

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

COUNSELING - GENERAL RULES

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16145(3), 16148, and 18101 of 1978 PA 368, MCL 333.16145(3), MCL 333.16148, and 333.18101 and Executive Reorganization Order Nos. 1996-1, 1996-2, 2003-1, and 2011-4, MCL 330.3101, 445.2001, 445.2011, and 445.2030)

PART 1. GENERAL PROVISIONS

R 338.1751 Definitions.

Rule 1. As used in these rules:

- (a) "Board" means the board of counseling.
- (b) "Career development" means studies that provide an understanding of all of the following:
 - (i) Career development theories.
 - (ii) Occupational and educational information sources and systems.
 - (iii) Career counseling.
 - (iv) Lifestyle and career decision making.
 - (v) Career development program planning, implementation, and evaluation.
- (c) "Code" means 1978 PA 368, MCL 333.1101.
- (d) "Consulting" means studies that provide an understanding of the process of psychoeducational consultation with emphasis on theories and strategies that are used to provide services to individuals, groups, and organizations.
- (e) "Counseling philosophy" means studies that incorporate a belief system that a person can change or develop a more fully functioning self through the application of various counseling approaches regardless of the extent of the problem.
- (f) "Counseling techniques" means the application of counseling and psychotherapy skills and theories in the counseling process in order to do all of the following:
 - (i) Establish and maintain the counseling relationship.
 - (ii) Diagnose and identify the problem.
 - (iii) Formulate a preventive, treatment, or rehabilitative plan.
 - (iv) Facilitate appropriate interventions.
- (g) "Counseling theories" means the study of the theoretical foundations of counseling and psychotherapy, including, but not limited to, major affective, behavioral, and cognitive theories of human development and personality development and change and multicultural and diversity issues in counseling.
- (h) "Department" means the department of licensing and regulatory affairs.
- (i) "Group techniques" means the application of basic counseling and psychotherapy skills and theories in the group counseling process that are based on an understanding of group development and dynamics, theories of group counseling and psychotherapy, and group leadership styles.

(j) "Internship" means supervised curricular field experience that provides students opportunities to perform all the activities that a licensed professional counselor would be expected to perform.

(k) "Multicultural counseling" means the study of the effects of diversity on the counseling process.

(l) "Practicum" means a supervised curricular experience that provides for the development of individual and group counseling and psychotherapy skills by giving students opportunities to perform, on a limited basis, some of the activities that a licensed professional counselor would be expected to perform.

(m) "Professional ethics" means studies that prepare students to understand and apply the legal requirements and ethical codes related to the practice of counseling.

(n) "Research methodology" means studies that provide an understanding of all of the following:

(i) Types of research and their application to the practice of counseling.

(ii) Basic statistics.

(iii) Research design, proposal development, implementation, and report writing.

(o) "Supervision" means the term as defined in section 16109(2) of the code.

(p) "Supervisor" means a licensed professional counselor who received training in the function of counseling supervision, as specified in R 338.1757.

(q) "Testing procedures" means studies that provide an understanding of all of the following:

(i) Group and individual psychometric theories and approaches to appraisal and diagnosis.

(ii) Selecting, administering, scoring, and interpreting instruments and procedures that are designed to assess all of the following with respect to an individual:

(a) Aptitudes.

(b) Interests.

(c) Attitudes.

(d) Abilities.

(e) Achievements.

(f) Personal characteristics.

(iii) Factors that influence appraisals.

(iv) Use of appraisal and diagnostic results in helping processes.

(r) "Under the supervision of a licensed professional counselor" means under the ongoing supervision of a licensed professional counselor licensed in this state who meets the requirements of a supervisor or under the ongoing supervision of an individual in another state who substantially meets the requirements for a professional counselor license and counseling supervisor in this state.

History: 1991 AACCS; 1993 AACCS; 1995 AACCS; 2003 AACCS; 2012 AACCS.

Rule 338.1751a Training standards for identifying victims of human trafficking; requirements.

Rule 1a. (1) Pursuant to section 16148 of the code, MCL 333.16148, an individual licensed or seeking licensure shall complete training in identifying victims of human trafficking that meets the following standards:

(a) Training content shall cover all of the following:

(i) Understanding the types and venues of human trafficking in Michigan or the United States.

- (ii) Identifying victims of human trafficking in health care settings.
 - (iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.
 - (iv) Resources for reporting the suspected victims of human trafficking.
- (b) Acceptable providers or methods of training include any of the following:
- (i) Training offered by a nationally recognized or state-recognized, health-related organization.
 - (ii) Training offered by, or in conjunction with, a state or federal agency.
 - (iii) Training obtained in an educational program that has been approved by the board for initial licensure, or by a college or university.
 - (iv) Reading an article related to the identification of victims of human trafficking that meets the requirements of subrule (1)(a) of this rule and is published in a peer review journal, health care journal, or professional or scientific journal.
- (c) Acceptable modalities of training may include any of the following:
- (i) Teleconference or webinar.
 - (ii) Online presentation.
 - (iii) Live presentation.
 - (iv) Printed or electronic media.
- (2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:
- (a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.
 - (b) A self-certification statement by an individual. The certification statement shall include the individual's name and either of the following:
 - (i) For training completed pursuant to subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.
 - (ii) For training completed pursuant to subrule (1)(b)(iv) of this rule, the title of article, author, publication name of peer review journal, health care journal, or professional or scientific journal, and date, volume, and issue of publication, as applicable.
- (3) Pursuant to section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply to license renewals beginning with the first renewal cycle after the promulgation of this rule and for initial licenses issued 5 or more years after the promulgation of this rule.

History: 2016 MR 6, Eff, March 17, 2016.

R 338.1752 Application requirements; licensure by examination.

Rule 2. (1) An applicant for a professional counselor license shall submit a completed application on a form provided by the department, together with the requisite fee, and the professional disclosure statement required under the code. In addition to meeting the requirements of the code and administrative rules, an applicant shall meet the requirements of this rule.

(2) An applicant shall have received a master's or doctoral degree in counseling or student personnel work in a program approved by the board.

(3) In addition to meeting the requirements of subrule (2) of this rule, an applicant, after receiving the degree, shall meet both of the following requirements:

(a) Have engaged in the practice of counseling under section 18101(d) of the code, which practice involved an opportunity to work with a broad range of the population and which was conducted in an organized education, business, health, private practice, or human services setting under the supervision of a licensed professional counselor for either of the following periods of time, as applicable:

(i) For an applicant who has received a master's degree in counseling or student personnel work, not less than 3,000 hours accrued in not less than a 2-year period, with not less than 100 hours of regularly scheduled supervision accrued in the immediate physical presence of the supervisor. The supervision begins upon the issuance of the limited license and continues until the licensed professional counselor license is issued.

(ii) For an applicant who has completed 30 semester hours or 45 quarter hours of graduate study in counseling beyond the master's degree in counseling or student personnel work, not less than 1,500 hours accrued over not less than a 1-year period, with not less than 50 hours of regularly scheduled supervision accrued in the immediate physical presence of the supervisor. The supervision begins upon the issuance of the limited license and continues until the licensed professional counselor license is issued.

(b) Have passed either of the following examinations with a passing score established by the testing organizations.

(i) The national counselor examination developed by the national board for certified counselors.

(ii) The certification examination developed and scored by the commission on rehabilitation counselor certification.

(4) For practice experience gained in Michigan, an applicant shall have held a limited license pursuant to the provisions of R 338.1754 while accruing the experience.

History: 1991 AACCS; 1993 AACCS; 1995 AACCS; 2003 AACCS; 2012 AACCS.

R 338.1752a Examination adoption.

Rule 2a. (1) The board approves and adopts the national counselor examination developed by the national board for certified counselors. The passing score for the national counselor examination is the passing score established by the national board for certified counselors.

(2) The board approves and adopts the certification examination developed by the commission on rehabilitation counselor certification. The passing score on the certification examination shall be the passing score established by the commission on rehabilitation counselor certification.

History: 1993 AACCS; 2012 AACCS.

R 338.1753 Counselor training programs; approval standards; adoption by reference.

Rule 3. (1) The board shall approve a counselor training program that is conducted in a higher education institution that meets the standards in R 338.1753a and complies with 1 of the following:

(a) The program consists of not less than 48 semester hours or 72 quarter hours in counseling-related topics.

(b) The program meets the 2009 standards of the council for accreditation of counseling and related educational programs (cacrep) for accrediting master's-level counseling degree programs and doctoral-level counseling education and supervision programs, which the board adopts by

reference as set forth in the document entitled “Council for Accreditation of Counseling and Related Educational Programs (CACREP), 2009 Standards.” The board shall consider any master’s-level counseling degree program and any doctoral-level counseling education and supervision program that are accredited by cacrep as a counseling program approved by the board. Copies of the 2009 cacrep standards are available for inspection and distribution at cost from the Board of Counseling, Bureau of Health Professions, Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909. Copies of the standards are available at no cost from the website for the Council for Accreditation of Counseling and Related Educational Programs at <http://www.cacrep.org>.

(c) The program meets the 2001 standards of the council for accreditation of counseling and related educational programs (cacrep) for accrediting master’s-level counseling degree programs and doctoral-level counseling education and supervision programs, which the board adopts by reference as set forth in the document entitled “Council for Accreditation of Counseling and Related Educational Programs (CACREP), 2001 Standards.” The board shall consider any master’s-level counseling degree program and any doctoral-level counseling education and supervision program that are accredited by cacrep as a counseling program approved by the board. Copies of the 2001 cacrep standards are available for inspection and distribution at cost from the Board of Counseling, Bureau of Health Professions, Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909. Copies of the standards are available at no cost from the website for the Council for Accreditation of Counseling and Related Educational Programs at <http://www.cacrep.org>.

(d) The program meets the standards for accrediting rehabilitation counselor education programs of the council on rehabilitation education, which the board adopts by reference as set forth in the document entitled “Council on Rehabilitation Education (CORE) Accreditation Manual,” 2009 edition with revised standards effective January 1, 2011. The board shall consider any rehabilitation counselor education program that is accredited by core as a program approved by the board. Copies of core’s standards for accrediting rehabilitation counselor education programs are available for inspection and distribution at cost from the Board of Counseling, Bureau of Health Professions, Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909, or from the Council on Rehabilitation Education, 300 N. Martingale Road, Suit 460, Schaumburg, IL 60173 at no cost from the council’s website at <http://www.core-rehab.org>.

(2) The program shall include graduate course work in all of the following content areas:

- (a) Career development.
- (b) Consulting.
- (c) Counseling techniques.
- (d) Counseling theories.
- (e) Counseling philosophy.
- (f) Group techniques.
- (g) Professional ethics.
- (h) Research methodology.
- (i) Multicultural counseling.
- (j) Testing procedures and assessment.
- (k) Practicum.

(3) The program shall include an internship that consists of not less than 600 hours of supervised clinical experience in counseling.

History: 1991 AACCS; 1993 AACCS; 2003 AACCS; 2012 AACCS.

R 338.1753a Accreditation standards; higher education institutions; adoption by reference.

Rule 3a. (1) A higher education institution is considered approved by the board if it is accredited by the accrediting body of the region in which the institution is located and the accrediting body meets either the recognition standards and criteria of the council for higher education accreditation or the recognition procedures and criteria of the U.S. department of education. The board adopts by reference the procedures and criteria for recognizing accrediting agencies of the U. S. department of education, effective July 1, 2000, as contained in Title 34, Part 602 of the Code of Federal Regulations, and the policies and procedures for recognition of accrediting organizations of the council for higher education accreditation (chea), effective June 28, 2010. Copies of the standards and criteria of the council for higher education accreditation and the U.S. department of education are available for inspection and distribution at cost from the Board of Counseling, Bureau of Health Professions, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909. The chea recognition standards may also be obtained at no cost from the council's website at <http://www.chea.org>. The federal recognition criteria may also be obtained at no cost from website for the U.S. Department of Education Office of Postsecondary Education, at <http://www.ed.gov/about/offices/list/OPE/index.html>.

(2) The board adopts by reference the standards of the following postsecondary accrediting organizations, which are available for inspection and distribution at cost from the Board of Counseling, Bureau of Health Professions, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909. Copies of the following standards may be obtained from the individual accrediting organization at the identified cost:

(a) The standards of the Middle States Association of Colleges and Schools Commission on Higher Education, 3624 Market Street, Philadelphia, PA 19104, set forth in the document entitled "Characteristics of Excellence in Higher Education: Eligibility Requirements and Standards for Accreditation," 2009 edition, which is available free of charge on the association's website at <http://www.msche.org>.

(b) The standards of the New England Association of Schools and Colleges, Inc. Commission on Institutions of Higher Education, 209 Burlington Road, Bedford, MA 07130, in the document entitled "Standards for Accreditation," 2005 edition, which is available at no cost on the association's website at <http://www.neasc.org>.

(c) The standards of the North Central Association of Colleges and Schools, The Higher Learning Commission, 30 North LaSalle Street, Suite 2400, Chicago, IL 60602, set forth in the document entitled "Handbook of Accreditation," Third Edition, which is available for no cost on the association's website <http://www.ncahigherlearningcommission.org>.

(d) The standards of the Northwest Commission on Colleges and Universities, 8060 165th Avenue NE, Suite 100, Redmond, WA 98052 set forth in the document entitled "Accreditation Handbook," 2003 edition, updated June 23, 2008, and "Revised Accreditation Standards 2010" which are available at no cost on the association's website at <http://www.nwccu.org>.

(e) The standards of the Southern Association of Colleges and Schools, Commission on Colleges, 1866 Southern Lane, Decatur, Georgia 30033, set forth in the document entitled "Principles of Accreditation: Foundations for Quality Enhancement," 2010 Edition, which is available at no cost on the association's website at <http://www.sacscoc.org>.

(f) The standards of the Western Association of Schools and Colleges, The Accrediting Commission for Senior Colleges and Universities, 985 Atlantic Avenue, Suite 100, Alameda, CA 94501, set forth in the document entitled "Handbook of Accreditation," October 2008, which is available at no cost on the commission's website at <http://www.wascsenior.org>.

(g) The standards of the Western Association of Schools and Colleges, Accrediting Commission for Community and Junior Colleges, 10 Commercial Blvd., Suite 204, Novato, CA 94949 set forth in the document entitled "Accreditation Reference Handbook," August 2009, which is available at no cost on the commission's website at <http://www.accjc.org>.

History: 2012 AACCS.

R 338.1753b Application requirements; licensure by endorsement.

Rule 3b. (1) In addition to meeting the requirements of the code and administrative rules, an applicant for a professional counselor license by endorsement shall submit a completed application on a form provided by the department, together with the requisite fee.

(2) If an applicant was licensed in another state and has been engaged in the practice of counseling for a minimum of 5 years before the date of filing an application for Michigan licensure, then it is presumed that the applicant meets the requirements of section 16186(1)(a) and (b) of the code. In addition, an applicant shall meet both of the following requirements:

(a) Submit a professional disclosure statement with an application for licensure, as required under section 18113(3) of the code.

(b) Provide for his or her license to be verified, on a form provided by the department, by the licensing agency of any state or territory of the United States in which the applicant holds a current license or ever held a license as a professional counselor. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

(3) If an applicant was licensed in another state or territory of the United States and has been engaged in the practice of counseling for less than 5 years before the date of filing an application for Michigan licensure, then the applicant shall comply with the requirements for licensure by examination, as specified in R 338.1752, and shall meet both of the following requirements:

(a) Submit a professional disclosure statement with an application for licensure, as required under section 18113(3) of the code.

(b) Provide for his or her license to be verified, on a form provided by the department, by the licensing agency of any state or territory of the United States in which the applicant holds a current license or ever held a license as a professional counselor. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

History: 2012 AACCS.

R 338.1753c Application requirements; relicensure of licensed professional counselor.

Rule 3c. (1) An applicant for relicensure as a licensed professional counselor shall submit a completed application on a form provided by the department, together with the requisite fee. An applicant shall also comply with either of the following:

(a) If the license was lapsed for less than 3 years, an applicant shall comply with both of the following:

(i) Submit a professional disclosure statement with an application for licensure, as required under section 18113(3) of the code.

(ii) Provide for his or her license to be verified, on a form provided by the department, by the licensing agency of any state or territory of the United States in which the applicant holds a current license or ever held a license as a professional counselor. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

(b) If the license was lapsed for 3 or more years, an applicant shall submit a professional disclosure statement with his or her application for licensure, as required under section 18113(3) of the code, and shall do either of the following:

(i) Retake and pass either the national counselor examination developed by the national board for certified counselors or the certification examination given by the commission on rehabilitation counselor certification.

(ii) Submit evidence of current certification issued by the national board for certified counselors or the commission on rehabilitation counselor certification.

(2) If an applicant was originally licensed as a counselor based on the applicant having received a master's or doctoral degree in counseling or student personnel work that was conferred before October 1, 1991, and the applicant completed 2 years of professional experience before October 1, 1993, the applicant shall comply with both of the following:

(a) Submit an updated professional disclosure statement with an application for licensure, as required under section 18113(3) of the code.

(b) Provide for his or her license to be verified, on a form provided by the department, by the licensing agency of any state or territory of the United States in which the applicant holds a current license or ever held a license as a professional counselor. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

History: 2012 AACCS.

R 338.1754 Application requirements; limited licenses; disclosure of supervision requirement.

Rule 4. (1) An applicant for licensure as a limited licensed professional counselor shall submit a completed application on a form provided by the department, together with the requisite fee, and the professional disclosure statement required under the code. In addition to meeting the requirements of the code and the administrative rules promulgated pursuant thereto, an applicant shall meet the requirements of this rule.

(2) An applicant for a limited license under section 18111 of the code shall establish that the applicant has received a master's or doctoral degree in counseling or student personnel work in a program approved by the board, as specified in R 338.1753.

(3) An applicant shall submit a professional disclosure statement with an application for a limited license, as required under section 18113(3) of the code. The limited licensed professional counselor's professional disclosure statement when provided to the client shall state that the limited licensed professional counselor shall practice under the supervision of a licensed professional counselor. In addition to the requirements under section 18113 of the code, the disclosure statement shall identify the licensed professional counselor who is supervising the limited licensed professional counselor's practice.

(4) An applicant shall provide for his or her license to be verified, on a form provided by the department, by the licensing agency of any state or territory of the United States in which the applicant holds a current license or ever held a license as a professional counselor. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

(5) Effective January 1, 2012, a limited license may be renewed annually, but for no more than 10 years. In cases of hardship, the board may consider a request for an extension of this time period.

History: 1991 AACCS; 1995 AACCS; 2012 AACCS.

R 338.1755 Application requirements; relicensure limited licensed professional counselor.

Rule 5. An applicant for relicensure as a limited licensed professional counselor shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and administrative rules promulgated under the code, an applicant shall satisfy both of the following requirements:

(a) Submit a professional disclosure statement with an application for licensure, as required under section 18113(3) of the code.

(b) Provide for his or her license to be verified, on a form provided by the department, by the licensing agency of any state or territory of the United States in which the applicant holds a current license or ever held a license as a professional counselor. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

History: 2012 AACCS.

R 338.1756 Rescinded.

History: 1995 AACCS; 2003 AACCS; 2012 AACCS.

R 338.1757 Requirements to provide counseling supervision.

Rule 7. (1) Before providing counseling supervision, a licensed professional counselor shall comply with 1 of the following:

(a) For licensed individuals who were providing supervision on or before January 1, 2013, have training in the function of counseling supervision and have acquired at least 3 years of experience in counseling.

(b) For licensed individuals who began providing supervision after January 1, 2013, have acquired at least 3 years of practice in counseling and have completed training in the function of counseling supervision that complies with the requirements of subrule (2) of this rule.

(2) Training in the function of counseling supervision shall include both of the following requirements:

(a) Include 1 of the following as specialized training:

(i) 2 semester hours of graduate credit in training in counseling supervision.

(ii) 30 contact hours of workshop training in counseling supervision.

(b) The specialized training specified in subrule (2)(a) of this rule shall include studies in all of the following topics:

- (i) Roles and functions of counseling supervisors.
- (ii) Models of counseling supervision.
- (iii) Mental health-related development.
- (iv) Methods and techniques in counseling supervision.
- (v) Supervisory relationship issues.
- (vi) Cultural issues in supervision.
- (vii) Group supervision.
- (viii) Legal and ethical issues in counseling supervision.
- (ix) Evaluation of supervisee and the supervision process.

(3) Before the onset of supervision, a licensed professional counselor shall provide a supervisee with a written statement that addresses the licensee's supervising qualifications, including how the licensee complies with the requirements in subrules (1) and (2) of this rule.

(4) A licensee who provides counseling supervision shall keep ongoing documentation, including, but not limited to, performance and clinical notes, for each supervisee on the supervision being provided.

History: 2012 AACCS.