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File Date: 8/21/18

# Notice of Rulemaking Hearing

*Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.*

**Agency/Board/Commission:** Board for Licensed Professional Counselors, Licensed Marriage and Family Therapists, and Clinical Pastoral Therapists  
**Division:**  
**Contact Person:** Nathaniel Flinchbaugh, Assistant General Counsel  
**Address:** 665 Mainstream Drive, Nashville, Tennessee 37243  
**Phone:** (615) 741-1611  
**Email:** Nathaniel.Flinchbaugh@tn.gov

*Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:*

**ADA Contact:** ADA Coordinator  
710 James Robertson Parkway,  
**Address:** Andrew Johnson Building, 5th Floor, Nashville, Tennessee 37243  
**Phone:** (615) 741-6350  
**Email:** Tina.M.Harris2@tn.gov

**Hearing Location(s)** (for additional locations, copy and paste table)

|                |  |
|----------------|--|
| Address 1:     | Metro Center   |
| Address 2:     | 665 Mainstream Drive, Poplar Conference Room   |
| City:          | Nashville  |
| Zip:           | 37228  |
| Hearing Date : | 12/07/18   |
| Hearing Time:  | 9:00 a.m. <input checked="" type="checkbox"/> CST/CDT <input type="checkbox"/> EST/EDT |

**Additional Hearing Information:**

\_\_\_\_\_

**Revision Type (check all that apply):**

- Amendment
- New
- Repeal

**Rule(s)** (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

| Chapter Number | Chapter Title                                   |
|----------------|---|
| 0450-01        | General Rules Governing Professional Counselors |
| Rule Number    | Rule Title                                      |
| 0450-01-.12    | Continuing Education                            |

|                       |   |
|-----------------------|---|
| 0450-01-.13           | Professional Ethics                                   |
| <b>Chapter Number</b> | <b>Chapter Title</b>                                  |
| 0450-02               | General Rules Governing Marital and Family Therapists |
| <b>Rule Number</b>    | <b>Rule Title</b>                                     |
| 0450-02-.12           | Continuing Education                                  |
| 0450-02-.13           | Professional Ethics                                   |
| <b>Chapter Number</b> | <b>Chapter Title</b>                                  |
| 0450-03               | General Rules Governing Clinical Pastoral Therapists  |
| <b>Rule Number</b>    | <b>Rule Title</b>                                     |
| 0450-03-.12           | Continuing Education                                  |
| 0450-03-.13           | Professional Ethics                                   |

Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to

[http://sos-tn-gov-files.s3.amazonaws.com/forms/Rulemaking%20Guidelines\\_September2016.pdf](http://sos-tn-gov-files.s3.amazonaws.com/forms/Rulemaking%20Guidelines_September2016.pdf).

Chapter 0450-01  
General Rules Governing Professional Counselors  
Amendments

Rule 0450-01-.12 Continuing Education is amended by adding new subparagraph (1)(d) and re-lettering the remaining subparagraphs accordingly, so that as amended, the new subparagraph shall read:

- (d) Suicide Prevention Training required under the "Kenneth and Madge Tullis, MD, Suicide Prevention Training Act."
  - 1. Current Licensees – Beginning January 1, 2020, all persons who hold an active license or registration under this part must complete a Board approved training program of not less than two (2) hours relative to suicide prevention at least once every five (5) years.
  - 2. New Licensees – An applicant applying for initial licensure on or after January 1, 2020 is not required to complete a training program on suicide prevention for two (2) years after the date of initial licensure if the applicant can demonstrate successful completion of a two (2) hour academic training program that meets criteria established by the Board and that was completed no more than two (2) years prior to the application for initial licensure.
  - 3. Hours Earned – The continuing education hours earned through the training program under Part 1 and Part 2 of this subparagraph count toward meeting the continuing education requirements listed in subparagraph (1)(a) of this rule.

Authority: T.C.A. § 63-1-122.

Rule 0450-01-.13 Professional Ethics is amended by deleting the introductory paragraph in its entirety and substituting instead the following language, and is further amended by deleting paragraphs (3) and (5) in their entirety and renumbering the remaining paragraph accordingly, so that as amended, the new introductory paragraph shall read:

All licensees and certificate holders shall comply with the 2014 American Counseling Association Code of Ethics, except to the extent that it conflicts with the laws of the state of Tennessee or the rules of the Board. If the code of ethics conflicts with state law or rules, the state law or rules govern the matter. Violation of the code of ethics or state law or rules may subject a licensee or certificate holder to disciplinary action.

Authority: T.C.A. § 63-23-106.

Chapter 0450-02  
General Rules Governing Marital and Family Therapists  
Amendments

Rule 0450-02-.12 Continuing Education is amended by adding new subparagraph (1)(d) and re-lettering the remaining subparagraph accordingly, so that as amended, the new subparagraph shall read:

- (d) Suicide Prevention Training required under the "Kenneth and Madge Tullis, MD, Suicide Prevention Training Act."
  - 1. Current Licensees – Beginning January 1, 2020, all persons who hold an active license or registration under this part must complete a Board approved training program of not less than two (2) hours relative to suicide prevention at least once every five (5) years.
  - 2. New Licensees – An applicant applying for initial licensure on or after January 1, 2020 is not required to complete a training program on suicide prevention for two (2) years after the date of initial licensure if the applicant can demonstrate successful completion of a two (2) hour academic training program that meets criteria established by the Board and that was completed no more than two (2) years prior to the application for initial licensure.

3. Hours Earned – The continuing education hours earned through the training program under Part 1 and Part 2 of this subparagraph count toward meeting the continuing education requirements listed in subparagraph (1)(a) of this rule.

Authority: T.C.A. § 63-1-122.

Rule 0450-02-.13 Professional Ethics is amended by deleting paragraph (2) in its entirety, including its subparagraphs, and substituting instead the following language, and is further amended by deleting paragraph (4) in its entirety, so that as amended, the new paragraph shall read:

- (2) All licensees and certificate holders shall comply with the current code of ethics adopted by the American Association for Marriage and Family Therapy (AAMFT) on July 1, 2012, except to the extent that it conflicts with the laws of the state of Tennessee or the rules of the Board. If the code of ethics conflicts with state law or rules, the state law or rules govern the matter. Violation of the codes of ethics or state law or rules may subject a licensee or certificate holder to disciplinary action.

Authority: T.C.A. § 63-23-106.

Chapter 0450-03  
General Rules Governing Clinical Pastoral Therapists  
Amendments

Rule 0450-03-.12 Continuing Education is amended by adding new subparagraph (1)(d) and re-lettering the remaining subparagraph accordingly, so that as amended, the new subparagraph shall read:

- (d) Suicide Prevention Training required under the "Kenneth and Madge Tullis, MD, Suicide Prevention Training Act."
  1. Current Licensees – Beginning January 1, 2020, all persons who hold an active license or registration under this part must complete a Board approved training program of not less than two (2) hours relative to suicide prevention at least once every five (5) years.
  2. New Licensees – An applicant applying for initial licensure on or after January 1, 2020 is not required to complete a training program on suicide prevention for two (2) years after the date of initial licensure if the applicant can demonstrate successful completion of a two (2) hour academic training program that meets criteria established by the Board and that was completed no more than two (2) years prior to the application for initial licensure.
  3. Hours Earned – The continuing education hours earned through the training program under Part 1 and Part 2 of this subparagraph count toward meeting the continuing education requirements listed in subparagraph (1)(a) of this rule.

Authority: T.C.A. § 63-1-122.

Rule 0450-03-.13 Professional Ethics is amended by deleting paragraph (2) in its entirety, including its subparagraphs, and substituting instead the following language, so that as amended, the new paragraph shall read:

- (2) All licensees shall comply with the following ethical guidelines. Violation of these ethical guidelines or state law or rules may subject a licensee to disciplinary action.
  - (a) Affirm the importance of being both spiritually grounded and psychologically informed.
  - (b) Maintain responsible association with the faith group with which the licensee identifies and in which the licensee may have ecclesiastical standing.
  - (c) Stay current with research that affects the licensee's understanding of clinical issues and the conduct of the licensee's practice.
  - (d) Seek out and engage in collegial relationships, recognizing that isolation can lead to a loss of

perspective and judgment.

- (e) Manage personal problems and conflicts in a healthful fashion and seek appropriate assistance for the licensee's own personal problems or conflicts.
- (f) Assess/evaluate, diagnose or provide treatment only for those problems or issues that are within the reasonable boundaries of the licensee's competence.
- (g) Establish and maintain appropriate professional relationship boundaries. The licensee will make every effort to be transparent with congregations and other public constituencies about the boundaries the licensee holds.
- (h) Remain abreast of and comply with appropriate regulatory statutes that govern the licensee's pastoral counseling activities.
- (i) Promote social justice and develop multicultural competence as part of the licensee's practice.

Authority: T.C.A. § 63-23-106.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: 8/21/18

Signature: *Nathaniel Flinchbaugh*

Name of Officer: Nathaniel Flinchbaugh

Title of Officer: Assistant General Counsel  
Department of Health

Subscribed and sworn to before me on: August 21, 2018

Notary Public Signature: *Lisa Williams*

My commission expires on: December 31, 2020



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Filed with the Department of State on: 8/21/18

*Tre Hargett*

Tre Hargett  
Secretary of State

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