

**TITLE 86. STATE BOARD OF BEHAVIORAL HEALTH LICENSURE  
CHAPTER 10. LICENSED PROFESSIONAL COUNSELORS**

**SUBCHAPTER 1. GENERAL PROVISIONS**

**86:10-1-2. Definitions**

When used in this Chapter, the following words and/or terms shall have the following meaning unless the context clearly requires otherwise:

**"Act"** means the Licensed Professional Counselors Act, 59 O.S. §§ 1901 et seq., as amended.

**"Administrative Procedures Act" ("APA")** means Article I and/or Article II of the Administrative Procedures Act, 75 O.S. §§ 250 et seq.

**"Applicant"** means a person who has made a formal application with the Board.

**"Approved LPC Supervisor" ("Supervisor")** means an individual who meets the qualifications to become an approved supervisor and is approved by the Board pursuant to Section 86:10-11-4 of this Chapter.

**"Board"** means the State Board of Behavioral Health Licensure.

**"Complainant"** means any person who files a Request for Inquiry against a LPC, Candidate, or a person who delivers licensed professional counseling services without a license.

**"Complaint Committee"** means one Board member who is a LPC, the Executive Director, the Assistant Attorney General and may include other appropriate individuals as determined by the Committee.

**"Dual relationship"** means a familial, social, financial, business, professional, close personal, sexual or other non-therapeutic relationship with a client, or engaging in any activity with another person that interferes or conflicts with the LPC's or LPC Candidate's professional obligation to a client.

**"Direct Client Contact Hours"** means the performance of therapeutic or clinical functions that includes diagnosis, assessment and treatment of mental, emotional and behavioral disorders based primarily on verbal communications and intervention with, and in the presence of, one or more clients.

**"Employee"** means in accordance with 26 U.S.C. § 3121 (d):

- (A) Any officer of a corporation; or
- (B) Any individual who, under the usual common law rules applicable in determining the employer-employee relationship, has the status of employee.

**"Face-to-face learning"** means the delivery of graduate coursework or continuing education through instruction that is designed to deliver education to learners who are in the direct physical presence of the educator or designed to deliver education to learners through synchronous instructional delivery methods.

**"Face-to-face supervision"** means the Supervisor and the Candidate shall be in the physical presence of the other during individual or group supervision.

**"Forensic services"** means the application of knowledge, training and experience from the mental health field to the establishment of facts and/or the establishment of evidence in a court of law or ordered by a court of law.

**"Formal Complaint"** means a written statement of alleged violation(s) of the Act and/or Rules which is filed by the Assistant Attorney General. The Formal Complaint schedules an Individual Proceeding before the Board in accordance with 75 O.S. §309.

**"Full time"** means at least ~~twenty (20)~~ five (5) hours of on-the-job experience per week.

**"Group supervision"** means an assemblage of two (2) to six (6) Candidates.

**"Home-study"** or **"technology-assisted distance learning"** means the delivery of graduate coursework or continuing education through mailed correspondence or other distance learning technologies, which focuses on using asynchronous instructional delivery methods.

**"Licensed Professional Counselor" ("LPC")** means a person holding a current license issued pursuant to the provision of the Professional Counselor Licensure Act.

**"Licensed Professional Counselor Candidate" ("Candidate")** means a person whose application for licensure has been accepted and who is under supervision for licensure as provided in 59 O.S. §1906.

**"Licensure Committee"** means two LPC Board members, the Executive Director, and may include other appropriate individuals as determined by the Committee.

**"OAC"** means the Oklahoma Administrative Code.

**"On-the-job experience"** means the performance of counseling activities as described in Section 1902 of the Act and 86:10-11-3 of the OAC and includes the application of mental health and developmental principles in order to facilitate human development and adjustment throughout the life span, prevent, diagnose or treat mental, emotional or behavioral disorders or associated distress which interfere with mental health; conduct assessments or diagnoses for the purpose of establishing treatment goals and objectives; plan, implement or evaluate treatment plans using counseling treatment interventions; the application of cognitive, affective, behavioral and systemic counseling strategies which include principles of development, wellness, and pathology that reflect a pluralistic society. Such interventions are specifically implemented in the context of a professional counseling relationship; interpreting or reporting scientific fact or theory in counseling to provide assistance in solving current or potential problems of individuals, groups or organizations; the evaluating of data to identify problems and to determine the advisability of referral to other specialists;

and reporting, designing, conducting or consulting on research in counseling, planning, designing, conducting, and reporting research only in a manner as published in Section G., Research and Publication, of the American Counseling Association (ACA) Code of Ethics, approved by the ACA Governing Council, 2005. (OAC 86: 10-3-2(e)).

**"On-site supervisor"** means a person who may not be an approved LPC supervisor but is licensed by the state of Oklahoma as a Licensed Marital and Family Therapist, Licensed Professional Counselor, Licensed Behavioral Practitioner, Psychologist, Clinical Social Worker, Psychiatrist, or Licensed Alcohol and Drug Counselor employed by the agency employing the LPC Candidate whose assigned job duties include acting as the immediate supervisor to the LPC Candidate and who is available to the candidate at all times when counseling services are being rendered by the LPC Candidate.

