant including, without limitation, actions involving malpractice, breach of contract, antitrust activity, or any other civil action remedy recognized under any country's or state's statutory, common, or case law.
  5. If the applicant discloses any of the above, the Board may require the applicant to appear before the Board to answer questions regarding the circumstances and regarding the applicant's fitness to practice in the State of Tennessee. The

(Rule 0450-01-.05, continued)

- (m) Where necessary, all documents required to be submitted shall be translated into English and such translation certified along with the original document as to authenticity by the issuing source.
  - (n) Application review and licensure decisions shall be governed by rule 0450-01-.07.
  - (o) Personal resumes are not acceptable and will not be reviewed.
- (4) Licensed Professional Counselor with Mental Health Service Provider designation (LPC/MHSP).**
- (a) An application shall be requested from the Board's administrative office or shall be downloaded from the Internet.
  - (b) An applicant shall respond truthfully and completely to every question or request for information contained in the form, and submit it along with all documentation and fees required by the form and this rule to the Board's administrative office. It is the intent of this rule that all steps necessary to accomplish the filing of the required documentation be completed prior to filing an application and that all documentation be filed simultaneously.
  - (c) Applications for licensure will be accepted throughout the year and files which are completed on or before the 30th day prior to the meeting will ordinarily be processed at the next Board meeting scheduled for the purpose of reviewing files. Supporting documents requested in these instructions must be received in the Board's office within sixty (60) days of receipt of the application or the file will be closed.
  - (d) An applicant shall pay, at the time of application, the nonrefundable application fee as provided in rule 0450-01-.06.
  - (e) An applicant shall submit verification of having completed a supervised practicum or internship pursuant to T.C.A. § 63-22-104.
  - (f) An applicant shall submit with his application, a certified copy of his birth certificate.
  - (g) An applicant shall submit a clear and recognizable recently taken, bust photograph which shows the full head face forward from at least the top of the shoulders up.
  - (h) It is the applicant's responsibility to request a graduate transcript from his degree granting institution, pursuant to T.C.A. § 63-22-104, be submitted directly from the school to the Board's administrative office. The institution granting the degree must be accredited, pursuant to rule 0450-01-.04(4), at the time the degree was granted. The transcript must show that the degree has been conferred and carry the official seal of the institution and reference the name under which the applicant has applied for licensure. The transcript must show, pursuant to rule 0450-01-.04(4)(c)3., at least sixty (60) graduate semester hours, including nine (9) from courses entirely or substantially pertaining to diagnosis, treatment, appraisal and assessment of mental disorders. The educational requirements contained in this rule must be completed prior to the date of application for licensure.
  - (i) An applicant shall complete and submit the worksheet form for reporting course work.
  - (j) An applicant shall submit evidence of good moral character. Such evidence shall include at least two (2) recent, within the preceding twelve (12) months, original letters

(Rule 0450-01-.05, continued)

from professionals attesting to the applicant's personal character and professional ethics and typed on the signator's letterhead.

- (k) An applicant shall submit evidence of completing a minimum of two (2) years supervised post-master's experience under the direction of an approved supervisor, pursuant to rule 0450-01-.04(4)(d).
- (l) An applicant shall direct NBCC to submit directly to the Board's office evidence that he passed the National Counselor Examination and the National Clinical Mental Health Counseling Examination pursuant to rule 0450-01-.08.
- (m) An applicant shall disclose the circumstances surrounding any of the following:
  - 1. Conviction of any criminal law violation of any country, state, or municipality, except minor traffic violations.
  - 2. The denial of certification or licensure application by any other state or the discipline of certification or licensure in any state.
  - 3. Loss or restriction of certification or licensure.
  - 4. Any civil suit judgment or civil suit settlement in which the applicant was a party defendant including, without limitation, actions involving malpractice, breach of contract, antitrust activity, or any other civil action remedy recognized under any country's or state's statutory, common, or case law.
  - 5. If the applicant discloses any of the above, the Board has the right to require the applicant to appear before the Board to answer questions regarding the circumstances and regarding the applicant's fitness to practice in the State of Tennessee. The burden is on the applicant to prove by a preponderance of the evidence the circumstances of any of the above.
  - 6. Any of the above may be grounds for denial or conditioning of the license if the Board determines it to be unprofessional conduct or conduct that violates T.C.A. §§ 63-22-101, et seq. or Board rules and regulations.
- (n) An applicant shall cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's licensure application materials, the result of a criminal background check.
- (o) When necessary, all documents required to be submitted shall be translated into English and such translation certified along with the original document as to authenticity by the issuing source.
- (p) Personal resumes are not acceptable and will not be reviewed.
- (q) Application review and licensure decisions shall be governed by rule 0450-01-.07.
- (r) The burden is on the applicant to prove by a preponderance of the evidence that his course work, supervision, and experience are equivalent to the Board's requirements.
- (5) Licensed Professional Counselor with Mental Health Service Provider designation (LPC/MHSP) by reciprocity.
  - (a) The Board may issue a license to any individual who holds a current, undisciplined professional counselor license with a Mental Health Provider designation, or its

