

102-5-1. Definitions. Each of the following terms, as used in this article of the board's regulations, shall have the meaning specified in this regulation:

(a) "Academic equivalent of a semester credit hour," as used in K.A.R. 102-5-3, means the prorated proportionate credit for formal academic coursework when that coursework is completed on the basis of trimester or quarter hours rather than semester hours.

(b) "Client" means a person who is a direct recipient of marriage and family therapy services.

(c) "Clinical marriage and family therapy practice" means the professional application of marriage and family therapy theory and methods to the treatment and prevention of psychosocial dysfunction, disability, or impairment, including behavioral, emotional, and mental disorders. Clinical marriage and family therapy shall include the following:

- (1) Assessment;
- (2) diagnosis of mental disorders;
- (3) planning of treatment, which may include psychotherapy and counseling;
- (4) treatment intervention directed to interpersonal interactions, intrapsychic dynamics, and life management issues;
- (5) consultation; and
- (6) evaluation, referral, and collaboration.

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DIVISION OF THE BUDGET

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APR 09 2022

DEPT. OF ADMINISTRATION

APPROVED

JUL 22 2022

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(d) "Clinical supervision training plan" means a formal, written agreement that establishes the supervisory framework for postgraduate clinical experience and describes the expectations and responsibilities of the supervisor and the supervisee.

(e) "Consultation" means a voluntary, professional relationship in which the consultant offers the consultant's best advice and expertise that the consultee can either accept or reject and in which the supervision objectives and requirements, as established in K.A.R. 102-5-7a, are lacking. Marriage and family therapy consultation shall not be substituted for supervision.

(f) "Continuing education" means programs or activities that are designed and that have content intended to enhance the therapist's knowledge, skill, values, ethics, and ability to practice as a marriage and family therapist or as a clinical marriage and family therapist.

(g) "Direct client contact" means ~~face-to-face interaction between the therapist and an individual, couple, or family system~~ the provision of marriage and family therapy services to a client or clients in an individual, family, or group format with interaction being conducted in person or remotely with real-time, two-way interactive audio, visual, or audiovisual communications, including the application of videoconferencing, in which confidentiality is protected. Interaction that includes electronic mail, instant messaging, texting, or facsimile shall not be considered direct client contact.

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APR 25 2022

DIVISION OF THE BUDGET

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DEPT. OF ADMINISTRATION

APPROVED

JUL 22 2022

ATTORNEY GENERAL

(h) "Dual relationship" means a professional relationship in which the objectivity or competency of the licensee is impaired or compromised because of any of the following present or previous relationships with a client or supervisee:

- (1) Familial;
- (2) sexual;
- (3) emotional; or
- (4) financial.

(i) "Extenuating circumstances" means ~~conditions caused by any unexpected event that is beyond an individual's control~~ any condition or situation caused by events beyond a person's control that is sufficiently extreme in nature to result in either of the following:

(1) The person's inability to comply with the requirements of this regulation; or

(2) the inadvisability of requiring the person to comply with the requirements of this regulation.

(j) "Group format," for the purposes of clinical practicum supervision, means face-to-face, simultaneous supervision with not more than six supervisees.

(k) "Individual format," for the purposes of clinical practicum supervision, means face-to-face supervision with one supervisor and one supervisee.

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MAR 29 2022

DIVISION OF THE BUDGET

APPROVED

APR 09 2022

DEPT. OF ADMINISTRATION

APPROVED

JUL 22 2022

ATTORNEY GENERAL

(l) "Job orientation" or and "on-the-job training" means mean a training program or presentation of information that is so specific to a particular job or employment position that it bears no generalization to any other work setting.

(m) "Malfeasance" means doing an act that a licensee should not do.

(n) "Marriage and family therapy supervision" means a formal professional relationship between the supervisor and supervisee that promotes the development of responsibility, skill, knowledge, attitudes, and ethical standards in the practice of marriage and family therapy.

(o) "Merits the public trust" means that an applicant or licensee possesses the high standard of good moral character and fitness that is required to practice marriage and family therapy as demonstrated by the following personal qualities:

- (1) Good judgement;
- (2) integrity;
- (3) honesty;
- (4) fairness;
- (5) credibility;
- (6) reliability;
- (7) respect for others;
- (8) respect for the laws of the state and nation;
- (9) self-discipline;
- (10) self-evaluation;
- (11) initiative; and

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MAR 29 2022

DIVISION OF THE BUDGET

APPROVED

APR 09 2022

DEPT. OF ADMINISTRATION

APPROVED

JUL 22 2022

ATTORNEY GENERAL

(12) commitment to the marriage and family therapy profession and its values and ethics.