**"Request for Inquiry" ("RFI")** means a written or oral statement of complaint from any person alleging possible violation(s) of the Act and/or Rules. "Respondent" means the person against whom an Individual Proceeding is initiated.

**"Semi-Annual"** means every six (6) months.

**"Staff"** means the personnel of the Board.

**"Technology-assisted supervision"** refers to supervision that occurs through video teleconferencing, over secure internet connections, wherein a Supervisor and a Candidate are in separate physical locations.

## **SUBCHAPTER 7. APPLICATION PROCEDURES**

### **86:10-7-2. Application materials and forms**

- (a) Each application shall include the following documents:
- (1) Application form,
  - (2) Official transcript(s),
  - (3) Internship/Practicum Documentation Form,
  - (4) Completed criminal background check, and
  - (5) Fees.
- (b) The Application Form requires the following:
- (1) Identifying information;
  - (2) Possession of other credentials;
  - (3) Previous misconduct;
  - (4) Education; and
  - (5) Proposed professional practice.
- (c) The Internship/Practicum Documentation form requires the following:
- (1) Identifying information; and
  - (2) Time, place, location of practicum.
- (d) The Supervision Agreement requires identifying information of supervisee and supervisor as follows:
- (1) Name of candidate;

- (2) Name of candidate's place of employment;
- (3) Location supervised experience hours are being accrued;
- (4) Candidate's contact information;
- (5) Signature of Candidate;
- (6) Name of Approved LPC Supervisor;
- (7) Name of Approved LPC Supervisor's place of employment;
- (8) LPC Approved Supervisor's contact information;
- (9) Signature of LPC Approved Supervisor;
- (10) Name of On-Site Supervisor;
- (11) On-Site Supervisor's licensure information;
- (12) Name of On-Site Supervisor's place of employment;
- (13) On-Site Supervisor's contact information;
- (14) Signature of On-Site Supervisor.

~~(e) The Out-of-State Licensure Verification Form requires the following information:~~

- ~~(1) Identifying information;~~
- ~~(2) Type of credential held in other state;~~
- ~~(3) License number;~~
- ~~(4) Issue and expiration date of license;~~
- ~~(5) Current standing of license;~~
- ~~(6) Past complaints or sanctions;~~
- ~~(7) Exam information;~~
- ~~(8) Supervision information;~~
- ~~(9) Graduate education;~~
- ~~(10) Internship documentation; and~~
- ~~(11) Signature and identifying information of person verifying from out of state.~~

~~(f) The Termination of Supervision Agreement requires the following information:~~

- ~~(1) name of candidate;~~
- ~~(2) current place of employment of candidate;~~
- ~~(3) address of current place of employment of candidate;~~
- ~~(4) phone number of candidate;~~
- ~~(5) email address of candidate;~~
- ~~(6) signature and signature date of candidate, (if available);~~
- ~~(7) name of supervisor;~~
- ~~(8) license number of supervisor;~~
- ~~(9) current place of employment of supervisor;~~
- ~~(10) phone number of supervisor;~~
- ~~(11) email address of supervisor;~~
- ~~(12) signature and signature date of supervisor, (if available); and~~
- ~~(13) effective date of termination of supervision agreement.~~

The Verification of Academic Standing requires the following information:

- (1) Name of applicant;
- (2) Name of university;
- (3) Name of graduate program;
- (4) Name of degree;

- (5) Total number of graduate coursework hours required to receive diploma;
- (6) Date of graduation;
- (7) Signature and signature date of applicant;
- (8) Name of administrator and/or school official;
- (9) Title/position of administrator and/or school official;
- (10) Telephone number of administrator and/or school official;
- (11) Email address of administrator and/or school official;
- (12) Signature and signature date of administrator and/or school official.

**86:10-7-6. Application for voided application for failure to provide a passing score on examinations**

(a) Application after application is voided for failure to provide a passing score on examinations shall include the following documents:

- (1) Application form,
- (2) Official transcript(s),
- (3) Application Fee, and
- (4) Completed criminal background check.

(b) Applicant shall take and pass two examinations:

- (1) The National Counselor Examination or another equivalent examination as determined by the Board; and
- (2) The Oklahoma Legal and Ethical Responsibilities Examination.

(c) Exam results accrued prior to date of application shall not be considered.

(ed) The Internship/Practicum Documentation Form on file shall carry over to a new application.

(de) All previously submitted and approved Supervised Experience shall not carry over to a new application.

**86:10-7-7.1. Application procedures for voided application for inactivity**

(a) Application after application is voided for remaining inactive for 24 months, in accordance with 86:10-7-2.2, shall include the following documents:

- (1) Application form,
- (2) Official transcript(s),
- (3) Supervision Agreement,
- (4) Application Fee, and
- (5) Completed criminal background check.