(Rule 0450-01-.05, continued)

contract, antitrust activity or any other civil action remedy recognized under any country's or state's statutory, common, or case law.

5. If the applicant discloses any of the above, the Board has the right to require the applicant to appear before the Board to answer questions regarding the circumstances and regarding the applicant's fitness to practice in the State of Tennessee. The burden is on the applicant to prove by a preponderance of the evidence the circumstances of any of the above.
  6. Regardless of the terms of a reciprocal agreement with another state, any of the above may be grounds for denial or conditioning of the license if the Board determines it to be unprofessional conduct or conduct that violates T.C.A. §§ 63-22-101, et seq. or Board rules and regulations.
- (l) An applicant shall cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's licensure application materials, the result of a criminal background check.
- (m) Where necessary, all documents required to be submitted shall be translated into English and such translation certified along with the original document as to authenticity by the issuing source.
- (n) Application review and licensure decisions shall be governed by rule 0450-01-.07.
- (o) Personal resumes are not acceptable and will not be reviewed.

**(6) Temporary licensure for Licensed Professional Counselor with Mental Health Service Provider designation (LPC/MHSP).**

- (a) An applicant for licensure as an LPC/MHSP may file an application for temporary licensure by submitting the non-refundable application fee required by Rule 0450-01-.06, and an application for licensure with all required documentation, pursuant to procedures outlined in paragraph (4) of this rule, except as follows:
1. The applicant need not show proof of the post-master's supervisory hours required by 0450-01-.05(4)(k).
  2. The applicant need not show proof of having passed the National Clinical Mental Health Counseling Examination or the Tennessee Jurisprudence Examination.
  3. The applicant must submit information about the proposed supervisor or supervisors, including proof that the supervisor meets the qualifications of 0450-01-.10(1) and a copy of the proposed supervisory agreement or employment contract.
- (b) No person may be issued more than one (1) temporary license, nor shall a temporary license be valid for more than three (3) years.
- (c) If an applicant is granted a temporary license, the license shall remain valid until the Board grants or denies the regular license application or until it shall become invalid for any of the following reasons:
1. Expiration of the three (3) year period.
  2. Failure to continue in supervision during the three year period the license may be valid.

(Rule 0450-01-.05, continued)

3. Change of supervisors without notifying the Board, submitting the credentials of the proposed supervisor, and obtaining the Board's approval.
- (d) When a temporary license holder is notified by the Board that his temporary license is invalid for any reason, the applicant shall return the temporary license to the Board office within ten (10) days. The applicant is expected to cause his supervisor to notify the Board of any reason he is aware of that the license should become invalid. The Board will notify the supervisor when the temporary license becomes invalid.
- (e) To replace the temporary license with a regular license for LPC/MSHP, the applicant shall:
  1. Notify the Board in writing of intention to seek licensure, using the form provided by the Board.
  2. Present proof of the following:
    - i. Completion of the required Post Master's supervised experience in a clinical setting which meets the requirement of 0450-01-.10; and
    - ii. Passage of the National Clinical Mental Health Counseling Examination and the Tennessee Jurisprudence Examination.
  3. Upon receipt of the materials specified in Parts 1 and 2 the Board shall consider the previously submitted licensure application appropriately supplemented and grant or deny the regular license application, based on satisfactory completion of all requirements for licensure.

**Authority:** T.C.A. §§ 4-5-202, 4-5-204, 63-22-102, 63-22-104, 63-22-107, 63-22-110, 63-22-116, 63-22-117, 63-22-120, 63-22-121, and 63-22-150. **Administrative History:** Original rule filed October 9, 1986; effective November 23, 1986. Repeal and new rule filed April 29, 1992; effective June 13, 1992. Amendment filed April 16, 1996; effective June 30, 1996. Amendment filed June 18, 1996; effective September 4, 1996. Amendment filed January 29, 1998; effective April 14, 1998. Amendment filed August 16, 2002; effective October 30, 2002. Amendment filed October 30, 2002; effective January 13, 2003. Amendment filed July 16, 2003; effective September 29, 2003. Amendment filed September 4, 2003; to have become effective November 18, 2003. However, stay of effective date filed by the Board for Professional Counselors, Marital and Family Therapists, and Clinical Pastoral Therapists on November 7, 2003; new effective date January 17, 2004. Amendment filed March 17, 2006; effective May 31, 2006. Amendment filed November 26, 2008; effective February 9, 2009. Amendments filed January 7, 2014; effective April 7, 2014.

#### **0450-01-.06 FEES.**

- (1) The fees authorized by statutes are established as follows:
  - (a) Application fee - A nonrefundable fee to be paid by all applicants including those seeking licensure by reciprocity. It must be paid each time an application for licensure is filed.
  - (b) Duplicate Certificate or License Fee - A nonrefundable fee to be paid when an individual requests a replacement for a lost or destroyed "artistically designed" license.
  - (c) Endorsement/Verification Fee - A nonrefundable fee paid for each certification, verification, endorsement of an individual's record for any purpose.

(Rule 0450-01-.09, continued)

2. Payment of the late renewal fee provided in Rule 0450-01-.06; and
  3. Submission of evidence of completion of continuing education requirements pursuant to Rule 0450-01-.12.
- (b) Renewal issuance decisions pursuant to this rule may be made administratively or upon review by any board member or the board's designee.
  - (c) Anyone submitting a signed renewal form or letter which is found to be untrue may be subject to disciplinary action as provided in rule 0450-01-.15.

**Authority:** T.C.A. §§ 4-5-202, 4-5-204, 63-1-107, 63-22-102, 63-22-108, 63-22-110, and 63-22-111.  
**Administrative History:** Original rule filed October 9, 1986; effective November 23, 1986. Repeal and new rule filed April 29, 1992; effective June 13, 1992. Amendment filed June 18, 1996; effective September 4, 1996. Amendment filed April 30, 2002; effective July 14, 2002.

#### 0450-01-.10 SUPERVISION - POST-MASTERS.

- (1) Professional Counselor's Supervision. A supervisor providing supervision on or after January 31, 2013 must comply with the following requirements:
  - (a) Experience – Supervisors must have been licensed at least five (5) years as a Licensed Professional Counselor, Licensed Professional Counselor with Mental Health Service Provider designation, Licensed Marital and Family Therapist, Licensed Clinical Pastoral Therapist, Licensed Psychologist with Health Service Provider designation, Licensed Senior Psychological Examiner, Licensed Psychiatrist, or Licensed Clinical Social Worker.
  - (b) Supervisors for applicants pursuing designation as Mental Health Service Provider shall be currently Licensed Professional Counselors with Mental Health Service Provider designation or equivalent, Licensed Marital and Family Therapists, Licensed Clinical Pastoral Therapists, Licensed Clinical Social Workers, Licensed Psychiatrists, Licensed Senior Psychological Examiners, or Licensed Psychologists with Health Service Provider designation, who have been licensed at least five (5) years and who are in good standing with their respective licensing boards and professional associations. A Licensed Professional Counselor without Mental Health Service Provider designation shall not supervise an applicant working toward the Mental Health Service Provider designation.
  - (c) For the purpose of mental health service provider designation, of the hundred and fifty (150) contact hours of supervision required, seventy-five (75) shall be conducted by a supervisor with Licensed Professional Counselor with Mental Health Service Provider designation.
  - (d) Ethics – Supervisors shall comply with Section F of the current code of ethics adopted by the American Counseling Association, except to the extent that it conflicts with the laws of the State of Tennessee or the rules of the Board. If the code of ethics conflicts with state law or rules, the state law or rules govern the matter. Violation of the code of ethics or state law or rules may subject a licensee or certificate holder to disciplinary action. Supervisors may also reference the Association for Counselor Education and Supervision (ACES) *Ethical Guidelines for Counseling Supervisors*.
  - (e) Training – Supervisors shall provide documentation of the successful completion of one or more of the following:

(Rule 0450-01-10, continued)

1. A passing grade at an accredited college or university in an academic course specific to supervision of counselors
  2. Supervision certification by one, or more, of the following professional associations:
    - (i) AAMFT – Approved Supervisor;
    - (ii) AAPC – Approved Supervisor;
    - (iii) NBCC – Approved Clinical Supervisor; or
    - (iv) Any other organization designated by the Board to provide supervisor qualification verification
  3. Documentation of twelve (12) contact hours related to counseling supervision and other related supervision topics. Contact hours must be provided by an approved professional association or approved by a counseling related credentialing organization (e.g., NBCC).
- (f) Continuing Education Units – Three (3) clock hours of the ten (10) clock hour requirement shall, every two (2) years, pertain to counseling supervision or related supervision topics.
- (2) All supervisors providing supervision starting before January 31, 2013 for LPC or LPC/MHSP candidates will be approved to continue providing supervision to those individuals according to the requirements of the former Rule 0450-01-10. Supervisors providing supervision starting on or after January 31, 2013 must comply with the above requirements. All supervisors shall comply with subparagraphs (1)(d) and (1)(f) regardless of the date they start providing supervision.
  - (3) Approved supervisors - The applicant shall be responsible for submitting evidence at the time the application is submitted that the supervisor meets the rules of the board for eligibility.
  - (4) Conflict of Interest Supervision - Supervision provided by the applicant's parent, spouse, former spouse, siblings, children, cousins, in-laws, (present or former), aunts, uncles, grandparents, grandchildren, step-children, employees, or anyone sharing the same household shall not be acceptable toward fulfillment of licensure requirements. For the purposes of this rule, a supervisor shall not be considered an employee of the applicant, if the only compensation received by the supervisor consists of payment for actual supervisory hours.
  - (5) Upon completion of the post-masters supervision requirement, pursuant to 0450-01-.04, the applicant must continue in supervision until a receipt of a license to practice as a Professional Counselor. Such post-supervision may be less intense and/or less frequent than the post-masters supervision experience, depending on the supervisor's judgment.
  - (6) For the purpose of mental health service provider designation pursuant to T.C.A. § 63-22-150, one hundred and fifty (150) contact hours of supervision, of which no more than fifty (50) hours may be in a group setting, is required for licensure as a professional counselor with mental health service provider designation.
    - (a) The post-masters supervised experience must consist of a minimum of three thousand (3000) hours of direct clinical experience which is completed under supervision and which is completed no sooner than two (2) years nor more than four (4) years following the beginning of supervised clinical practice.

(Rule 0450-01-.10, continued)

1. One thousand and five hundred (1500) of the three thousand (3000) hours of supervised post-masters professional experience shall be face-to-face client contact hours.
  2. One thousand and five hundred (1500) of the three thousand (3000) hours of supervised post-masters professional experience shall be clinically-related activities.
- (b) The ratio of supervision time to direct client contact should be sufficient to ensure adequate learning. The minimum requirements are one hour per week of direct, individual, formal contact with a qualified individual who is responsible for the clinical education, development and guidance of the supervisee. Excluded are classwork, practicum experience, or other course-related experiences taken in pursuit of the required 60 semester hour master's degree.
- (c) The supervision must be for the direct provision of mental health services by the applicant to individuals or groups of clients. An applicant's own personal growth experience, i.e., personal therapy or encounter-type groups, is not acceptable. Supervision of others is not acceptable.

**Authority:** T.C.A. §§ 4-5-202, 4-5-204, 63-22-102 63-22-104, 63-22-107, 63-22-117, 63-22-120, and Public Chapter 318, Acts of 1995. **Administrative History:** Original rule filed April 29, 1992; effective June 13, 1992. Amendment filed June 10, 1994; effective October 28, 1994. Amendment filed October 18, 1995; effective January 1, 1996. Amendment filed April 16, 1996; effective June 30, 1996. Amendment filed August 16, 2002; effective October 30, 2002. Amendment filed October 30, 2002; effective January 13, 2003. Amendment filed July 21, 2004; effective October 4, 2004. Amendment filed November 26, 2008; effective February 9, 2009. Amendment filed October 25, 2012; effective January 23, 2013.

#### 0450-01-.11 RETIREMENT AND REACTIVATION OF CERTIFICATE OR LICENSE.

- (1) Once a certified professional counselor or associate counselor obtains the status of licensed professional counselor, his certification will be automatically administratively retired by the board office.
- (2) A person who holds a current certificate or license and does not plan to practice in Tennessee and who does not intend to use the title "certified professional counselor" or "licensed professional counselor" may apply to convert an active certificate or license to inactive ("retired") status. An individual who holds a retired certificate or license will not be required to pay the renewal fee.
- (3) A person who holds an active certificate or license may apply for retired status in the following manner:
  - (a) Obtain from, complete and submit to the board's administrative office an affidavit of retirement form.
  - (b) Submit any documentation which may be required to the board's administrative office.
- (4) Certification or licensure holders whose certificate or license has been retired may reenter active status by doing the following:
  - (a) Submit a written request to the board's administrative office for certification or licensure reactivation;

(Rule 0450-01-.11, continued)

- (b) Pay the licensure or certificate renewal fee and state regulatory fee as provided in rule 0450-01-.06 and if retirement was pursuant to rule 0450-01-.09, and reactivation was requested prior to the expiration of one year from the date of retirement, the board may require payment of the late renewal fee, past due renewal fees, and state regulatory fees as provided in rule 0450-01-.06; and
  - (c) Comply with the continuing education provisions of rule 0450-01-.12 applicable to reactivation of retired license or certificate.
- (5) Certification or licensure reactivation applications shall be treated as certification or licensure applications and review and decisions shall be governed by rule 0450-01-.05.

**Authority:** T.C.A. §§ 4-5-202 and 63-22-108. **Administrative History:** Original rule filed April 29, 1992; effective June 13, 1992.

#### **0450-01-.12 CONTINUING EDUCATION.**

##### **(1) Basic Requirements.**

- (a) Each person registered with the Board is required to complete twenty (20) clock hours of continuing education every two (2) calendar years.
- (b) Those persons who hold two (2) certificates and/or licenses regulated by the Tennessee Board for Professional Counselors, Marital and Family Therapists and Clinical Pastoral Therapists shall complete thirty (30) clock hours of continuing education every two (2) calendar years. A person who holds three certificates and/or licenses shall complete forty (40) clock hours of continuing education every two (2) calendar years. In each case, at least ten (10) clock hours shall be directly related to the practice of each profession for which the person is licensed or certified.
- (c) Ethics and Jurisprudence Course Requirement:
  - 1. Three (3) clock hours of the twenty (20) clock hour biennial requirement shall, pertain to the following subjects:
    - (i) Professional ethics; and/or
    - (ii) Tennessee Code Annotated, Title 63, Chapter 22; and/or
    - (iii) Official Compilation, Rules and Regulations of the State of Tennessee, Chapter 0450-01.
  - 2. Those persons who hold two (2) certificates and/or licenses regulated by the Tennessee Board for Professional Counselors, Marital and Family Therapists and Clinical Pastoral Therapists shall have three (3) clock hours of the thirty (30) clock hour biennial requirement pertain to ethics and jurisprudence.
  - 3. Those persons who hold three (3) certificates and/or licenses shall have three (3) clock hours of the forty (40) clock hour biennial requirement pertain to ethics and jurisprudence.
- (d) Those persons supervising applicants for licensure under the provisions of 0450-01-.10 shall have three (3) clock hours of the twenty (20) clock hour biennial requirement pertain to counseling supervision or related supervision topics.

(Rule 0450-01-.12, continued)

- (e) Continuing education hours obtained as a result of compliance with the terms of a Board Order in any disciplinary action shall not be credited toward the continuing education hours required to be obtained in any renewal period.

**Authority:** T.C.A. §§ 4-5-202, 4-5-204, 63-1-125, 63-22-102, 63-22-108, and 63-22-121. **Administrative History:** Original rule filed April 29, 1992; effective June 13, 1992. Amendment filed June 18, 1996; effective September 4, 1996. Amendment filed July 31, 2000; effective October 14, 2000. Amendment filed April 30, 2002; effective July 14, 2002. Amendment filed July 16, 2003; effective September 29, 2003. Amendment filed July 30, 2003; effective October 13, 2003. Amendment filed July 21, 2004; effective October 4, 2004. Amendment filed October 18, 2004; effective January 1, 2005. Amendment filed March 23, 2007; effective June 6, 2007. Amendment filed November 26, 2008; effective February 9, 2009. Amendments filed January 7, 2014; effective April 7, 2014. Amendments filed May 14, 2019; effective August 12, 2019. Amendments expired pursuant to Chapter 653, § 1 of the 2020 Public Acts, effective April 2, 2020, and the rules reverted to their previous statuses.

**0450-01-.13 PROFESSIONAL ETHICS.** All licensees and certificate holders shall comply with the current code of ethics adopted by the American Counseling Association, except to the extent that it conflicts with the laws of the state of Tennessee or the rules of the Board. If the code of ethics conflicts with state law or rules, the state law or rules govern the matter. Violation of the code of ethics or state law or rules may subject a licensee or certificate holder to disciplinary action.

- (1) The certified professional counselor and licensed professional counselor and anyone under his supervision shall conduct their professional practice in conformity with the legal, ethical and professional standards promulgated by the Board under its current statutes and rules and regulations.
- (2) Each applicant and certificate holder or licensee is responsible for being familiar with and following this code of ethics.
- (3) A copy of the code of ethics may be obtained by writing the American Counseling Association, 5999 Stevenson Avenue, Alexandria, VA 22304.
- (4) In the event an applicant, certificate holder, licensee, or other individual has a question regarding legal, ethical, and professional standards neither the Board nor its administrative personnel shall consider such questions unless presented with a proper petition for a declaratory order, subject to the requirements set forth in T.C.A. § 4-5-223.
- (5) In addition to the other requirements of this rule, all licensees and certificate holders who practice counseling electronically shall comply with the Ethical Standards for Internet Online Counseling adopted by the American Counseling Association, [www.counseling.org](http://www.counseling.org), except to the extent that they conflict with the laws of the state of Tennessee or the rules of the Board. If the standards for the ethical practice of internet counseling conflict with state law or rules, the state law or rules govern the matter. Violation of the standards for the ethical practice of web counseling or state law or rules may subject a licensee or certificate holder to disciplinary action.

**Authority:** T.C.A. §§ 4-5-202, 4-5-204, 4-5-210, 4-5-223, 63-22-102, 63-22-110, and 63-22-150. **Administrative History:** Original rule filed April 29, 1992; effective June 13, 1992. Amendment filed August 16, 2002; effective October 30, 2002. Amendment filed July 30, 2003; effective October 13, 2003. Amendments filed May 14, 2019; effective August 12, 2019. Amendments expired pursuant to Chapter 653, § 1 of the 2020 Public Acts, effective April 2, 2020, and the rules reverted to their previous statuses.

**0450-01-.14 EVIDENCE OF PROFESSIONAL EXPERIENCE.**

- (1) Pursuant to rule 0450-01-.04, applicants seeking to be licensed shall submit written evidence of having been actively engaged in the practice of professional counseling (the term "written