

Title: 17 BUSINESS, OCCUPATIONS, AND PROFESSIONALS

Chapter: 17-91
GRADUATE PROFESSIONAL COUNSELOR

9100 GENERAL PROVISIONS

- 9100.1 This chapter shall apply to applicants for and holders of a license to practice as a graduate professional counselor.
- 9100.2 Chapters 40 (Health Occupations: General Rules) and 41 (Health Occupations: Administrative Procedures) of this title shall supplement this chapter.

SOURCE: Final Rulemaking published at 61 DCR 6819 (July 4, 2014).

9101 TERM OF LICENSE

- 9101.1 A license issued pursuant to this chapter shall be valid for no greater than five (5) years from the date of issuance provided that the period may be extended for good cause shown. The license shall expire at 12:00 midnight on the date of expiration.

SOURCE: Final Rulemaking published at 61 DCR 6819 (July 4, 2014).

9102 TRANSITION FROM LICENSURE AS A GRADUATE PROFESSIONAL COUNSELOR TO PROFESSIONAL COUNSELOR

- 9102.1 A graduate professional counselor pursuing licensure as a professional counselor shall furnish proof satisfactory to the Board that he or she has completed the following:
- (a) At least three thousand five hundred (3,500) hours of post-Master's or postdoctoral experience pursuant to 17 DCMR § 6603.1(b);
 - (b) Sixty (60) graduate semester hours of a counseling program as set forth at to 17 DCMR § 6602.2(a); and
 - (c) Licensure as a graduate professional counselor or its substantial equivalent.

- 9102.2 If an applicant for licensure as a professional counselor does not meet the requirements of § 9102.1(a) and the applicant elects to complete his or her supervised practice requirements in the District of Columbia, the applicant shall first obtain licensure as a graduate professional counselor or its equivalent and work under the immediate and direct supervision of a professional counselor, psychologist, psychiatrist, or independent social worker, who is licensed in the District of Columbia under the Act.

SOURCE: Final Rulemaking published at 61 DCR 6819 (July 4, 2014).

9103 EDUCATIONAL REQUIREMENTS

- 9103.1 Except as otherwise provided in this chapter, an applicant for a license shall furnish proof satisfactory to the Board, in accordance with § 710 of the Act, D.C. Official Code § 3-1207.10, of the following:

- (a) That the applicant has received a Master's degree or higher from an institution of higher education which was accredited, at the time the degree was conferred, by an accrediting body recognized by the Secretary of the United States Department of Education, the Council on Postsecondary Accreditation, or its successor;
- (b) That the Master's program is accredited by the Council for Accreditation of Counseling and Related Educational Programs (CACREP) or is deemed by the board to be substantially equivalent to a CACREP approved program; and
- (c) That the applicant has completed a minimum of forty-eight (48) semester hours or the equivalent number of quarter or trimester hours converted into semester hours in counseling or related field of study after earning a bachelor's degree.

- 9103.2 For the purpose of meeting the requirements of § 9103.1, the following shall apply:

- (a) All courses earned in a graduate degree program in counseling shall be counted toward the required forty-eight (48) semester hours. Courses earned outside of a counseling degree program shall be evaluated individually by the Board.
- (b) The fields of study related to counseling that are acceptable to the Board include:

- (1) Social science;
- (2) Psychology;
- (3) Social work;
- (4) Human service;
- (5) Behavioral science;
- (6) Psychiatric nursing;
- (7) Rehabilitation counseling;
- (8) Family counseling;
- (9) Individual and family development;
- (10) Student counseling and personnel service;
- (11) Mental health and human service;
- (12) Addiction;
- (13) Family and community service; and
- (14) Creative arts therapy.

