



SENATE BILL No. 617

May 5, 1993, Introduced by Senators PRIDNIA, DILLINGHAM, MC MANUS, GOUGEON, EMMONS, DUNASKISS, CISKY, EHLERS, HOFFMAN, POLLACK, KELLY, KOIVISTO and O'BRIEN and referred to the Committee on Health Policy.

A bill to amend sections 16131 and 16263 of Act No. 368 of the Public Acts of 1978, entitled as amended "Public health code," section 16131 as amended by Act No. 473 of the Public Acts of 1988 and section 16263 as amended by Act No. 216 of the Public Acts of 1990, being sections 333.16131 and 333.16263 of the Michigan Compiled Laws; to add parts 169 and 185; and to repeal certain acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 16131 and 16263 of Act No. 368 of the
2 Public Acts of 1978, section 16131 as amended by Act No. 473 of
3 the Public Acts of 1988 and section 16263 as amended by Act
4 No. 216 of the Public Acts of 1990, being sections 333.16131 and
5 333.16263 of the Michigan Compiled Laws, are amended and parts
6 169 and 185 are added to read as follows:

1 Sec. 16131. The terms of office of individual members of
 2 the council or the boards and task forces, except those appointed
 3 to fill vacancies, shall expire 4 years after appointment as
 4 follows:

5	Nursing	June 30
6	Optometry	June 30
7	Pharmacy	June 30
8	Podiatric medicine and surgery	June 30
9	Dentistry	June 30
10	Chiropractic	December 31
11	Counseling	June 30
12	Health occupations council	December 31
13	MARRIAGE AND FAMILY THERAPY	JUNE 30
14	Medicine	December 31
15	Occupational therapists	December 31
16	Osteopathic medicine and surgery	December 31
17	Physical therapy	December 31
18	Psychology	December 31
19	Sanitaricians	December 31
20	SOCIAL WORK	JUNE 30
21	Veterinary medicine	December 31

22 Sec. 16263. (1) Except as provided in subsection (2), the
 23 following words, titles, or letters or a combination thereof,
 24 with or without qualifying words or phrases, are restricted in
 25 use only to those persons authorized under this article to use
 26 the terms and in a way prescribed in this article:

- 1 (a) "Chiropractic", "doctor of chiropractic",
2 "chiropractor", "d.c.", and "chiropractic physician".
- 3 (b) "Dentist", "doctor of dental surgery", "oral and maxil-
4 lofacial surgeon", "orthodontist", "prosthodontist",
5 "periodontist", "endodontist", "oral pathologist", "pediatric
6 dentist", "dental hygienist", "registered dental hygienist",
7 "dental assistant", "registered dental assistant", "R.D.A.",
8 "d.d.s.", "d.m.d.", and "r.d.h."
- 9 (c) "Doctor of medicine" and "m.d."
- 10 (d) "Physician's assistant" and "p.a."
- 11 (e) "Registered professional nurse", "registered nurse",
12 "r.n.", "licensed practical nurse", "l.p.n.", "nurse midwife",
13 "nurse anesthetist", "nurse practitioner", "trained attendant",
14 and "t.a."
- 15 (f) "Doctor of optometry", "optometrist", and "o.d."
- 16 (g) "Osteopath", "osteopathy", "osteopathic practitioner",
17 "doctor of osteopathy", "diplomate in osteopathy", and "d.o."
- 18 (h) "Pharmacy", "pharmacist", "apothecary", "drugstore",
19 "druggist", "medicine store", "prescriptions", and "r.ph."
- 20 (i) "Physical therapy", "physical therapist",
21 "physiotherapist", "registered physical therapist", "licensed
22 physical therapist", "physical therapy technician", "p.t.",
23 "r.p.t.", "l.p.t.", and "p.t.t."
- 24 (j) "Chiropodist", "chiropody", "chiropodical", "podiatry",
25 "podiatrist", "podiatric", "doctor of podiatric medicine", "foot
26 specialist", "podiatric physician and surgeon", and "d.p.m."

- 1 (k) "Consulting psychologist", "psychologist",
 2 "psychological assistant", and "psychological examiner",
 3 "licensed psychologist", and "limited licensed psychologist".
- 4 (l) "Licensed professional counselor", "licensed counselor",
 5 "professional counselor", and "l.p.c.".
- 6 (m) "Sanitarian", "registered sanitarian", and "r.s.".
- 7 (N) "SOCIAL WORKER", "SOCIAL WORK TECHNICIAN", "CERTIFIED
 8 SOCIAL WORKER", "S.W.", "S.W.T.", AND "C.S.W.".
- 9 (O) ~~(n)~~ "Veterinary", "veterinarian", "veterinary doctor",
 10 "veterinary surgeon", "doctor of veterinary medicine", "v.m.d.",
 11 "d.v.m.", "animal technician", or "animal technologist".
- 12 (P) ~~(e)~~ "Occupational therapist", "occupational therapist
 13 registered", "certified occupational therapist", "o.t.",
 14 "o.t.r.", "c.o.t.", "certified occupational therapy assistant",
 15 "occupational therapy assistant", or "c.o.t.a.".
- 16 (Q) "MARRIAGE ADVISOR" OR "MARRIAGE CONSULTANT"; "FAMILY
 17 COUNSELOR", "FAMILY ADVISOR", "FAMILY THERAPIST", OR "FAMILY
 18 CONSULTANT"; "FAMILY GUIDANCE COUNSELOR", "FAMILY GUIDANCE
 19 ADVISOR", OR "FAMILY GUIDANCE CONSULTANT"; "MARRIAGE GUIDANCE
 20 COUNSELOR", "MARRIAGE GUIDANCE ADVISOR", OR "MARRIAGE GUIDANCE
 21 CONSULTANT"; "FAMILY RELATIONS COUNSELOR"; "MARRIAGE RELATIONS
 22 COUNSELOR", "MARRIAGE RELATIONS ADVISOR", OR "MARRIAGE RELATIONS
 23 CONSULTANT"; "MARITAL COUNSELOR" OR "MARITAL THERAPIST"; "LIMITED
 24 LICENSED MARRIAGE AND FAMILY THERAPIST" OR "LIMITED LICENSED MAR-
 25 RIAGE COUNSELOR"; "LICENSED MARRIAGE AND FAMILY THERAPIST" OR
 26 "LICENSED MARRIAGE COUNSELOR"; AND "L.M.F.T.".

1 (2) Notwithstanding section 16261, a person who was
2 specially trained at an institution of higher education in this
3 state to assist a physician in the field of orthopedics and upon
4 completion of training, received a 2-year associate of science
5 degree as an orthopedic physician's assistant before January 1,
6 1977, may use the title "orthopedic physician's assistant"
7 whether or not the person is licensed under this article.

8 PART 169. MARRIAGE AND FAMILY THERAPY

9 SEC. 16901. (1) AS USED IN THIS PART:

10 (A) "ADVERTISE" MEANS ISSUING OR ORDERING THE PRINTING OR
11 DISTRIBUTION OF A CARD, SIGN, OR DEVICE OR CAUSING, PERMITTING,
12 OR ALLOWING A SIGN OR MARKING ON OR IN A BUILDING OR STRUCTURE,
13 OR PLACING MATERIAL IN A NEWSPAPER, MAGAZINE, OR DIRECTORY, OR ON
14 RADIO OR TELEVISION.

15 (B) "MARRIAGE AND FAMILY THERAPIST" MEANS AN INDIVIDUAL
16 LICENSED UNDER THIS PART TO ENGAGE IN THE PRACTICE OF MARRIAGE
17 AND FAMILY THERAPY.

18 (C) "PRACTICE OF MARRIAGE AND FAMILY THERAPY" MEANS THE PRO-
19 VIDING OF GUIDANCE, TESTING, DISCUSSIONS, THERAPY, INSTRUCTION,
20 OR ADVICE THAT IS INTENDED TO AVOID, ELIMINATE, RELIEVE, MANAGE,
21 OR RESOLVE MARITAL OR FAMILY CONFLICT OR DISCORD, TO CREATE,
22 IMPROVE, OR RESTORE MARITAL OR FAMILY HARMONY, OR TO PREPARE COU-
23 PLES FOR MARRIAGE. PRACTICE OF MARRIAGE AND FAMILY THERAPY DOES
24 NOT INCLUDE THE ADMINISTRATION AND INTERPRETATION OF PSYCHOLOGI-
25 CAL TESTS EXCEPT FOR THOSE TESTS THAT ARE CONSISTENT WITH THE
26 INDIVIDUAL'S EDUCATION AND TRAINING AND WITH THE CODE OF ETHICS
27 FOR LICENSED MARRIAGE AND FAMILY THERAPISTS.

1 (2) IN ADDITION TO THE DEFINITIONS OF THIS PART, ARTICLE 1
2 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION
3 APPLICABLE TO ALL ARTICLES IN THIS CODE AND PART 161 CONTAINS
4 DEFINITIONS APPLICABLE TO THIS PART.

5 SEC. 16903. (1) AN INDIVIDUAL LICENSED UNDER THIS PART AS A
6 MARRIAGE AND FAMILY THERAPIST SHALL USE ONLY THE TITLE "LICENSED
7 MARRIAGE AND FAMILY THERAPIST" OR "LICENSED MARRIAGE COUNSELOR"
8 OR THE ABBREVIATION "L.M.F.T." IN REPRESENTING HIS OR HER SERV-
9 ICES IN THE PRACTICE OF MARRIAGE AND FAMILY THERAPY TO THE
10 PUBLIC.

11 (2) UNLESS EXEMPT UNDER SECTION 16905(3), ONLY AN INDIVIDUAL
12 LICENSED UNDER THIS PART MAY ADVERTISE THAT HE OR SHE OFFERS MAR-
13 RIAGE AND FAMILY THERAPY; MARRIAGE OR FAMILY COUNSELING SERVICE
14 OR ADVICE; MARRIAGE OR FAMILY GUIDANCE SERVICE OR ADVICE; MAR-
15 RIAGE OR FAMILY RELATIONS SERVICE OR ADVICE; MARRIAGE OR FAMILY
16 PROBLEMS SERVICE OR ADVICE; MARRIAGE OR FAMILY RELATIONS ADVICE
17 OR ASSISTANCE; SERVICE IN THE ALLEVIATION OF A MARITAL OR FAMILY
18 PROBLEM; OR SERVICE OF SIMILAR IMPORT OR EFFECT THAT IS INCLUDED
19 IN THE PRACTICE OF MARRIAGE AND FAMILY THERAPY.

20 (3) THE BOARD MAY GRANT A LIMITED LICENSE TO AN INDIVIDUAL
21 WHO HAS MET THE REQUIREMENTS OF SECTION 16909(A) AND (B) IN ORDER
22 TO PERMIT THAT INDIVIDUAL TO OBTAIN THE EXPERIENCE REQUIRED UNDER
23 SECTION 16909(C). THE BOARD SHALL NOT RENEW A LIMITED LICENSE
24 FOR MORE THAN 6 YEARS. A LIMITED LICENSEE SHALL DO ALL OF THE
25 FOLLOWING:

26 (A) USE ONLY THE TITLE "LIMITED LICENSED MARRIAGE AND FAMILY
27 THERAPIST" OR "LIMITED LICENSED MARRIAGE COUNSELOR".

1 (B) NOT REPRESENT THAT HE OR SHE IS ENGAGED IN THE
2 INDEPENDENT PRACTICE OF MARRIAGE AND FAMILY THERAPY.

3 (C) PRACTICE ONLY UNDER THE SUPERVISION OF A FULLY LICENSED
4 MARRIAGE AND FAMILY THERAPIST.

5 (D) CONFINE HIS OR HER PRACTICE TO AN ORGANIZED HEALTH CARE
6 SETTING OR OTHER ARRANGEMENT APPROVED BY THE BOARD.

7 (4) AN INDIVIDUAL ENGAGED IN OBTAINING EXPERIENCE REQUIRED
8 UNDER SECTION 16909(B) MAY USE THE TITLE "MARRIAGE AND FAMILY
9 THERAPIST INTERN" OR "MARRIAGE AND FAMILY THERAPIST TRAINEE"
10 DURING THE TRAINING PERIOD. THE BOARD SHALL NOT REQUIRE AN INDI-
11 VIDUAL OBTAINING EXPERIENCE REQUIRED UNDER SECTION 16909(B) TO
12 HOLD A LIMITED LICENSE.

13 SEC. 16905. (1) THIS PART DOES NOT APPLY TO AN INDIVIDUAL
14 ENGAGED IN SOCIAL WORK AS DEFINED IN PART 185 IN THE COURSE OF
15 EMPLOYMENT WITH A GOVERNMENTAL AGENCY OR A REPUTABLE SOCIAL SERV-
16 ICE AGENCY REGULARLY PROVIDING SOCIAL WORK SERVICES AS AN
17 AGENCY.

18 (2) THIS PART DOES NOT APPLY TO AN ORDAINED CLERIC OR OTHER
19 RELIGIOUS PRACTITIONER WHO IS EMPLOYED BY OR WORKING UNDER THE
20 AUTHORITY OF AN ORGANIZATION EXEMPT FROM TAXATION UNDER
21 SECTION 501(c)(3) OF THE INTERNAL REVENUE CODE OF 1986, 26
22 U.S.C. 501, IF THE ADVICE OR COUNSEL GIVEN BY THE CLERIC OR OTHER
23 RELIGIOUS PRACTITIONER IS INCIDENTAL TO HIS OR HER DUTIES AS A
24 CLERIC OR OTHER RELIGIOUS PRACTITIONER, AND IF THE CLERIC OR
25 OTHER RELIGIOUS PRACTITIONER DOES NOT HOLD HIMSELF OR HERSELF OUT
26 TO THE PUBLIC AS A MARRIAGE AND FAMILY THERAPIST LICENSED UNDER
27 THIS ARTICLE OR USE 1 OR MORE OF THE TITLES LISTED IN

1 SECTION 16263(1)(Q) AND IF NO FEE OR DONATION IS EXACTED FOR THE
2 SERVICE.

3 (3) THIS PART DOES NOT APPLY TO A PHYSICIAN LICENSED UNDER
4 THIS ARTICLE WHO HAS COMPLETED AN ACCREDITED PSYCHIATRIC RESI-
5 DENCY PROGRAM APPROVED BY THE MICHIGAN BOARD OF MEDICINE OR TO A
6 PSYCHOLOGIST FULLY LICENSED UNDER THIS ARTICLE, IF BOTH OF THE
7 FOLLOWING CIRCUMSTANCES EXIST:

8 (A) THE INDIVIDUAL IS PRACTICING HIS OR HER PROFESSION IN A
9 MANNER CONSISTENT WITH HIS OR HER EDUCATION AND TRAINING AND IS
10 PRACTICING IN A MANNER CONSISTENT WITH THE CODE OF ETHICS OF THAT
11 PROFESSION.

12 (B) THE INDIVIDUAL DOES NOT HOLD HIMSELF OR HERSELF OUT TO
13 THE PUBLIC AS A MARRIAGE AND FAMILY THERAPIST LICENSED UNDER THIS
14 ARTICLE OR USE ANY OF THE TITLES LISTED IN SECTION 16263(1)(Q)
15 FOR ADVERTISING PURPOSES. HOWEVER, THIS SUBDIVISION DOES NOT
16 PROHIBIT THE INDIVIDUAL FROM ADVERTISING UNDER A TELEPHONE OR
17 OTHER BUSINESS DIRECTORY LISTING THAT USES THOSE TITLES IF THE
18 INDIVIDUAL DISCLOSES IN THE LISTING, IN AN UNABBREVIATED FASHION,
19 THE PROFESSION IN WHICH HE OR SHE IS LICENSED.

20 (4) THIS PART DOES NOT LIMIT AN INDIVIDUAL IN, OR PREVENT AN
21 INDIVIDUAL FROM, THE PRACTICE OF A STATUTORILY REGULATED PROFES-
22 SION OR OCCUPATION IF SERVICES TO FAMILIES, COUPLES, OR SUBSYS-
23 TEMS OF FAMILIES ARE PART OF THE SERVICES PROVIDED BY THAT PRO-
24 FESSION OR OCCUPATION, AND IF THE INDIVIDUAL DOES NOT HOLD HIM-
25 SELF OR HERSELF OUT TO THE PUBLIC AS A MARRIAGE AND FAMILY THERA-
26 PIST LICENSED UNDER THIS ARTICLE OR USE 1 OR MORE OF THE TITLES
27 LISTED IN SECTION 16263(1)(Q). AS USED IN THIS SUBSECTION,

1 "STATUTORILY REGULATED PROFESSION OR OCCUPATION" MEANS AN
2 OCCUPATION OR PROFESSION REGULATED BY STATUTE THAT INCLUDES, BUT
3 IS NOT LIMITED TO, ALL OF THE FOLLOWING: A PHYSICIAN, ATTORNEY,
4 SOCIAL WORKER, CERTIFIED SOCIAL WORKER, SOCIAL WORK TECHNICIAN,
5 FULLY LICENSED PSYCHOLOGIST, LIMITED LICENSED PSYCHOLOGIST, TEM-
6 PORARY LIMITED LICENSED PSYCHOLOGIST, LICENSED PROFESSIONAL COUN-
7 SELOR, LIMITED LICENSED COUNSELOR, OR SCHOOL COUNSELOR.

8 SEC. 16907. SUBJECT TO SECTION 16913(2), THE MICHIGAN BOARD
9 OF MARRIAGE AND FAMILY THERAPY IS CREATED IN THE DEPARTMENT. THE
10 BOARD CONSISTS OF THE FOLLOWING 9 VOTING MEMBERS WHO SHALL MEET
11 THE REQUIREMENTS OF PART 161: SIX LICENSED MARRIAGE AND FAMILY
12 THERAPISTS AND 3 PUBLIC MEMBERS.

13 SEC. 16909. THE BOARD SHALL GRANT A LICENSE AS A MARRIAGE
14 AND FAMILY THERAPIST TO AN INDIVIDUAL WHO MEETS ALL OF THE FOL-
15 LOWING REQUIREMENTS:

16 (A) PROVIDES SATISFACTORY EVIDENCE TO THE BOARD OF MEETING
17 EITHER OF THE FOLLOWING EDUCATIONAL QUALIFICATIONS:

18 (i) HAS A MASTER'S OR HIGHER GRADUATE DEGREE FROM AN ACCRED-
19 ITED TRAINING PROGRAM IN MARRIAGE AND FAMILY THERAPY APPROVED BY
20 THE BOARD.

21 (ii) HAS A MASTER'S OR HIGHER GRADUATE DEGREE FROM AN
22 ACCREDITED COLLEGE OR UNIVERSITY APPROVED BY THE BOARD AND HAS
23 COMPLETED ALL OF THE FOLLOWING GRADUATE-LEVEL COURSES AT AN
24 ACCREDITED COLLEGE OR UNIVERSITY APPROVED BY THE BOARD:

25 (A) THREE COURSES IN FAMILY STUDIES THAT TOTAL AT LEAST 6
26 SEMESTER OR 9 QUARTER HOURS.

1 (B) THREE COURSES IN FAMILY THERAPY METHODOLOGY THAT TOTAL
2 AT LEAST 6 SEMESTER OR 9 QUARTER HOURS.

3 (C) THREE COURSES IN HUMAN DEVELOPMENT, PERSONALITY THEORY,
4 OR PSYCHOPATHOLOGY THAT TOTAL AT LEAST 6 SEMESTER OR 9 QUARTER
5 HOURS.

6 (D) AT LEAST 2 SEMESTER OR 3 QUARTER HOURS IN ETHICS, LAW,
7 AND STANDARDS OF PROFESSIONAL PRACTICE.

8 (E) AT LEAST 2 SEMESTER OR 3 QUARTER HOURS IN RESEARCH.

9 (B) PROVIDES SATISFACTORY EVIDENCE TO THE BOARD OF HAVING
10 COMPLETED SUPERVISED CLINICAL MARRIAGE AND FAMILY THERAPY
11 EXPERIENCE IN CONJUNCTION WITH THE APPLICANT'S EDUCATIONAL
12 PROGRAM. THE CLINICAL MARRIAGE AND FAMILY THERAPY EXPERIENCE
13 DESCRIBED IN THIS SUBDIVISION SHALL MEET ALL OF THE FOLLOWING
14 REQUIREMENTS:

15 (i) BE OBTAINED EITHER IN A CLINICAL PRACTICUM DURING GRADU-
16 ATE EDUCATION OR IN A POSTGRADUATE MARRIAGE AND FAMILY INSTITUTE
17 TRAINING PROGRAM ACCEPTABLE TO THE BOARD.

18 (ii) BE OBTAINED OVER NOT LESS THAN 8 CONSECUTIVE MONTHS.

19 (iii) BE VERIFIED BY THE SUPERVISING LICENSED MARRIAGE AND
20 FAMILY THERAPIST.

21 (iv) INCLUDE NOT LESS THAN 300 DIRECT CLIENT CONTACT HOURS
22 IN SUPERVISED CLINICAL MARRIAGE AND FAMILY THERAPY EXPERIENCE, AT
23 LEAST 1/2 OF WHICH WERE COMPLETED IN A SETTING IN WHICH FAMILIES,
24 COUPLES, OR SUBSYSTEMS OF FAMILIES WERE PHYSICALLY PRESENT IN THE
25 THERAPY ROOM.

26 (v) BE SUPERVISED IN A RATIO OF AT LEAST 1 HOUR OF
27 SUPERVISION FOR EACH 5 HOURS OF DIRECT CLIENT CONTACT, FOR A

1 TOTAL OF NOT LESS THAN 60 HOURS OF SUPERVISION CONCURRENT WITH
2 THE 300 HOURS OF SUPERVISED DIRECT CLIENT CONTACT.

3 (C) PROVIDES SATISFACTORY EVIDENCE TO THE BOARD OF HAVING
4 COMPLETED, OVER A PERIOD OF NOT MORE THAN 5 YEARS, A MINIMUM OF
5 2,000 DIRECT CLIENT CONTACT HOURS IN SUPERVISED MARRIAGE AND
6 FAMILY THERAPY EXPERIENCE, AT LEAST 1/2 OF WHICH WAS COMPLETED
7 WITH FAMILIES, COUPLES, OR SUBSYSTEMS OF FAMILIES PHYSICALLY
8 PRESENT IN THE THERAPY ROOM, THAT MEETS ALL OF THE FOLLOWING
9 CONDITIONS:

10 (i) IS VERIFIED BY THE SUPERVISING LICENSED MARRIAGE AND
11 FAMILY THERAPIST.

12 (ii) IS OBTAINED FOLLOWING THE COMPLETION OF THE DEGREE
13 REQUIRED BY SUBDIVISION (A)(i) OR THE COMPLETION OF THE DEGREE
14 AND COURSE WORK REQUIRED BY SUBDIVISION (A)(ii), OR IS OBTAINED
15 AS PART OF A DOCTORAL PROGRAM IN MARRIAGE AND FAMILY THERAPY FROM
16 AN ACCREDITED COLLEGE OR UNIVERSITY APPROVED BY THE BOARD, WHICH
17 EXPERIENCE MAY INCLUDE EXPERIENCE OBTAINED UNDER
18 SUBDIVISION (B)(ii).

19 (iii) IS SUPERVISED IN A RATIO OF AT LEAST 1 HOUR OF SUPER-
20 VISION FOR EACH 10 HOURS OF DIRECT CLIENT CONTACT, FOR A TOTAL OF
21 NOT LESS THAN 200 HOURS OF SUPERVISION CONCURRENT WITH THE 2,000
22 HOURS OF SUPERVISED DIRECT CLIENT CONTACT. NOT LESS THAN 100
23 HOURS OF SUPERVISION UNDER THIS SUBPARAGRAPH SHALL BE INDIVIDUAL
24 SUPERVISION WITH NO MORE THAN 1 OTHER SUPERVISEE PRESENT. THE
25 REMAINING SUPERVISION UNDER THIS SUBPARAGRAPH MAY BE GROUP SUPER-
26 VISION INVOLVING NO MORE THAN 6 SUPERVISEES WITH 1 SUPERVISOR.

1 THE SUPERVISION SHALL BE GIVEN IN FACE-TO-FACE CONTACT WITH THE
2 INDIVIDUAL OBTAINING MARRIAGE AND FAMILY THERAPY EXPERIENCE.

3 SEC. 16911. (1) EXCEPT AS PROVIDED IN SUBSECTION (3),
4 INFORMATION REGARDING AN INDIVIDUAL TO WHOM A LICENSEE PROVIDED
5 MARRIAGE AND FAMILY THERAPY IS PRIVILEGED INFORMATION AND NOT
6 SUBJECT TO WAIVER, REGARDLESS OF ANY OF THE FOLLOWING:

7 (A) WHETHER THE INFORMATION WAS OBTAINED DIRECTLY FROM THE
8 INDIVIDUAL, FROM ANOTHER PERSON INVOLVED IN THE THERAPY, FROM A
9 TEST OR OTHER EVALUATION MECHANISM, OR FROM OTHER SOURCES.

10 (B) WHETHER THE INFORMATION WAS OBTAINED BEFORE, DURING, OR
11 FOLLOWING THERAPY.

12 (C) WHETHER THE INDIVIDUAL INVOLVED IS A PRESENT CLIENT OR A
13 FORMER CLIENT.

14 (2) EXCEPT AS PROVIDED IN SUBSECTION (3), REFERRALS MADE BY
15 A CIRCUIT COURT OR ITS COUNSELING SERVICE, AS PROVIDED IN THE
16 CIRCUIT COURT FAMILY COUNSELING SERVICES ACT, ACT NO. 155 OF THE
17 PUBLIC ACTS OF 1964, BEING SECTIONS 551.331 TO 551.344 OF THE
18 MICHIGAN COMPILED LAWS, IS PRIVILEGED INFORMATION NOT SUBJECT TO
19 WAIVER.

20 (3) THE PRIVILEGE ESTABLISHED IN THIS SECTION MAY BE WAIVED
21 ONLY UNDER 1 OF THE FOLLOWING CIRCUMSTANCES:

22 (A) IF DISCLOSURE IS REQUIRED BY LAW OR NECESSARY TO PROTECT
23 THE HEALTH OR SAFETY OF AN INDIVIDUAL.

24 (B) IF THE LICENSEE IS A PARTY DEFENDANT TO A CIVIL, CRIMI-
25 NAL, OR ADMINISTRATIVE ACTION ARISING FROM SERVICES PERFORMED AS
26 A LICENSEE, IN WHICH CASE THE WAIVER IS LIMITED ONLY TO THAT
27 ACTION.

1 (C) IF A WAIVER SPECIFYING THE TERMS OF DISCLOSURE IS
2 OBTAINED IN WRITING FROM EACH INDIVIDUAL OVER 18 YEARS OF AGE
3 INVOLVED IN THE MARRIAGE AND FAMILY THERAPY AND THEN ONLY IN
4 ACCORDANCE WITH THE TERMS OF THE WRITTEN WAIVER. IF MORE THAN 1
5 INDIVIDUAL IS OR WAS INVOLVED IN THE MARRIAGE AND FAMILY THERAPY
6 PERFORMED BY A LICENSEE, THE PRIVILEGE IS NOT WAIVED FOR ANY
7 INDIVIDUAL UNLESS ALL INDIVIDUALS OVER 18 YEARS OF AGE INVOLVED
8 IN THE MARRIAGE AND FAMILY THERAPY HAVE EXECUTED THE WRITTEN
9 WAIVER.

10 SEC. 16913. (1) AN INDIVIDUAL WHO HOLDS A LICENSE ISSUED
11 UNDER FORMER ARTICLE 15 OF ACT NO. 299 OF THE PUBLIC ACTS OF 1980
12 ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS PART
13 IS LICENSED UNDER THIS PART UNTIL THAT LICENSE EXPIRES AND MAY
14 RENEW HIS OR HER LICENSE PURSUANT TO PART 161.

15 (2) THE MEMBERS OF THE BOARD OF MARRIAGE AND FAMILY THERAPY
16 CREATED UNDER FORMER SECTION 1502 OF ACT NO. 299 OF THE PUBLIC
17 ACTS OF 1980 SHALL SERVE AS THE INITIAL MEMBERS OF THE MICHIGAN
18 BOARD OF MARRIAGE AND FAMILY THERAPY UNTIL THEIR SUCCESSORS ARE
19 APPOINTED UNDER THIS ARTICLE OR UNTIL THE EXPIRATION OF THEIR
20 RESPECTIVE TERMS, WHICHEVER OCCURS FIRST. HOWEVER, IF THE TERM
21 OF A MEMBER OF THE BOARD OF MARRIAGE AND FAMILY THERAPY CREATED
22 UNDER FORMER SECTION 1502 OF ACT NO. 299 OF THE PUBLIC ACTS OF
23 1980 HAS NOT EXPIRED ON THE EFFECTIVE DATE OF THE AMENDATORY ACT
24 THAT ADDED THIS PART, THAT TERM EXPIRES ON JUNE 30 OF THE YEAR IN
25 WHICH THE TERM WILL EXPIRE.

26 (3) RULES PROMULGATED BY THE BOARD OF MARRIAGE AND FAMILY
27 THERAPY UNDER FORMER ARTICLE 15 OF ACT NO. 299 OF THE PUBLIC ACTS

1 OF 1980 AND SECTION 308 OF THE OCCUPATIONAL CODE, ACT NO. 299 OF
2 THE PUBLIC ACTS OF 1980, BEING SECTION 339.308 OF THE MICHIGAN
3 COMPILED LAWS, AND IN EFFECT ON THE EFFECTIVE DATE OF THE AMENDA-
4 TORY ACT THAT ADDED THIS PART CONTINUE IN EFFECT TO THE EXTENT
5 THAT THEY DO NOT CONFLICT WITH THIS ARTICLE. THE RULES SHALL BE
6 ENFORCED BY AND MAY BE AMENDED OR RESCINDED BY THE MICHIGAN BOARD
7 OF MARRIAGE AND FAMILY THERAPY.

8 PART 185. SOCIAL WORK

9 SEC. 18501. (1) AS USED IN THIS PART:

10 (A) "SOCIAL WORK TECHNICIAN" MEANS AN INDIVIDUAL REGISTERED
11 IN ACCORDANCE WITH SECTION 18509 OF THIS PART AND AUTHORIZED
12 UNDER THIS PART TO USE THE TITLE "SOCIAL WORK TECHNICIAN" OR THE
13 ABBREVIATION "S.W.T.".

14 (B) "SOCIAL WORKER" MEANS AN INDIVIDUAL REGISTERED IN
15 ACCORDANCE WITH SECTION 18511 OF THIS PART AND AUTHORIZED UNDER
16 THIS PART TO USE THE TITLE "SOCIAL WORKER" OR THE ABBREVIATION
17 "S.W.".

18 (C) "CERTIFIED SOCIAL WORKER" MEANS AN INDIVIDUAL REGISTERED
19 IN ACCORDANCE WITH SECTION 18513 OF THIS PART AND AUTHORIZED
20 UNDER THIS PART TO USE THE TITLE "CERTIFIED SOCIAL WORKER" OR THE
21 ABBREVIATION "C.S.W.".

22 (D) "SOCIAL WORK" MEANS THE PROFESSIONAL APPLICATION OF
23 SOCIAL WORK VALUES, PRINCIPLES, AND TECHNIQUES TO COUNSELING OR
24 TO HELPING AN INDIVIDUAL, FAMILY, GROUP, OR COMMUNITY DO ANY OF
25 THE FOLLOWING:

26 (i) ENHANCE OR RESTORE THE CAPACITY FOR SOCIAL FUNCTIONING.

1 (ii) PROVIDE, OBTAIN, OR IMPROVE TANGIBLE SOCIAL AND HEALTH
2 SERVICES.

3 (2) IN ADDITION TO THE DEFINITIONS OF THIS PART, ARTICLE 1
4 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION
5 APPLICABLE TO ALL ARTICLES IN THIS CODE AND PART 161 CONTAINS
6 DEFINITIONS APPLICABLE TO THIS PART.

7 SEC. 18503. AN INDIVIDUAL SHALL NOT REPRESENT THAT HE OR
8 SHE IS A CERTIFIED SOCIAL WORKER, SOCIAL WORKER, OR SOCIAL WORK
9 TECHNICIAN OR USE A TITLE INCLUDING "CERTIFIED SOCIAL WORKER",
10 "SOCIAL WORKER", "SOCIAL WORK TECHNICIAN", OR AN ABBREVIATION OF
11 THOSE TERMS OR THE LETTERS "C.S.W.", "S.W.", OR "S.W.T." OR SIM-
12 ILAR WORDS WHICH WOULD INDICATE THAT HE OR SHE IS REGISTERED
13 UNDER THIS PART UNLESS THE INDIVIDUAL IS REGISTERED IN THAT
14 CAPACITY UNDER THIS PART.

15 SEC. 18505. SUBJECT TO SECTION 18519(2), THE MICHIGAN BOARD
16 OF SOCIAL WORK IS CREATED IN THE DEPARTMENT AND CONSISTS OF THE
17 FOLLOWING 9 VOTING MEMBERS WHO SHALL MEET THE REQUIREMENTS OF
18 PART 161: 4 CERTIFIED SOCIAL WORKERS, 2 SOCIAL WORKERS, AND 3
19 PUBLIC MEMBERS.

20 SEC. 18507. IN ADDITION TO THE STANDARDS SPECIFIED IN SEC-
21 TIONS 18509, 18511, AND 18513 FOR THE CONTENT OF ACCEPTABLE
22 EXPERIENCE, ALL EXPERIENCE SUBMITTED BY AN APPLICANT FOR REGIS-
23 TRATION AT ANY LEVEL UNDER THIS PART SHALL BE IN COMPLIANCE WITH
24 BOTH OF THE FOLLOWING REQUIREMENTS:

25 (A) THE EXPERIENCE SHALL HAVE BEEN OBTAINED AFTER THE COM-
26 PLETION OF THE EDUCATION REQUIRED FOR THAT LEVEL.

1 (B) THE EXPERIENCE SHALL HAVE BEEN COMPLETED UNDER THE
2 SUPERVISION OF A CERTIFIED SOCIAL WORKER REGISTERED UNDER THIS
3 PART OR A PERSON WHO HOLDS THE EQUIVALENT LICENSE, CERTIFICATE,
4 OR REGISTRATION FROM A STATE THAT REGULATES SOCIAL WORK. IF AN
5 APPLICANT PRESENTS EXPERIENCE OBTAINED IN A STATE THAT DOES NOT
6 REGULATE SOCIAL WORK, THE EXPERIENCE SHALL HAVE BEEN OBTAINED
7 UNDER THE SUPERVISION OF A PERSON WHO POSSESSES A MASTER'S DEGREE
8 IN SOCIAL WORK.

9 SEC. 18509. (1) THE BOARD SHALL GRANT REGISTRATION AS A
10 SOCIAL WORK TECHNICIAN TO AN INDIVIDUAL WHO MEETS 1 OR MORE OF
11 THE FOLLOWING REQUIREMENTS:

12 (A) POSSESSES A BACHELOR'S DEGREE FROM AN ACCREDITED SCHOOL
13 OF SOCIAL WORK APPROVED BY THE BOARD.

14 (B) HAS COMPLETED 1,560 HOURS OF SOCIAL WORK EXPERIENCE
15 MEETING THE REQUIREMENTS OF SUBSECTION (2) AND HAS EITHER OF THE
16 FOLLOWING EDUCATIONAL QUALIFICATIONS:

17 (i) POSSESSES AT LEAST AN ASSOCIATE DEGREE IN SOCIAL WORK
18 FROM A COLLEGE OR UNIVERSITY APPROVED BY THE BOARD THAT REQUIRES
19 COMPLETION OF NOT LESS THAN 15 SEMESTER OR 24 QUARTER HOURS OF
20 SOCIAL WORK COURSES AND THE COMPLETION OF A FIELD PLACEMENT OR
21 INTERNSHIP OF NOT LESS THAN 350 HOURS UNDER THE SUPERVISION OF A
22 CERTIFIED SOCIAL WORKER.

23 (ii) HAS COMPLETED 60 SEMESTER OR 90 QUARTER HOURS OF
24 COLLEGE-LEVEL COURSES FROM A COLLEGE OR UNIVERSITY APPROVED BY
25 THE BOARD, INCLUDING NOT LESS THAN 15 SEMESTER OR 24 QUARTER
26 HOURS OF SOCIAL WORK COURSES AND THE COMPLETION OF A FIELD

1 PLACEMENT OR INTERNSHIP OF NOT LESS THAN 350 HOURS UNDER THE
2 SUPERVISION OF A CERTIFIED SOCIAL WORKER.

3 (2) QUALIFYING EXPERIENCE FOR AN APPLICANT FOR REGISTRATION
4 AS A SOCIAL WORK TECHNICIAN MEANS MAINTAINING FAMILIARITY WITH
5 BOTH PROFESSIONAL AND SELF-HELP SYSTEMS IN THE COMMUNITY AND THE
6 DELIVERY OF SOCIAL SERVICES THROUGH EITHER OF THE FOLLOWING:

7 (A) INTERVIEWING CLIENTS TO OBTAIN DATA AND PROVIDE INFORMA-
8 TION ABOUT AVAILABLE SERVICES AND PROVIDING SPECIFIC ASSISTANCE
9 TO HELP PEOPLE UTILIZE COMMUNITY RESOURCES.

10 (B) CONDUCTING CASE-FINDING ACTIVITIES IN THE COMMUNITY AND
11 ENCOURAGING AND PROVIDING LINKAGES TO AVAILABLE SERVICES.

12 SEC. 18511. (1) THE BOARD SHALL GRANT A REGISTRATION AS A
13 SOCIAL WORKER TO AN INDIVIDUAL WHO MEETS 1 OR MORE OF THE FOLLOW-
14 ING REQUIREMENTS:

15 (A) POSSESSES A MASTER'S DEGREE IN SOCIAL WORK FROM AN
16 ACCREDITED SCHOOL OF SOCIAL WORK APPROVED BY THE BOARD.

17 (B) POSSESSES AT LEAST A BACHELOR'S DEGREE FROM AN ACCREDI-
18 TED SCHOOL OF SOCIAL WORK APPROVED BY THE BOARD AND HAS COMPLETED
19 3,120 HOURS OF SOCIAL WORK EXPERIENCE MEETING THE REQUIREMENTS OF
20 SUBSECTION (2).

21 (2) QUALIFYING EXPERIENCE FOR AN APPLICANT FOR REGISTRATION
22 AS A SOCIAL WORKER UNDER THIS SECTION MEANS 1 OR MORE OF THE
23 FOLLOWING:

24 (A) SOCIAL CASEWORK, ASSESSMENT, PLANNING, AND INTERVENTION
25 WITH INDIVIDUALS, COUPLES, FAMILIES, OR GROUPS TO ENHANCE OR
26 RESTORE THE CAPACITY FOR SOCIAL FUNCTIONING.

1 (B) CASE MANAGEMENT OF HEALTH AND HUMAN SERVICES.

2 (C) PROVIDING INFORMATION AND REFERRING PEOPLE TO RESOURCES
3 AND MONITORING THE RESULTS.

4 (D) PLANNING, ORGANIZING, AND COLLABORATING WITH COMMUNI-
5 TIES, ORGANIZATIONS, OR GROUPS TO IMPROVE THEIR SOCIAL OR HEALTH
6 SERVICES.

7 SEC. 18513. (1) THE BOARD SHALL GRANT A REGISTRATION AS A
8 CERTIFIED SOCIAL WORKER TO AN INDIVIDUAL WHO MEETS ALL OF THE
9 FOLLOWING REQUIREMENTS:

10 (A) POSSESSES A MASTER'S DEGREE FROM AN ACCREDITED SCHOOL OF
11 SOCIAL WORK APPROVED BY THE BOARD.

12 (B) HAS COMPLETED 3,120 HOURS OF SOCIAL WORK EXPERIENCE
13 MEETING THE REQUIREMENTS OF SUBSECTION (2).

14 (2) QUALIFYING EXPERIENCE FOR AN APPLICANT FOR REGISTRATION
15 AS A CERTIFIED SOCIAL WORKER UNDER THIS SECTION MEANS EITHER OF
16 THE FOLLOWING:

17 (A) PSYCHOSOCIAL ASSESSMENT, DIAGNOSIS, OR TREATMENT OF
18 MENTAL, EMOTIONAL, AND BEHAVIORAL DISORDERS OR PLANNING AND
19 INTERVENTION WITH INDIVIDUALS, COUPLES, FAMILIES, OR GROUPS BY
20 PROVIDING COUNSELING, PSYCHOTHERAPY, SOCIAL CASEWORK, OR SOCIAL
21 GROUP WORK.

22 (B) HELPING COMMUNITIES, ORGANIZATIONS, OR GROUPS IMPROVE
23 THEIR SOCIAL OR HEALTH SERVICES BY UTILIZING COMMUNITY ORGANI-
24 ZATION TECHNIQUES.

25 SEC. 18515. (1) AN INDIVIDUAL REGISTERED UNDER THIS PART AS
26 A CERTIFIED SOCIAL WORKER, SOCIAL WORKER, OR SOCIAL WORK
27 TECHNICIAN OR AN EMPLOYEE OR OFFICER OF AN ORGANIZATION THAT

1 EMPLOYS THE CERTIFIED SOCIAL WORKER, SOCIAL WORKER, OR SOCIAL
2 WORK TECHNICIAN IS NOT REQUIRED TO DISCLOSE A COMMUNICATION OR A
3 PORTION OF A COMMUNICATION MADE BY A CLIENT TO THE INDIVIDUAL OR
4 ADVICE GIVEN IN THE COURSE OF PROFESSIONAL EMPLOYMENT.

5 (2) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A COMMUNI-
6 CATION BETWEEN A CERTIFIED SOCIAL WORKER, SOCIAL WORKER, OR
7 SOCIAL WORK TECHNICIAN, OR AN ORGANIZATION WITH WHICH THE CERTI-
8 FIED SOCIAL WORKER, SOCIAL WORKER, OR SOCIAL WORK TECHNICIAN HAS
9 AN AGENCY RELATIONSHIP AND A CLIENT IS A PRIVILEGED
10 COMMUNICATION. THIS PRIVILEGE IS NOT SUBJECT TO WAIVER AND THE
11 COMMUNICATION SHALL NOT BE DISCLOSED, EXCEPT UNDER 1 OR MORE OF
12 THE FOLLOWING CIRCUMSTANCES:

13 (A) THE DISCLOSURE IS PART OF A REQUIRED SUPERVISORY PROCESS
14 WITHIN THE ORGANIZATION THAT EMPLOYS OR OTHERWISE HAS AN AGENCY
15 RELATIONSHIP WITH THE CERTIFIED SOCIAL WORKER, SOCIAL WORKER, OR
16 SOCIAL WORK TECHNICIAN.

17 (B) THE PRIVILEGE IS WAIVED BY THE CLIENT OR A PERSON AUTHO-
18 RIZED TO ACT IN THE CLIENT'S BEHALF.

19 (3) IF REQUESTED BY THE COURT FOR A COURT ACTION, A CERTI-
20 FIED SOCIAL WORKER, SOCIAL WORKER, OR SOCIAL WORK TECHNICIAN
21 SHALL SUBMIT TO AN APPROPRIATE COURT A WRITTEN EVALUATION OF THE
22 PROSPECT OR PROGNOSIS OF A PARTICULAR CLIENT WITHOUT DISCLOSING A
23 PRIVILEGED FACT OR A PRIVILEGED COMMUNICATION. AN ATTORNEY REP-
24 RESENTING A CLIENT WHO IS THE SUBJECT OF AN EVALUATION DESCRIBED
25 IN THIS SUBSECTION HAS THE RIGHT TO RECEIVE A COPY OF THE
26 EVALUATION. IF REQUIRED FOR THE EXERCISE OF A PUBLIC PURPOSE BY
27 A LEGISLATIVE COMMITTEE, A CERTIFIED SOCIAL WORKER, SOCIAL

1 WORKER, SOCIAL WORK TECHNICIAN, OR AGENCY REPRESENTATIVE MAY MAKE
2 AVAILABLE STATISTICAL AND PROGRAM INFORMATION WITHOUT VIOLATING
3 THE PRIVILEGE ESTABLISHED UNDER SUBSECTION (2).

4 (4) A CERTIFIED SOCIAL WORKER, SOCIAL WORKER, OR SOCIAL WORK
5 TECHNICIAN MAY DISCLOSE A COMMUNICATION OR A PORTION OF A COMMU-
6 NICATION MADE BY A CLIENT PURSUANT TO SECTION 946 OF THE MENTAL
7 HEALTH CODE, ACT NO. 258 OF THE PUBLIC ACTS OF 1974, BEING SEC-
8 TION 330.1946 OF THE MICHIGAN COMPILED LAWS, IN ORDER TO COMPLY
9 WITH THE DUTY SET FORTH IN THAT SECTION.

10 SEC. 18517. EXCEPT FOR THOSE INDIVIDUALS OBTAINING
11 EXPERIENCE TO QUALIFY FOR REGISTRATION AT A HIGHER LEVEL UNDER
12 THIS PART, AN INDIVIDUAL REGISTERED UNDER THIS PART SHALL NOT
13 PERFORM SOCIAL WORK ACTIVITIES UNLESS HE OR SHE HAS BEEN TRAINED
14 TO PERFORM THOSE ACTIVITIES.

15 SEC. 18519. (1) AN INDIVIDUAL WHO HOLDS A REGISTRATION
16 ISSUED UNDER FORMER ARTICLE 16 OF ACT NO. 299 OF THE PUBLIC ACTS
17 OF 1980 ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED
18 THIS PART IS REGISTERED UNDER THIS PART UNTIL THAT REGISTRATION
19 EXPIRES AND MAY RENEW HIS OR HER REGISTRATION PURSUANT TO
20 PART 161.

21 (2) THE MEMBERS OF THE BOARD OF EXAMINERS OF SOCIAL WORKERS
22 CREATED UNDER FORMER SECTION 1602 OF ACT NO. 299 OF THE PUBLIC
23 ACTS OF 1980 SHALL SERVE AS THE INITIAL MEMBERS OF THE MICHIGAN
24 BOARD OF SOCIAL WORK UNTIL THEIR SUCCESSORS ARE APPOINTED UNDER
25 THIS ARTICLE OR UNTIL THE EXPIRATION OF THEIR RESPECTIVE TERMS,
26 WHICHEVER OCCURS FIRST. HOWEVER, IF THE TERM OF A MEMBER OF THE
27 BOARD OF EXAMINERS OF SOCIAL WORKERS HAS NOT EXPIRED ON THE

1 EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS PART, THAT
2 TERM EXPIRES ON JUNE 30 OF THE YEAR IN WHICH THE TERM WILL
3 EXPIRE.

4 (3) RULES PROMULGATED BY THE BOARD OF EXAMINERS OF SOCIAL
5 WORKERS UNDER FORMER ARTICLE 16 OF ACT NO. 299 OF THE PUBLIC ACTS
6 OF 1980 AND IN EFFECT ON THE EFFECTIVE DATE OF THE AMENDATORY ACT
7 THAT ADDED THIS PART CONTINUE IN EFFECT TO THE EXTENT THAT THEY
8 DO NOT CONFLICT WITH THIS ARTICLE. THE RULES SHALL BE ENFORCED
9 BY AND MAY BE AMENDED OR RESCINDED BY THE MICHIGAN BOARD OF
10 SOCIAL WORK.

11 Section 2. Articles 15 and 16 of Act No. 299 of the Public
12 Acts of 1980, being sections 339.1501 to 339.1610 of the Michigan
13 Compiled Laws, are repealed.

14 Section 3. This amendatory act shall take effect January 1,
15 1994.