(p) "Misfeasance" means the improper performance of a lawful act by a licensee.

(q) "Nonfeasance" means the omission of an act that a licensee should do.

(r) "One hour" means either of the following:

(1) One period of 50-60 continuous minutes; or

(2) two periods of 25-30 continuous minutes each.

(~~t~~) (s) "One year of professional experience" means a total of ~~2,000 clock hours~~ 1,500 clock-hours of postgraduate supervised experience in marriage and family therapy.

(~~s~~) (t) "Practice setting" means the public or private marriage and family therapy service agency or delivery system within which marriage and family therapy is practiced or marriage and family therapy services are delivered.

(~~t~~) (u) "Practicum or its equivalent" means a formal component of the academic curriculum in the marriage and family therapy or a related field educational program that includes the following components:

(1) Engages the student in supervised marriage and family therapy practice; and

(2) provides the student with opportunities to apply classroom learning to actual marriage and family therapy practice situations in the field setting.

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MAR 29 2022

DIVISION OF THE BUDGET

APPROVED

APR 09 2022

DEPT. OF ADMINISTRATION

APPROVED

JUL 22 2022

ATTORNEY GENERAL

(u) (v) "Prior-approved continuing education" means any of the following forms of continuing education:

(1) Any single-program material that has been submitted by a provider to the board, approved by the board, and assigned a prior-approved continuing education number;

(2) any program offered by a provider with approved-provider status; or

(3) academic marriage and family therapy courses that are either audited or taken for credit.

(v) (w) "Related field" means a degree program in the helping professions and may include any of the following:

(1) Social work;

(2) psychology;

(3) counseling;

(4) healing arts;

(5) nursing;

(6) education;

(7) human development and family studies; or

(8) theology.

(w) (x) "Semester credit hour," as used in K.A.R. 102-5-3, means a minimum of at least 13 ~~clock hours~~ clock-hours of formal, didactic classroom instruction that occurred over the course of an academic semester and for which the applicant received formal graduate academic credit.

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MAR 29 2022

DIVISION OF THE BUDGET

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APR 09 2022

DEPT. OF ADMINISTRATION

APPROVED

JUL 22 2022

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~~(x)~~ (y) "Termination of a marriage and family therapy relationship" means the end of the professional relationship that results from any of the following actions or situations:

- (1) The mutual consent of the therapist and client;
- (2) the completion of therapy;
- (3) dismissal of the therapist by the client;
- (4) dismissal of the client by the therapist; or
- (5) the transfer of the client to another professional for active treatment or therapy with the belief that treatment will continue.

~~(y)~~ (z) "Under the direction" means the formal relationship between the individual providing direction and the licensed marriage and family therapist in which both of the following conditions are met:

(1) The directing individual provides the licensee, commensurate with the welfare of the client and the education, training, and experience of the licensee, with the following:

- (A) Professional monitoring and oversight of the marriage and family therapy services provided by the licensee;
- (B) regular and periodic evaluation of treatment provided to clients by the licensee; and
- (C) verification that direction was provided to the licensee.

(2) The licensee receiving direction provides the board, with each license renewal, with the following:

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MAR 29 2022

DIVISION OF THE BUDGET

APPROVED

APR 09 2022

DEPT. OF ADMINISTRATION

APPROVED

JUL 22 2022

ATTORNEY GENERAL

(A) The name, identifying information, and type of license of the directing individual;

(B) a description of the work setting and the marriage and family therapy services conducted under direction; and

(C) documentation that direction was given, including dates, location, and length of time as verified by the directing individual.

(z) (aa) "Undue influence" means ~~misusing~~ the misuse of one's professional position of confidence, trust, or authority over a client or supervisee, or the taking advantage of a client's vulnerability, weakness, infirmity, or distress for either of the following purposes:

(1) To improperly influence or change a client's or supervisee's actions or decisions; or

(2) to exploit a client or supervisee for the therapist's or a third party's financial gain, personal gratification, or advantage. (Authorized by and implementing K.S.A. ~~1999 Supp.~~ 74-7507; effective March 29, 1993; amended Dec. 19, 1997; amended Aug. 4, 2000; amended P-_____.)

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DIVISION OF THE BUDGET

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DEPT. OF ADMINISTRATION

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