9103.3 In order to obtain credit for the courses, the content of an applicant's degree program and courses shall include, at a minimum, the following:

- (a) Counseling theory and practice;
- (b) Human growth and development;
- (c) Lifestyle and career development;
- (d) Group counseling;
- (e) Appraisal, assessment, and testing of individuals;
- (f) Principles of etiology, diagnosis, treatment planning, and prevention of mental and emotional disorders and dysfunctional behavior;
- (g) Social and cultural foundations including multicultural counseling;

- (h) Marriage and family counseling;
- (i) Research and program evaluation;
- (j) Professional orientation and ethics; and
- (k) Counseling practicum or internship.

9103.4 An applicant shall submit to the Board, along with the completed application, certified transcripts of the applicant's educational records from each educational institution from which credits were earned that are relevant to the licensure application. Transcripts shall only be accepted if they are mailed directly by the educational institution from which credits were earned.

9103.5 The applicant shall provide the Board with course descriptions detailing the subject matter of the courses listed on the applicant's certified transcript if the subject matter of the courses differs from those listed in Subsection 9103.2.

SOURCE: Final Rulemaking published at 61 DCR 6819 (July 4, 2014).

9104 WAIVER OF EDUCATIONAL AND EXPERIENTIAL REQUIREMENTS FOR LICENSURE

9104.1 The Board shall waive the educational requirements of § 9102.1(b) and the supervised experience requirements of § 9105 provided that:

- (a) The applicant has received a Master's degree on or before the date these regulations have been published as final rulemaking; or
- (b) The applicant is currently enrolled in a Master's program at the time of publication of these regulations as final rulemaking; and
- (c) An application for licensure is submitted within one (1) year from the date these regulations have been published as final rulemaking.

SOURCE: Final Rulemaking published at 61 DCR 6819 (July 4, 2014).

9105 SUPERVISED EXPERIENCE REQUIREMENTS

- 9105.1 An applicant for a license shall furnish proof satisfactory to the Board that he or she has completed, in a university-approved counseling setting, a one hundred (100) hour face-to-face supervised practicum followed by a six hundred (600) hour face to face supervised internship.
- 9105.2 Pursuant to § 9105.1, at least forty (40) hours of the one hundred (100) hours of supervised practicum shall be in the form of direct service to clients.
- 9105.3 Pursuant to § 9105.2, an applicant shall have acquired at least one (1) hour per week of individual or triadic face-to-face supervision provided by a program faculty member, student supervisor, or a site supervisor working in biweekly consultation with a program faculty member in accordance with a supervision contract.
- 9105.4 In addition to individual or triadic supervision, the applicant shall receive one and one-half (1.5) hours per week of group supervision during the practicum by a program faculty member or a student supervisor.
- 9105.5 Pursuant to § 9105.1, at least two hundred forty (240) hours of the six hundred (600) hours of supervised internship shall be in direct service to clients.
- 9105.6 Pursuant to § 9105.5, one (1) hour per week of individual or triadic face-to-face supervision shall be provided to the applicant by an on-site supervisor and one and one-half (1.5) hours per week of group supervision shall be provided by a program faculty member.
- 9105.7 A graduate professional counselor under supervision shall identify himself or herself as such at all times when practicing professional counseling.
- 9105.8 A supervisor or supervisee shall within two (2) weeks of commencing supervision submit to the Board a supervised practice form which supplies the Board with the following information:
- (a) The supervisor's name, address, state of licensure, and license number;
 - (b) The supervisee's name;
 - (c) The expected period of supervision (start and ending dates); and
 - (d) The nature and location of the supervision.
- 9105.9 Only a licensed professional counselor may engage in independent practice. A graduate professional counselor shall not engage in independent practice. For purposes of the section "independent practice" means:

- (a) Rendering counseling services on his or her own responsibility, free of the administrative and professional control of an employer or clinical supervisor;
- (b) Directly collecting fees from a client, or his or her representative, as the payor, for services rendered where the counselor is the payee; or
- (c) Maintaining an office or office space at his or her own expense with advertising to the public that conveys information or the idea that the counselor is not affiliated with a licensed health professional who provides supervision.

SOURCE: Final Rulemaking published at 61 DCR 6819 (July 4, 2014); as amended by Final Rulemaking published at 62 DCR 12530 (September 18, 2015).

9106 APPLICANTS EDUCATED IN FOREIGN COUNTRIES

9106.1 The Board may grant a license to practice professional counseling to an applicant who completed an educational program in a college or university in a foreign country which is not accredited in accordance with § 9103 if the applicant meets the following requirements:

- (a) Meets all requirements of this chapter except for § 9103.1; and
- (b) Demonstrates to the satisfaction of the Board that the applicant's education and training are substantially equivalent to the requirements of this chapter and the Act in ensuring that the applicant is qualified to practice professional counseling by submitting the documentation required by Subsection 9106.2 of this section.

9106.2 An applicant under this section shall, in lieu of meeting the requirements of § 9103.1, submit one of the following:

- (a) Proof satisfactory to the Board that the applicant has received a master's degree or higher from a foreign institution which was accredited, at the time the degree was conferred, by an accrediting body recognized by the national government of the country in which the institution is located; or
- (b) A certification from a private education evaluation service approved by the Board that the applicant's foreign education is substantially equivalent to the education provided in an accredited program.

- 9106.3 The Board may interview an applicant under this section to determine whether the applicant's education or training meets the requirements of the Act and this chapter.
- 9106.4 If a document required by this chapter is in a language other than English, an applicant shall arrange for its translation into English by a translation service acceptable to the Board and shall submit a translation signed by the translator attesting to its accuracy.

SOURCE: Final Rulemaking published at 61 DCR 6819 (July 4, 2014).

9107 NATIONAL EXAMINATION

- 9107.1 To qualify for a license, an applicant shall receive a score on the National Counselor Examination designated by the National Board for Certified Counselors as a passing score for that administration of the National Counselor Examination.
- 9107.2 An applicant who, prior to applying for a license, has taken and passed an examination administered by a professional counselor licensure board in another jurisdiction in the United States, by the Commission for Certified Rehabilitation Counselors, or by the National Academy of Certified Mental Health Counselors (now a specialty within the National Board for Certified Counselors), will not be required to take the National Counselor Examination. An applicant relying on an alternative examination shall submit to the Board the applicant's examination results which have been certified or validated by the entity that administered the examination.

SOURCE: Final Rulemaking published at 61 DCR 6819 (July 4, 2014).

9108 LICENSED GRADUATE PROFESSIONAL COUNSELOR PRACTICE

- 9108.1 A licensed graduate professional counselor shall only practice under the general and immediate supervision of a professional counselor, psychologist, psychiatrist, or independent clinical social worker licensed in the District of Columbia under the Act.
- 9108.2 A person who has been denied a license or disciplined in the District of Columbia or other jurisdiction in the United States shall not practice pursuant to this section unless authorized by the Board in writing to do so.

9108.3 A supervisor shall be responsible for all supervised practice by a graduate during the period of supervision, and is subject to disciplinary action for any violation of the Act or this chapter by the graduate.

9108.4 A graduate professional counselor shall be subject to disciplinary action for any violation of the Act or this chapter. The Board may deny an application for a license by a graduate who is found to have violated the Act or this chapter, in accordance with Chapter 41 of this title.

SOURCE: Final Rulemaking published at 61 DCR 6819 (July 4, 2014).

9109 [RESERVED]

SOURCE: Final Rulemaking published at 61 DCR 6819 (July 4, 2014).

9110 [RESERVED]

SOURCE: Final Rulemaking published at 61 DCR 6819 (July 4, 2014).

9111 STANDARDS OF CONDUCT

9111.1 Graduate professional counselors shall not discriminate against clients because of age, color, culture, disability, ethnic group, gender, race, religion, sexual orientation, marital status, or socioeconomic status.

9111.2 Graduate professional counselors shall inform clients, preferably in writing, regarding the counseling process and counseling relationship at or before the time counseling begins and throughout the relationship.

9111.3 Graduate professional counselors shall make every effort to avoid dual relationship with clients that could impair their professional judgment or increase the risk of harm to clients. When a dual relationship cannot be avoided, graduate professional counselors shall take appropriate steps to ensure that their judgment is not impaired and that no exploitation occurs.

9111.4 Graduate professional counselors shall not engage in any type of sexual intimacies with current clients and shall not engage in sexual intimacies with former clients within a minimum of two years after terminating the counseling relationship. Graduate professional counselors who engage in such a relationship

after two years following termination shall have the responsibility to thoroughly examine and document that such relations did not have an exploitative nature.

- 9111.5 Graduate professional counselors shall take reasonable precautions to protect clients from physical or psychological trauma resulting from interactions during group work.
- 9111.6 Graduate professional counselors shall explain to clients, prior to their entering the counseling relationship, financial arrangements related to professional services.
- 9111.7 Graduate professional counselors shall assist in making appropriate arrangements for the continuation of treatment of clients, when necessary, following termination of counseling relationship.
- 9111.8 Graduate professional counselors shall avoid entering or immediately terminate a counseling relationship if it is determined that they are unable to be of professional assistance to a client. The counselors shall assist in making an appropriate referral to the client.
- 9111.9 Graduate professional counselors shall keep information related to counseling services confidential unless disclosure is in the best interest of clients, is required for the welfare of others, or is required by law.
- 9111.10 Graduate professional counselors shall take measures to ensure that subordinates maintain client privacy and confidentiality.
- 9111.11 Graduate professional counselors shall not disclose information about one family member in counseling to another family member without prior consent.
- 9111.12 Graduate professional counselors shall maintain appropriate confidentiality in creating, storing, accessing, transferring and disposing of counseling records.
- 9111.13 Graduate professional counselors shall obtain prior consent from clients in order to electronically record or observe sessions.
- 9111.14 Except as provided in § 9109.9, graduate professional counselors shall obtain client consent to disclose or transfer records to third parties.
- 9111.15 Graduate professional counselors shall disguise the identity of the client when using data for training, research or publication.
- 9111.16 Graduate professional counselors shall practice only within the boundaries of their competence.

- 9111.17 Graduate professional counselors shall engage in continuing education to maintain their professional competence.
- 9111.18 Graduate professional counselors shall refrain from offering professional services when their personal problems or conflicts may cause harm to a client or others.
- 9111.19 Graduate professional counselors shall accurately represent their credentials and services when advertising.
- 9111.20 Graduate professional counselors shall claim or imply only professional credentials possessed and shall correct any known misrepresentation of their credentials by others.
- 9111.21 Graduate professional counselors shall not engage in sexual harassment.
- 9111.22 With the consent of the client, graduate professional counselors shall inform other mental health professionals serving the same client that a counseling relationship between the counselor and client exists.
- 9111.23 Graduate professional counselors shall alert their employers when the employer's institutional policies may be potentially disruptive or damaging to counselors' professional responsibilities or that may limit their effectiveness or deny clients' rights.
- 9111.24 Graduate professional counselors shall select competent staff and shall assign responsibilities compatible with staff skills and experiences.
- 9111.25 Graduate professional counselors shall not engage in exploitative relationships with individuals over whom they have supervisory, evaluative, or instructional control or authority.
- 9111.26 Graduate professional counselors shall not accept fees or other remuneration for consultation with persons entitled to such services through the counselors' employing agency or institution.
- 9111.27 Graduate professional counselors shall not accept referral fees.
- 9111.28 Graduate professional counselors shall perform only testing and assessment services for which they are competent.
- 9111.29 Graduate professional counselors shall not allow the use of psychological assessment techniques by unqualified persons under their supervision.
- 9111.30 Graduate professional counselors shall use assessment instruments in the manner for which they were intended.

- 9111.31 Graduate professional counselors shall provide explanations to clients prior to assessment about the nature and purposes of assessment and the specific uses of results.
- 9111.32 Graduate professional counselors shall ensure that accurate and appropriate interpretations accompany any release of testing and assessment information.
- 9111.33 Graduate professional counselors shall not base their assessment or intervention decisions or recommendations on data or test results that are obsolete or outdated for the current purpose.
- 9111.34 Graduate professional counselors shall give credit to students or supervisees for their contributions to research and scholarly projects.
- 9111.35 Graduate professional counselors who offer clinical supervision services shall be trained and prepared in supervision methods and techniques.
- 9111.36 Graduate professional counselors shall clearly state to students and supervisees in advance of training, the levels of competency expected, appraisal methods, and timing of evaluations. Graduate professional counselors shall provide students and supervisees periodic performance appraisals and evaluation feedback throughout the training program.
- 9111.37 Graduate professional counselors shall make every effort to ensure that the rights of peers are not violated when students and supervisees are assigned to lead counseling groups or provide clinical supervision.
- 9111.38 Graduate professional counselors shall assist students and supervisees in securing remedial assistance, when needed, and shall dismiss from the training program students and supervisees who are unable to provide competent services due to academic or personal limitations.
- 9111.39 Graduate professional counselors who lead experiential trainings for students or supervisees shall not be influenced by the students' and supervisees' self disclosure when assigning grades.
- 9111.40 Students and supervisees preparing to become graduate professional counselors shall adhere to the American Counseling Association's Code of Ethics and the Standards of Practice of counselors.
- 9111.41 Graduate professional counselors shall avoid causing physical, social or psychological harm or injury to subjects of research.
- 9111.42 Graduate professional counselors shall keep confidential information obtained about research participants.

- 9111.43 Graduate professional counselors shall report all variables and conditions known to the investigators that may affect research data or outcomes.
- 9111.44 Graduate professional counselors shall not distort or misrepresent research data or fabricate or intentionally bias research results.
- 9111.45 Graduate professional counselors shall give appropriate credit to those who have contributed to research and publications.
- 9111.46 Graduate professional counselors shall take appropriate action when they reasonably believe that counselors or other mental health professionals are acting in an unethical manner.
- 9111.47 Graduate professional counselors shall not initiate, participate in, or encourage the filing of ethical complaints that are unwarranted, or intended to harm a mental health professional rather than to protect clients or the public.
- 9111.48 A licensee, student or graduate practicing professional counseling pursuant to this chapter shall adhere to the standards set forth in the most recent edition of the Code of Ethics as published by the American Counseling Association.

SOURCE: Final Rulemaking published at 61 DCR 6819 (July 4, 2014); as amended by Final Rulemaking published at 62 DCR 12530 (September 18, 2015).

9199 DEFINITIONS

- 9199.1 When used in these regulations, the following terms shall have the following meanings ascribed:

Act – 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 *et seq.*), as amended.

Face-to-face supervision – supervision that is live, interactive, and visual. Video supervision is permitted as long as the session is synchronous (real time) and involves verbal and visual interaction during the supervision.

General supervision – supervision in which the supervisor is available to the person supervised, either in person or by a communications device.

Graduate professional counselor - a person licensed under the Act to practice as a graduate professional counselor.

Immediate supervision – supervision in which the supervisor is physically present with the person supervised and either discussing or observing the person's practice.

Practice of professional counseling – means engaging in counseling or psychotherapy activities, including cognitive behavioral therapy or other modality, with or without compensation, to facilitate human development and to identify and remediate mental, emotional, or behavioral conditions and associated difficulties that interfere with mental health and wellness. The practice of professional counseling includes: the processes of conducting interviews, tests, and other forms of assessment for the purpose of diagnosing individuals, families, and groups, as outlined in the Diagnostic and Statistical Manual of Disorders or other appropriate classification schemes, and determining treatment goals and objectives; and assisting individuals, families, and groups through a professional relationship to achieve long-term effective mental, emotional, physical, spiritual, social, educational, or career development and adjustment.

Triadic supervision – supervision composed of a supervisor and two (2) counseling students.

SOURCE: Final Rulemaking published at 61 DCR 6819 (July 4, 2014).