

1 **Counseling Regulations**

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3
4 **PART I.**
5 **GENERAL PROVISIONS**
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7
8 **18 VAC 115-20-20. Fees required by the board**
9

10 A. The board has established the following fees applicable to licensure as a professional
11 counselor:

12		
13	<u>Active a</u> Annual license renewal	\$105
14	<u>Inactive annual license renewal</u>	\$55
15	Initial licensure by examination	\$65
16	Initial licensure by endorsement	\$65
17	Duplicate license	\$5
18	Verification of license to another jurisdiction	\$25
19	Late renewal	\$35
20	Reinstatement of a lapsed license	\$165
21	Replacement of or additional wall certificate	\$15
22	Returned check	\$25
23	Reinstatement following revocation or suspension	\$500
24		

25 B. Fees shall be paid directly to the board or its contractor or both in appropriate amounts as
26 specified in the application instructions. All fees are nonrefundable.

27
28 C. Examination fees shall be determined and made payable as determined by the board.
29

30
31 **PART IV.**
32 **LICENSURE RENEWAL; REINSTATEMENT.**
33

1 **18 VAC 115-20-100. Annual renewal of licensure.**

2
3 A. All licensees shall renew licenses on or before June 30 of each year.

4
5 B. Beginning with the 2005 renewal, ~~e~~Every license holder who intends to continue an
6 active ~~to~~ practice shall submit to the board on or before June 30 of each year:

7
8 1. A completed application for renewal of the license on which the licensee attests to
9 compliance with the continuing competency requirements prescribed in this chapter;

10 and

11 2. The renewal fee prescribed in 18 VAC 115-20-20.

12
13 C. A licensee who wishes to place his license in an inactive status may do so upon payment
14 of the inactive renewal fee as established in 18 VAC 115-20-20. No person shall practice
15 counseling in Virginia unless he holds a current active license. A licensee who has placed
16 himself in inactive status may become active by fulfilling the reactivation requirements set
17 forth in 18 VAC 115-20-110.C.

18
19 ~~E~~D. Licensees shall notify the board of change of address within 60 days. Failure to
20 receive a renewal notice from the board shall not relieve the license holder from the renewal
21 requirement.

22
23 **18 VAC 115-20-105. Continued competency requirements for renewal of a license.**

24
25 A. After July 1, 2004, licensed professional counselors shall be required to have
26 completed a minimum of 20 hours of continuing competency for each annual licensure
27 renewal. A minimum of two of these hours shall be in courses that emphasize the ethics,
28 standards of practice or laws governing behavioral science professions in Virginia.

29
30 B. The board may grant an extension for good cause of up to one year for the completion
31 of continuing competency requirements upon written request from the licensee prior to

1 the renewal date. Such extension shall not relieve the licensee of the continuing
2 competency requirement.

3
4 C. The board may grant an exemption for all or part of the continuing competency
5 requirements due to circumstances beyond the control of the licensee such as temporary
6 disability, mandatory military service, or officially declared disasters.

7
8 D. Those individuals dually licensed by this board will not be required to obtain
9 continuing competency for each license. Dually licensed individuals will only be
10 required to provide the hours set out in subsection A of this section or subsection A of 18
11 VAC 115-50-95 in the Regulations Governing the Practice of Marriage and Family
12 Therapy, or subsection A of 18 VAC 115-60-115 in the Regulations Governing the
13 Practice of Licensed Substance Abuse Treatment Providers.

14
15 **18 VAC 115-20-106. Continuing competency activity criteria.**

16
17 A. Continuing competency activities must focus on increasing knowledge or skills in one
18 or more of the areas listed below.

- 19
20 1. Ethics, standards of practice or laws governing behavioral science
21 professions
22 2. Counseling theory
23 3. Human growth and development
24 4. Social and cultural foundations
25 5. The helping relationship
26 6. Group dynamics, processing and counseling
27 7. Lifestyle and career development
28 8. Appraisal of individuals
29 9. Research and evaluation
30 10. Professional orientation
31 11. Clinical supervision

1 12. Marriage and family therapy

2 13. Addictions

3
4 B. Approved hours of continuing competency activity shall be one of the following
5 types:

6
7 1. Formally organized learning activities or home study. (Activities may be counted
8 at their full hour value.) Hours shall be obtained from one or a combination of the
9 following board-approved mental health related activities:

10
11 a. Regionally accredited university or college level academic courses in a
12 behavioral health discipline.

13
14 b. Continuing education programs offered by universities or colleges.

15
16 c. Workshops, seminars, conferences, or courses in the behavioral health field
17 offered by federal, state or licensed health facilities and licensed hospitals.

18
19 d. Workshops, seminars conferences or courses in the behavioral health field
20 offered by an individual or organization that has been certified or approved by
21 one of the following:

22
23 (i) The American Association of Marriage and Family Counselors and its
24 state affiliates.

25
26 (ii) The American Association of Marriage and Family Therapists and its
27 state affiliates.

28
29 (iii) The American Association of State Counseling Boards.

30
31 (iv) The American Counseling Association and its state and local

1 affiliates.

2
3 (v) The American Psychological Association and its state affiliates.

4
5 (vi) Commission on Rehabilitation Education.

6
7 (vii) NAADAC, The Association for Addiction Professionals and its state
8 and local affiliates.

9
10 (viii) National Association of Social Workers.

11
12 (ix) National Board for Certified Counselors.

13
14 (x) A national behavioral health organization or certification body.

15
16 (xi) Individuals or organizations that have been approved as continuing
17 competency sponsors by the American Association of State Counseling
18 Boards or a counseling board in another state.

19
20 2. Individual professional activities.

21
22 a. Publication/presentation/new program development

23
24 (i) Publication of articles. (Activity will count for a maximum of eight
25 hours.)

26
27 Publication activities are limited to articles in refereed journals or a
28 chapter in an edited book.

29
30 (ii) Publication of books. (Activity will count for a maximum of 18
31 hours.)

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(iii) Presentations. (Activity will count for a maximum of eight hours.)

The same presentations may be used only once in a two-year period. Only actual presentation time may be counted.

(iv) New program development (Activity will count for a maximum of eight hours.)

New program development includes a new course, seminar, or workshop. New courses shall be graduate or undergraduate level college or university courses.

b. Dissertation. (Activity will count for a maximum of 18 hours.)

Dissertation credit may only be counted once.

c. Clinical supervision/consultation. (Activity will count for a maximum of ten hours.)

Continuing competency can only be granted for clinical supervision/consultation received on a regular basis with a set agenda. Continuing competency cannot be granted for supervision that you provide to others.

d. Leadership. (Activity will count for a maximum of eight hours.)

The following leadership positions are acceptable for continuing competency credit: Officers of state or national counseling organization; editor and/or reviewer of professional counseling journals; member of state counseling licensure/certification board; member of a national

1 counselor certification board; member of a national ethics disciplinary
2 review committee rendering licenses; active member of a counseling
3 committee producing a substantial written product; chair of a major
4 counseling conference or convention; other leadership positions with
5 justifiable professional learning experiences. The leadership positions
6 must take place for a minimum of one year after the date of first licensure.

7
8 e. Practice related programs. (Activity will count up to a maximum of eight
9 hours.)

10
11 The board may allow up to eight contact hours of continuing competency
12 as long as the regulant submits proof of attendance plus a written
13 justification of how the activity assists him in his direct service of his
14 clients. Examples include: language courses, software training, medical
15 topics, etc.

16
17 **18 VAC 115-20-107. Documenting compliance with continuing competency**
18 **requirements.**

19
20 A. All licensees are required to maintain original documentation for a period of two
21 years following renewal.

22
23 B. After the end of each renewal period, the board may conduct a random audit of
24 licensees to verify compliance with the requirement for that renewal period.

25
26 C. Upon request, a licensee shall provide documentation as follows:

27
28 1. To document completion of formal organized learning activities the licensee
29 shall provide:

30

1 a. Official transcripts showing credit hours earned; or

2
3 b. Certificates of participation.

4
5 2. Documentation of home study shall be made by identification of the source
6 material studied, summary of content, and a signed affidavit attesting to
7 completion of the home study.

8
9 3. Documentation of individual professional activities shall be by one of the
10 following:

11
12 a. Certificates of participation;

13
14 b. Proof of presentations made;

15
16 c. Reprints of publications;

17
18 d. Letters from educational institutions or agencies approving continuing
19 education programs;

20
21 e. Official notification from the association that sponsored the item
22 writing workshop or continuing education program; or

23
24 f. Documentation of attendance at formal staffing by a signed affidavit on
25 a form provided by the board.

26
27 D. Continuing competency hours required by a disciplinary order shall not be used to
28 satisfy renewal requirements.

29
30 **18 VAC 115-20-110. Late renewal; reinstatement.**

1 A. A person whose license has expired may renew it within one year after its expiration
2 date by paying the late fee prescribed in 18 VAC 115-20-20 as well as the license renewal
3 fee prescribed for the year the license was not renewed, and provide evidence of having met
4 all applicable continuing competency requirements.

5
6 B. A person who fails to renew a license after one year or more and wishes to resume
7 practice shall apply for reinstatement, pay the reinstatement fee for a lapsed license, ~~and~~
8 submit evidence regarding the continued ability to perform the functions within the scope
9 of practice of the license, and provide evidence of having met all applicable continuing
10 competency requirements not to exceed a maximum of 80 hours.

11
12 C. A person wishing to reactivate an inactive license shall submit the renewal fee for active
13 licensure minus any fee already paid for inactive licensure renewal, and documentation of
14 continued competency hours equal to the number of years the license has been inactive not
15 to exceed a maximum of 80 hours.

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18 **PART VI.**
19 **STANDARDS OF PRACTICE**
20 **UNPROFESSIONAL CONDUCT, DISCIPLINARY ACTIONS;**
21 **REINSTATEMENT**
22

23 **18 VAC 115-20-140. Grounds for revocation, suspension, probation, reprimand,**
24 **censure, or denial of renewal of license.**

25
26 A. Action by the board to revoke, suspend or decline to renew a license may be taken in
27 accord with the following:

- 28
29 1. Conviction of a felony, or of a misdemeanor involving moral turpitude, or violation
30 of or aid to another in violating any provision of Chapter 35 (§ 54.1-3500 et seq.) of
31 Title 54.1 of the Code of Virginia, any other statute applicable to the practice of
32 professional counseling, or any provision of this chapter.

- 1 2. Procuring of license by fraud or misrepresentation.
2
3 3. Conducting one's practice in such a manner as to make it a danger to the health and
4 welfare of one's clients or to the public, or if one is unable to practice counseling with
5 reasonable skill and safety to clients by reason of illness, abusive use of alcohol, drugs,
6 narcotics, chemicals, or other type of material or result of any mental or physical condi-
7 tion.
8
9 4. Negligence in professional conduct or nonconformance with the Standards of
10 Practice (18 VAC 115-20-130 B).
11
12 5. Performance of functions outside the demonstrable areas of competency.
13
14 6. Failure to comply with the continued competency requirements set forth in
15 this chapter.

16
17 B. Following the revocation or suspension of a license, the licensee may petition the board
18 for reinstatement upon good cause shown or as a result of substantial new evidence having
19 been obtained that would alter the determination reached.
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1 **Marriage and Family Therapy Regulations**

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**PART I
GENERAL PROVISIONS**

18 VAC 115-50-20. Fees.

A. The board has established fees for the following:

Registration of supervision \$50

Add or change supervisor	\$25
Initial licensure by examination: Processing and initial licensure	\$140
Initial licensure by endorsement: processing and initial licensure	\$140
<u>Active</u> Annual license renewal.....	\$105
<u>Inactive annual license renewal</u>	\$55
Penalty for late renewal	\$35
Reinstatement of a lapsed license	\$165
Verification of license to another jurisdiction	\$25
Additional or replacement licenses	\$5
Additional or replacement wall certificates	\$15
Returned check.....	\$25
Reinstatement following revocation or suspension	\$500

B. Fees shall be paid to the board or its contractor or both in appropriate amounts as specified in the application instructions. All fees are non-refundable.

C. Examination fees shall be determined and made payable as determined by the board.

**PART IV
RENEWAL AND REINSTATEMENT OF LICENSE**

1 **18 VAC 115-50-90. Annual renewal of license.**

2
3 A. All licensees shall renew licenses on or before June 30 of each year.

4
5 B. Beginning with the 2005 renewal ~~a~~All licensees who intend to continue an active to
6 practice shall submit to the board on or before June 30 of each year ~~on or before the~~
7 ~~expiration date of the license~~ submit to the board:

- 8
9 1. ~~A license renewal application supplied by the board~~ completed application for
10 renewal of the license on which the licensee attests to compliance with the
11 continuing competency requirements prescribed in this chapter; and

12
13 The renewal fee prescribed in 18 VAC 115-50-20.

14
15 C. A licensee who wishes to place his license in an inactive status may do so upon payment
16 of the inactive renewal fee as established in 18 VAC 115-50-20. No person shall practice
17 marriage and family therapy in Virginia unless he holds a current active license. A licensee
18 who has placed himself in inactive status may become active by fulfilling the reactivation
19 requirements set forth in 18 VAC 115-50-100.C.

20
21 ~~D.~~ Licensees shall notify the board of change of address within 60 days. Failure to
22 receive a renewal notice from the board shall not relieve the license holder from the
23 renewal requirement.

24
25 ~~D. Licensees shall provide the board with official documentation of a legal name change~~
26 ~~and written notification of address changes within 90 days of such change.~~

27
28 **18 VAC 115-50-95. Continued competency requirements for renewal of a license.**

29
30 A. After July 1, 2004, marriage & family therapists shall be required to have completed
31 a minimum of 20 hours of continuing competency for each annual licensure renewal. A

1 minimum of two of these hours shall be in courses that emphasize the ethics, standards of
2 practice or laws governing behavioral science professions in Virginia.

3
4 B. The board may grant an extension for good cause of up to one year for the completion
5 of continuing competency requirements upon written request from the licensee prior to
6 the renewal date. Such extension shall not relieve the licensee of the continuing
7 competency requirement.

8
9 C. The board may grant an exemption for all or part of the continuing competency
10 requirements due to circumstances beyond the control of the licensee such as temporary
11 disability, mandatory military service, or officially declared disasters.

12
13 D. Those individuals dually licensed by this board will not be required to obtain
14 continuing competency for each license. Dually licensed individual will only be required
15 to provide the hours set out in subsection A of this section or subsection A of 18 VAC
16 115-20-105 in the Regulations Governing the Practice of Licensed Professional
17 Counselors, or subsection A of 18 VAC 115-60-115 in the Regulations Governing the
18 Practice of Licensed Substance Abuse Treatment Providers.

19
20 **18 VAC 115-50-96 Continuing competency activity criteria.**

21
22 A. Continuing competency activities must focus on increasing knowledge or skills in one
23 or more of the areas listed below.

24
25 1. Ethics, standards of practice or laws governing behavioral science professions

26 2. Counseling theory

27 3. Human growth and development

28 4. Social and cultural foundations

29 5. The helping relationship

30 6. Group dynamics, processing and counseling

31 7. Lifestyle and career development

- 1 8. Appraisal of individuals
- 2 9. Research and evaluation
- 3 10. Professional orientation
- 4 11. Clinical supervision
- 5 12. Marriage and family therapy
- 6 13. Addictions

7

8 B. Approved hours of continuing competency activity shall be one of the following types:

9

10 1. Formally organized learning activities or home study. (Activities may be
11 counted at their full hour value.) Hours shall be obtained from one or a
12 combination of the following board-approved mental health related activities:

13

14 a. Regionally accredited university or college level academic courses in a
15 behavioral health discipline.

16

17 b. Continuing education programs offered by universities or colleges.

18

19 c. Workshops, seminars, conferences, or courses in the behavioral health
20 field offered by federal, state or local licensed health facilities and licensed
21 hospitals.

22

23 d. Workshops, seminars conferences or courses in the behavioral health
24 field offered by an individual or organization that has been certified
25 or approved by one of the following:

26

27 (i) The American Association of Marriage and Family Counselors and its
28 state affiliates.

29

30 (ii) The American Association of Marriage and Family Therapists and its
31 state affiliates.

32

- 1 (iii) The American Association of State Counseling Boards.
2
- 3 (iv) The American Counseling Association and its state and local affiliates.
4
- 5 (v) The American Psychological Association and its state affiliates.
- 6
- 7 (vi) Commission on Rehabilitation Education.
8
- 9 (vii) NAADAC, The Association for Addiction Professionals and its state
10 and local affiliates.
11
- 12 (viii) National Association of Social Workers.
- 13
- 14 (ix) National Board for Certified Counselors.
- 15
- 16 (x) A national behavioral health organization or certification body.
- 17
- 18 (xi) Individuals or organizations that have been approved as continuing
19 competency sponsors by the American Association of State
20 Counseling Boards or a counseling board in another state.
21

22 Individual professional activities.

23
24 a. Publication/presentation/new program development

25

26 (i) Publication of articles. (Activity will count for a maximum of eight
27 hours.)

28

29 Publication activities are limited to articles in refereed journals or a
30 chapter in an edited book.

31

32 (ii) Publication of books. (Activity will count for a maximum of 18
33 hours.)

34

35 (iii) Presentations. (Activity will count for a maximum of eight hours.)

1
2 The same presentations may be used only once in a two-year period. Only
3 actual presentation time may be counted.

4
5 (iv) New program development (Activity will count for a maximum of
6 eight hours.)

7
8 New program development includes a new course, seminar, or workshop.
9 New courses shall be graduate or undergraduate level college or university
10 courses.

11
12 b. Dissertation. (Activity will count for a maximum of 18 hours.)

13
14 Dissertation credit may only be counted once.

15
16 c. Clinical supervision/consultation. (Activity will count for a maximum of ten
17 hours.)

18
19 Continuing competency can only be granted for clinical
20 supervision/consultation received on a regular basis with a set agenda.
21 Continuing competency cannot be granted for supervision that you
22 provide to others.

23
24 d. Leadership. (Activity will count for a maximum of eight hours.)

25
26 The following leadership positions are acceptable for continuing
27 competency credit: Officers of state or national counseling organization;
28 editor and/or reviewer of professional counseling journals; member of
29 state counseling licensure/certification board; member of a national
30 counselor certification board; member of a national ethics disciplinary
31 review committee rendering licenses; active member of a counseling

1 committee producing a substantial written product; chair of a major
2 counseling conference or convention; other leadership positions with
3 justifiable professional learning experiences. The leadership positions
4 must take place for a minimum of one year after the date of first licensure.

5
6 e. Practice related programs. (Activity will count up to a maximum of eight
7 hours.)

8
9 The board may allow up to eight contact hours of continuing competency
10 as long as the regulant submits proof of attendance plus a written
11 justification of how the activity assists him in his direct service of his
12 clients. Examples include: language courses, software training, medical
13 topics, etc.

14
15 **185VAC 115-50-97. Documenting compliance with continuing competency**
16 **requirements.**

17
18 A. All licensees are required to maintain original documentation for a period of two
19 years following renewal.

20
21 B. After the end of each renewal period, the board may conduct a random audit of
22 licensees to verify compliance with the requirement for that renewal period.

23
24 C. Upon request, a licensee shall provide documentation as follows:

25
26 1. To document completion of formal organized learning activities licensee shall
27 provide:

28
29 a. Official transcripts showing credit hours earned; or

30
31 b. Certificates of participation.

32

1 2. Documentation of home study shall be made by identification of the source
2 material studied, summary of content, and a signed affidavit attesting to
3 completion of the home study.

4
5 3. Documentation of individual professional activities shall be by one of the
6 following:

7
8 a. Certificates of participation;

9
10 b. Proof of presentations made;

11
12 c. Reprints of publications;

13
14 d. Letters from educational institutions or agencies approving continuing
15 education programs;

16
17 e. Official notification from the association that sponsored the item
18 writing workshop or continuing education program; or

19
20 f. Documentation of attendance at formal staffing shall be by signed
21 affidavit on a form provided by the board.

22
23 D. Continuing competency hours required by a disciplinary order shall not be used to
24 satisfy renewal requirements.

25
26 **18 VAC 115-50-100. Late renewal, reinstatement.**

27
28 A. ~~An individual~~ person whose license has expired may renew it within one year after its
29 expiration date by paying the penalty fee prescribed in 18 VAC 115-50-20 as well as the
30 license fee prescribed for the period the license was not renewed, and provide evidence of
31 having met all applicable continuing competency requirements.

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B. ~~An individual~~ person seeking reinstatement of a license one year or more after its expiration date must apply for reinstatement, pay the reinstatement fee and submit evidence regarding the continued ability to perform the functions within the scope of practice of the license, and provide evidence of having met all applicable continuing competency requirements not to exceed a maximum of 80 hours.

C. A person wishing to reactivate an inactive license shall submit the renewal fee for active licensure minus any fee already paid for inactive licensure renewal, and documentation of continued competency hours equal to the number of years the license has been inactive, not to exceed a maximum of 80 hours.

**PART VI
DISCIPLINARY ACTION**

18 VAC 115-50-120. Disciplinary Action.

A. In accordance with §54.1-2400 of the *Code of Virginia*, the board may, after a hearing, revoke, suspend or decline to issue or renew a license or impose a fine in accordance with the following:

1. Conviction of a felony or of a misdemeanor involving moral turpitude;
2. Procurement of a license, certificate or registration by fraud or misrepresentation;
3. Conducting one’s practice in such a manner as to make it a danger to the health and welfare of one’s clients or the general public;
4. Practicing marriage and family therapy without reasonable skill and safety to clients by virtue of physical or emotional illness, abusive use of alcohol, drugs, narcotics, chemicals or any other hazardous substance or material;

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- 5. Providing or offering services outside the demonstrable areas of competency; ~~or~~
- 6. Violating or abetting another person in the violation of any provision of any statute applicable to the practice of marriage and family therapy, or any part or portion of this chapter; or
- 7. Failure to comply with the continued competency requirements set forth in this chapter.

1 **Substance Abuse Treatment Practitioner Regulations**

2
3
4 **PART I**

5 **GENERAL PROVISIONS**

6
7
8 **18 VAC 115-60-20. Fees required by the board.**

9
10 A. The board has established the following fees applicable to licensure as a substance abuse
11 treatment practitioner:

12	
13	Registration of supervision (initial).....\$50
14	Add/Change supervisor.....\$25
15	Initial licensure by examination: Processing and initial licensure.....\$140
16	Initial licensure by endorsement: Processing and initial licensure.....\$140
17	<u>Active a</u> Annual license renewal.....\$105
18	<u>Inactive annual license renewal..... \$55</u>
19	Duplicate license.....\$5
20	Verification of license to another jurisdiction.....\$25
21	Late renewal.....\$35
22	Reinstatement of a lapsed license.....\$165
23	Replacement of or additional wall certificate.....\$15
24	Returned check.....\$25
25	Reinstatement following revocation or suspension.....\$500
26	

27 B. Fees shall be paid directly to the board or its contractor, or both, in appropriate
28 amounts as specified in the application instructions. All fees are non-refundable.

29
30 C. Examination fees shall be determined and made payable as determined by the board.

1 **PART IV.**
2 **LICENSE RENEWAL; REINSTATEMENT**

3
4 18 VAC 115-60-110. Renewal of licensure

5
6 A. All licensees shall renew licenses on or before June 30 of each year.

7
8 B. Beginning with the 2005 renewal, ~~e~~Every license holder who intends to continue an
9 active ~~to~~ practice shall submit to the board on or before June 30 of each year:

- 10
11 1. A completed application for renewal of the license on which the licensee attests
12 to compliance with the continuing competency requirements prescribed in this
13 chapter; and
14 2. The renewal fee prescribed in 18 VAC 115-60-20.

15
16 C. A licensee who wishes to place his license in an inactive status may do so upon
17 payment of the inactive renewal fee as established in 18 VAC 115-60-20. No person
18 shall practice substance abuse treatment in Virginia unless he holds a current active
19 license. A licensee who has placed himself in inactive status may become active by
20 fulfilling the reactivation requirements set forth in 18 VAC 115-60-120.C.

21
22 ~~E~~D. Licensees shall notify the board of change of address within 60 days. Failure to
23 receive a renewal notice from the board shall not relieve the license holder from the renewal
24 requirement.

25
26 **18 VAC 115-60-115. Continued competency requirements for renewal of a**
27 **license.**

28
29 A. After July 1, 2004, licensed substance abuse treatment practitioners shall be required
30 to have completed a minimum of 20 hours of continuing competency for each annual
31 licensure renewal. A minimum of two of these hours shall be in courses that emphasize
32 the ethics, standard of practice or laws governing behavioral science professions in

1 Virginia.

2
3 B. The board may grant an extension for good cause of up to one year for the completion
4 of continuing competency requirements upon written request from the licensee prior to
5 the renewal date. Such extension shall not relieve the licensee of the continuing
6 competency requirement.

7
8 C. The board may grant an exemption for all or part of the continuing competency
9 requirements due to circumstances beyond the control of the licensee such as temporary
10 disability, mandatory military service, or officially declared disasters.

11
12 D. Those individuals dually licensed by this board will not be required to obtain
13 continuing competency for each license. Dually licensed individuals will only be
14 required to provide the hours set out in subsection A of this Chapter or subsection A of
15 18 VAC 115-50-95 in the Regulations Governing the Practice of Marriage and Family
16 Therapy, or subsection A of 18 VAC 115-60-115 in the Regulations Governing the
17 Practice of Licensed Professional Counselors.

18
19 **18 VAC 115-60-116. Continuing competency activity criteria.**

20
21 A. Continuing competency activities must focus on increasing knowledge or skills in one
22 or more of the areas listed below.

23
24 1. Ethics, standards of practice or laws governing behavioral science professions

25 2. Counseling theory

26 3. Human growth and development

27 4. Social and cultural foundations

28 5. The helping relationship

29 6. Group dynamics, processing and counseling

30 7. Lifestyle and career development

31 8. Appraisal of individuals

- 1 9. Research and evaluation
- 2 10. Professional orientation
- 3 11. Clinical supervision
- 4 12. Marriage and family therapy
- 5 13. Addictions

6

7 B. Approved hours of continuing competency activity shall be one of the following
8 types:

9

10 1. Formally organized learning activities or home study. (Activities may be
11 counted at their full hour value.) Hours shall be obtained from one or a
12 combination of the following board-approved mental health related activities:

13

14 a. Regionally accredited university or college level academic courses in a
15 behavioral health discipline.

16

17 b. Continuing education programs offered by universities or colleges.

18

19 c. Workshops, seminars, conferences, or courses in the behavioral health field
20 offered by federal, state or licensed health facilities and licensed hospitals.

21

22 d. Workshops, seminars conferences or courses in the behavioral health field
23 offered by an individual or organization that has been certified or
24 approved by one of the following:

25

26 (i) The American Association of Marriage and Family Counselors and its
27 state affiliates.

28

29 (ii) The American Association of Marriage and Family Therapists and its
30 state affiliates.

31

- 1 (iii) The American Association of State Counseling Boards.
2
3 (iv) The American Counseling Association and its state and local affiliates.
4
5 (v) The American Psychological Association and its state affiliates.
6
7 (vi) Commission on Rehabilitation Education.
8
9 (vii) NAADAC, The Association for Addiction Professionals and its state
10 and local affiliates.
11
12 (viii) National Association of Social Workers.
13
14 (ix) The National Board for Certified Counselors.
15
16 (x) A national behavioral health organization or certification body.
17
18 (xi) Individuals or organizations that have been approved as continuing
19 competency sponsors by the American Association of State
20 Counseling Boards or a counseling board in another state.

21
22 2. Individual professional activities.

23
24 a. Publication/presentation/new program development

25
26 (i) Publication of articles. (Activity will count for a maximum of eight
27 hours.)

28
29 Publication activities are limited to articles in refereed journals or a
30 chapter in an edited book.

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(ii) Publication of books. (Activity will count for a maximum of 18 hours.)

(iii) Presentations. (Activity will count for a maximum of eight hours.)

The same presentations may be used only once in a two-year period. Only actual presentation time may be counted.

(iv) New program development (Activity will count for a maximum of eight hours.)

New program development includes a new course, seminar, or workshop. New courses shall be graduate or undergraduate level college or university courses.

b. Dissertation (Activity will count for a maximum of 18 hours)

Dissertation credit may only be counted once.

c. Clinical supervision/consultation. (Activity will count for a maximum of ten hours.)

Continuing competency can only be granted for clinical supervision/consultation received on a regular basis with a set agenda. Continuing competency cannot be granted for supervision that you provide to others.

d. Leadership. (Activity will count for a maximum of eight hours.)

The following leadership positions are acceptable for continuing competency credit: Officers of state or national counseling organization;

1 editor and/or reviewer of professional counseling journals; member of
2 state counseling licensure/certification board; member of a national
3 counselor certification board; member of a national ethics disciplinary
4 review committee rendering licenses; active member of a counseling
5 committee producing a substantial written product; chair of a major
6 counseling conference or convention; other leadership positions with
7 justifiable professional learning experiences. The leadership positions
8 must take place for a minimum of one year after the date of first licensure.
9

10 e. Practice related programs. (Activity will count up to a maximum of eight
11 hours.)
12

13 The board may allow up to eight contact hours of continuing competency
14 as long as the regulant submits proof of attendance plus a written
15 justification of how the activity assists him in his direct service of his
16 clients. Examples include: language courses, software training, medical
17 topics, etc.
18

19 **VAC 115-60-117. Documenting compliance with continuing competency**
20 **requirements.**

21
22 A. All licensees are required to maintain original documentation for a period of two
23 years following renewal.
24

25 B. After the end of each renewal period, the board may conduct a random audit of
26 licensees to verify compliance with the requirement for that renewal period.
27

28 C. Upon request, a licensee shall provide documentation as follows:
29

30 1. To document completion of formal organized learning activities licensee shall
31 provide:
32

1 a. Official transcripts showing credit hours earned; or

2
3 b. Certificates of participation.

4
5 2. Documentation of home study shall be made by identification of the source
6 material studied, summary of content, and a signed affidavit attesting to
7 completion of the home study.

8
9 3. Documentation of individual professional activities shall be by one of the
10 following:

11
12 a. Certificates of participation;

13
14 b. Proof of presentations made;

15
16 c. Reprints of publications;

17
18 d. Letters from educational institutions or agencies approving continuing
19 education programs;

20
21 e. Official notification from the association that sponsored the item
22 writing workshop or continuing education program; or

23
24 f. Documentation of attendance at formal staffing shall be by signed
25 affidavit on a form provided by the board.

26
27 D. Continuing competency hours required by a disciplinary order shall not be used to
28 satisfy renewal requirements.

29
30 **18 VAC 115-60-120. Late renewal; reinstatement.**

1 A. A person whose license has expired may renew it within one year after its expiration
2 date by paying the late renewal fee prescribed in 18 VAC 115-60-20, as well as the license
3 fee prescribed for the year the license was not renewed, and provide evidence of having met
4 all applicable continuing competency requirements.

5
6 B. A person who fails to renew a license after one year or more and wishes to resume
7 practice ~~must~~ shall apply for reinstatement, pay the reinstatement fee for a lapsed license,
8 ~~and~~ submit evidence regarding the continued ability to perform the functions within the
9 scope of practice of the license, and provide evidence of having met all applicable
10 continuing competency requirements not to exceed a maximum of 80 hours.

11
12 C. A person wishing to reactivate an inactive license shall submit the renewal fee for
13 active licensure minus any fee already paid for inactive licensure renewal, and
14 documentation of continued competency hours equal to the number of years the license
15 has been inactive not to exceed a maximum of 80 hours.

16
17
18 **PART V.**
19 **STANDARDS OF PRACTICE**
20 **UNPROFESSIONAL CONDUCT; DISCIPLINARY ACTIONS;**
21 **REINSTATEMENT**
22

23 **18 VAC 115-60-140. Grounds for revocation, suspension, probation, reprimand,**
24 **censure, or denial of renewal of license.**
25

26 A. Action by the board to revoke, suspend or decline to renew a license may be taken in
27 accord with the following:

- 28
29 1. Conviction of a felony, of a misdemeanor involving moral turpitude, or
30 violation of or aid to another in violating any provision of Chapter 35 of Title 54.1
31 (§ 54.1-3500 et seq.) of the Code of Virginia, any other statute applicable to the
32 practice of substance abuse treatment, or any provision of this chapter.
33

- 1 2. Procuring of license by fraud or misrepresentation.
2
3 3. Conducting one’s practice in such a manner as to make it a danger to the health
4 and welfare of one’s clients or to the public, or if one is unable to practice
5 substance abuse treatment with reasonable skill and safety to clients by reason of
6 illness, abusive use of alcohol, drugs, narcotics, chemicals, or other type of
7 material or result of any mental or physical condition.
8
9 4. Negligence in professional conduct or nonconformance with the Standards of
10 Practice (18 VAC 115-60-130).
11
12 5. Performance of functions outside the demonstrable areas of competency.
13
14 6. Failure to comply with the continued competency requirements set forth in this
15 chapter.
16

17 B. Petition for rehearing. Following the revocation or suspension of a license the
18 licensee may petition the board for rehearing upon good cause shown or as a result of
19 substantial new evidence having been obtained that would alter the determination
20 reached.
21
22