(b) Applicant shall take and pass two examinations:

- (1) The National Counselor Examination or another equivalent examination as determined by the Board; and
- (2) The Oklahoma Legal and Ethical Responsibilities Examination.

(c) Exam results accrued prior to date of application shall not be considered.

(ed) The Internship/Practicum Documentation Form on file shall carry over to a new application.

(de) All previously submitted and approved Supervised Experience shall be voided with prior application and shall not carry over to a new application.

## SUBCHAPTER 11. SUPERVISED EXPERIENCE REQUIREMENT

### 86:10-11-5. Duration of supervision

(a) Three (3) years or three-thousand (3000) clock hours of full time, on-the-job experience, which is supervised by an approved LPC supervisor, shall be completed. Included in the three-thousand (3000) clock hours of full time, on-the-job experience, a minimum of one-thousand (1000) hours shall be from direct client contact and one-hundred (100) hours shall be from face-to-face or technology-assisted supervision.

~~(b) For each one-thousand (1000) clock hours of full time, on-the-job experience, three hundred fifty (350) hours shall be direct client contact hours.~~

(eb) "Full time" means at least ~~twenty (20)~~ five (5) hours per week.

(ec) Weekly, face-to-face supervision or technology-assisted supervision shall be accrued under ~~an~~ a Board approved LPC supervisor at ~~the ratio~~ a minimum of forty-five (45) minutes of supervision ~~for every twenty (20) hours of on-the-job experience~~ per week.

(ed) "Group supervision" means an assemblage of counseling supervisees consisting of ~~from two (2) to six (6) members and no more than one half (1/2) of the required supervision hours may be received in group supervision.~~

(~~fe~~) One (1) or two (2) years of supervised experience may be gained at the rate of one (1) year for each thirty (30) graduate semester credit hours or forty-five (45) graduate quarter credit hours in counseling-related course work earned beyond the master's degree, provided that such hours are clearly related to the field of counseling and are acceptable to the Board. ~~(Minimal educational requirements are a master's degree [at least forty-five (45) hours] or doctorate with the first forty-five (45) hours meeting the minimal educational requirements. As of January 1, 2000, minimal educational requirements are a master's degree [at least sixty (60) semester credit hours or ninety (90) quarter credit hours] or a doctorate with the first sixty (60) semester credit hours or ninety (90) quarter credit hours meeting the minimal educational requirements.)~~

(~~gf~~) Regardless of the number of hours earned beyond the master's degree, the LPC supervisee shall receive at least one (1) year or one-thousand (1000) clock hours of supervision ~~in the ratios~~ as described in subchapter 11, section 86:10-11-5(ba-d).

(~~hg~~) If an applicant completes the supervised experience requirement, the applicant shall continue to practice under LPC

supervision as described in this subchapter, unless exempted by the Act, until licensed. ~~Failure to do so constitutes a violation of the Act and may be subject to prosecution under the District Attorney and sanction by the Board.~~

~~(h)~~ Applicants shall complete supervised experience requirements within sixty (60) months of the date of the approval of the first supervision agreement or the application shall be voided.

~~(i)~~ Approved supervisors shall perform at least two (2) observations (live or tape) per each six (6) month evaluation period for each supervisee.

~~(j)~~ Approved supervisors shall consult with on-site supervisor at least once during each six (6) month evaluation period for each supervisee.

#### **86:10-11-6. Documentation of supervised experience**

~~(a) A supervision agreement form between the supervisor and supervisee, shall be received by the LPC Board prior to beginning the accrual of supervised hours.~~

~~(b) Supervisor and supervisee shall agree to terms set forth for the accrual of supervised experience.~~

~~(e)~~ The supervisor and supervisee shall sign and submit the "Evaluation of Supervised Experience," including documentation of observations and date of consultation between approved supervisor and on-site supervisor, semi-annually beginning as of the date of the approval of the first supervision agreement.

~~(d)~~ Evaluation of Supervised Experience document shall include the following:

- (1) Identifying information;
- (2) Time, place and duration of supervised experience;
- (3) Percentage of time spent in different counseling activities;
- (4) Supervisor's rating of professional activity;
- (5) Supervisor's comment section; and
- (6) Record of supervised experience.

~~(e)~~ Any Evaluation of Supervised Experience form submitted beyond 60 days of the semi-annual due date will not be credited towards the duration of supervision as described in 86:10-11-5.

~~(d)~~ Supervised experience shall be reported in quarter credit hours.

### **SUBCHAPTER 15. LICENSURE EXAMINATIONS**

#### **86:10-15-1. Eligibility**

An LPC applicant may be eligible to sit for the licensing examination following the submission of:

- (1) Application fee and form;
- (2) Practicum/Internship Documentation Form;
- (3) Official transcript(s) showing completion of all academic requirements listed in subchapter 9, section 86:10-9-2 or a

Board approved Verification of Academic Standing from the administrator of the student's degree program indicating that the student is expected to fulfill all degree requirements by the expected graduation date. