

AN ACT

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Columbia
Official Code

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Health Occupations Revision Act of 1985 to require persons practicing marriage and family therapy to be licensed, to provide exemptions from the licensing requirement, to establish qualifications for licensure, and to establish the Board of Marriage and Family Therapy to regulate the practice of marriage and family therapy.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Marriage and Family Therapy Amendment Act of 2003".

Sec. 2. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), is amended as follows:

(a) The table of contents is amended as follows:

(1) Add the phrase "Sec. 217. Board of Marriage and Family Therapy." after the phrase "Sec. 216. Board of Chiropractic."

(2) Add the following after "Sec. 806. Waiver requirements.":

"TITLE VIII-A

"QUALIFICATIONS FOR LICENSURE TO PRACTICE MARRIAGE AND FAMILY THERAPY; TRANSITION OF LICENSED MARRIAGE AND FAMILY THERAPISTS.

"Sec. 831. Qualifications for licensure.

"Sec. 832. Transition of licensed marriage and family therapists."

(b) Section 101(1) (D.C. Official Code § 3-1201.01(1)) is amended by adding the phrase "the Board of Marriage and Family Therapy," after the phrase "the Board of Dietetics and Nutrition,".

Amend
§ 3-1201.01

(c) Section 102 (D.C. Official Code § 3-1201.02) is amended as follows:

Amend
§ 3-1201.02

(1) A new paragraph (19) is added to read as follows:

"(19)(A) "Practice of marriage and family therapy" means the diagnosis and treatment of mental and emotional disorders, whether cognitive, affective, or behavioral, within the context of marriage and family systems. The practice of marriage and family therapy involves the professional application of psychotherapeutic and family systems theories and techniques in the delivery of services to individuals, couples, and families, singly or in groups,

whether the services are offered directly to the general public or through organizations, either public or private, for a fee, monetary or otherwise, for the purpose of treating the diagnosed nervous and mental disorders.

“(B) Nothing in subparagraph (A) of this paragraph shall be construed as preventing or restricting the practices, services, or activities of:

“(i) A person practicing marriage and family therapy within the scope of the person’s employment or duties at:

“(I) A recognized academic institution, or a federal, state, county, or local governmental institution or agency; or

“(II) A nonprofit organization that is determined by the Board to meet community needs;

“(ii) A person who is a marriage and family therapy intern or person preparing for the practice of marriage and family therapy under qualified supervision in a training institution or facility or under another supervisory arrangement recognized and approved by the Board; provided, that the person is designated by a title clearly indicating the training status, such as "marriage and family therapy intern," "marriage therapy intern," or "family therapy intern," ; or

“(iii) A person who has been issued a temporary permit by the Board to engage in the activities for which licensure is required.

“(C) Nothing in this act shall be construed as preventing or restricting members of the clergy, or other health professionals licensed under this act, including clinical social workers, psychiatric nurses, psychiatrists, psychologists, physicians, or professional counselors, from practicing marriage and family therapy consistent with the accepted standards of their professions; provided, that no such persons shall represent by title or description of services that they are marriage and family therapists.”.

(d) A new section 217 is added to read as follows:

“Sec. 217. Board of Marriage and Family Therapy.

“(a) There is established a Board of Marriage and Family Therapy, which shall consist of 5 members appointed by the Mayor with the advice and consent of the Council.

“(b) The Board shall regulate the practice of marriage and family therapy.

“(c) Of the members of the Board, 4 shall be marriage and family therapists licensed in the District and one shall be a consumer member with no direct affiliation with the practice of marriage and family therapy of another mental health profession. The professional members shall have:

“(1) For at least 3 years preceding the appointment, been actively engaged in rendering professional services in marriage and family therapy as marriage and family therapists, the education and training of master’s, doctoral, or post-doctoral students of marriage and family therapy, or marriage and family therapy research; and

“(2) For the 2 years preceding the appointment, spent the majority of their time

devoted to one of the activities described in paragraph (1) of this subsection.

“(d) The Mayor shall designate one Board member to serve as chairperson during the term of his or her appointment to the Board. No person may serve as chairperson for more than 4 years.

“(e) Except as provided in subsection (f) of this section, members of the Board shall be appointed for terms of 3 years.

“(f) Of the members initially appointed under this section, 3 shall be appointed for a term of 3 years, and 2, including the chairperson, shall be appointed for a term of 4 years.”.

(e) Section 302(12) (D.C. Official Code § 3-1203.02(12)) is amended by striking the phrase “social work” and inserting the phrase “social work and marriage and family therapy” in its place.

Amend
§ 3-1203.02

(f) Section 401(b)(2) (D.C. Official Code § 3-1204.01(b)(2)) is amended by inserting the phrase “marriage and family therapist members initially appointed to the Board of Marriage and Family Therapy,” after the phrase “Board of Professional Counseling.”.

Amend
§ 3-1204.01

(g) Section 501 (D.C. Official Code § 3-1205.01) is amended by adding the phrase “marriage and family therapy,” after the phrase “dietetics.”.

Amend
§ 3-1205.01

(h) Section 503 (D.C. Official Code § 3-1205.03) is amended as follows:

(1) Subsection (a)(3) is amended by striking the phrase “and VIII” and inserting the phrase “VIII and VIII-A” in its place.

Amend
§ 3-1205.03

(2) Subsection (d) is amended by striking the phrase “and VIII” and inserting the phrase “VIII and VIII-A” in its place.

(i) A new title VIII-A is added to read as follows:

New
Subchapter
VII-A

“TITLE VIII-A

“QUALIFICATIONS FOR LICENSURE TO PRACTICE MARRIAGE AND FAMILY THERAPY; TRANSITION OF LICENSED MARRIAGE AND FAMILY THERAPISTS.

“Sec. 831. Qualifications for licensure.

“(a) The Board of Marriage and Family Therapy shall license as a marriage and family therapist a person who, in addition to meeting the requirements of Title V of this act and any requirements the Mayor may establish by rule, has:

“(1) Satisfactorily completed the examination process;

“(2) A Master's degree or a Doctoral degree in marriage and family therapy from a recognized educational institution, or a graduate degree in an allied field from a recognized educational institution and has successfully completed graduate level course work which is equivalent to a Masters' degree in marriage and family therapy, as determined by the Board; and

“(3) Successfully completed 2 calendar years of work experience in marriage and family therapy under qualified supervision following receipt of a qualifying degree.

“(b) For the purposes of subsection (a) of this section, qualifying degrees shall meet the following requirements:

“(1) A graduate degree which consists of at least 60 semester hours or 90 quarter credits in marriage and family therapy from a program accredited by the Commission on Accreditation for Marriage and Family Therapy Education, or a graduate degree from a regionally accredited educational institution and an equivalent course of study as approved by the Board; and

“(2) The course of study for any graduate degree shall include a minimum of 39 semester credits in the following areas:

“(A) Marriage and family studies -- 9 semester credit minimum. Studies in this area shall include:

“(i) Theoretical foundations, history, philosophy, etiology and contemporary conceptual directions of marriage and family therapy or marriage and family counseling;

“(ii) Family systems theories and other relevant theories and their application in working with a wide variety of family structures, including families in transition, nontraditional families and blended families, and a diverse range of presenting issues; and

“(iii) Preventative approaches, including premarital counseling, parent skill training and relationship enhancement, for working with couples, families, individuals, subsystems and other systems;

“(B) Marriage and family therapy -- 9 semester credit minimum. Studies in this area shall include:

“(i) The practice of marriage and family therapy related to theory, and a comprehensive survey and substantive understanding of the major models of marriage and family therapy or marriage and family counseling; and

“(ii) Interviewing and assessment skills for working with couples, families, individuals, subsystems and other systems, and skills in the appropriate implementation of systematic interventions across a variety of presenting clinical issues, including socioeconomic disadvantage, abuse, and addiction;

“(C) Human development -- 9 semester credit minimum. Studies in this area shall include:

“(i) Individual development and transitions across the life span;

“(ii) Family, marital and couple life cycle development and family relationships, family of origin and intergenerational influences, cultural influences, ethnicity, race, socioeconomic status, religious beliefs, gender, sexual orientation, social and equity issues, and disability;

“(iii) Human sexual development, function and dysfunction, impacts on individuals, couples, and families, and strategies for intervention and resolution; and

“(iv) Issues of violence, abuse, and substance use in a relational context, and strategies for intervention and resolution;

“(D) Psychological and mental health competency -- 6 semester credit

minimum. Studies in this area shall include:

“(i) Psychopathology, including etiology, assessment, evaluation, and treatment of mental disorders, use of the current diagnostic and statistical manual of mental disorders, differential diagnosis, and multiaxial diagnosis;

“(ii) Standard mental health diagnostic assessment methods and instruments, including standardized tests; and

“(iii) Psychotropic medications and the role of referral to and cooperation with other mental health practitioners in treatment planning, and case management skills for working with individuals, couples, and families;

“(E) Professional ethics and identity -- 3 semester credit minimum.

Studies in this area shall include:

“(i) Professional identity, including professional socialization, professional organizations, training standards, credentialing bodies, licensure, certification, practice settings, and collaboration with other disciplines;

“(ii) Ethical and legal issues related to the practice of marriage and family therapy, legal responsibilities of marriage and family therapy and marriage and family counseling practice and research, business aspects, reimbursement, record keeping, family law, confidentiality issues, and the relevant codes of ethics, including the code of ethics specified by the Board; and

“(iii) The interface between therapist responsibility and the professional, social, and political context of treatment; and

“(F) Research – 3 semester credit minimum. Studies in this area shall include:

“(i) Research in marriage and family therapy or marriage and family counseling and its application to working with couples and families; and

“(ii) Research methodology, quantitative and qualitative methods, statistics, data analysis, ethics, and legal considerations of conducting research, and evaluation of research.

“(c) To be eligible for licensure as a marriage and family therapist, a person must complete 2 years of post-graduate, clinical work experience in marriage and family therapy and supervision in accordance with the following established membership standards:

“(1) Supervised clinical experience must follow receipt of the first qualifying graduate degree and the practicum required as part of the course of study;

“(2) Supervision must be provided by supervisors approved by the American Association for Marriage and Family Therapy or supervisors of acceptance to the Board; and

“(3) Successful completion of at least 1000 hours of face-to-face contact with couples and families for the purpose of assessment and intervention, and 200 hours of supervision of marriage and family therapy, at least 100 of which are individual supervision.

ENROLLED ORIGINAL

“Sec. 831.02. Transition of licensed marriage and family therapists.

“For a period of 2 years following the effective date of the Marriage and Family Therapy Amendment Act of 2003, passed on 2nd reading on November 4, 2003 (Enrolled version of Bill 15-179), all reference to a licensed marriage and family therapist shall be deemed to refer to a person meeting the requirements for licensure in the District, regardless of whether that person is licensed.”.

(j) Section 1003 (D.C. Official Code § 3-1210.03) is amended by adding a new subsection (w) to read as follows:

**Amend
§ 3-1210.03**

“(w) Unless authorized to practice marriage and family therapy under this act, a person shall not use or imply the use of the words or terms “marriage and family therapist” or “MFT,” or any similar title or description of services, with the intent to represent that the person practices marriage and family therapy.”.

(k) Section 1301 (D.C. Official Code § 3-1213.01) is amended as follows:

**Amend
§ 3-1213.01**

(1) Designate the existing language as subsection (a).

(2) A new subsection (b) is added to read as follows:

“(b) All provisions pertaining to marriage and family therapy added by the Marriage and Family Therapy Amendment Act of 2003, passed on 2nd reading on November 4, 2003 (Enrolled version of Bill 15-179), shall be subject to the availability of appropriations.”.

Sec. 3. Conforming amendments.

Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), is amended as follows:

**Amend
§ 1-523.01**

(1) Paragraph (41) is amended by striking the word “and” at the end.

(2) Paragraph (42) is amended by striking the period at the end and inserting the phrase “; and” in its place.

(3) A new paragraph (43) is added to read as follows:

“(43) The Board of Marriage and Family Therapy, established by section 217 of the District of Columbia Health Occupations Revision Act of 1985, passed on 2nd reading on November 4, 2003 (Enrolled version of Bill 15-179).”.

Sec. 4. Fiscal impact statement.

The Council adopts the September 16, 2003 fiscal impact statement of the Council Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

ENROLLED ORIGINAL

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia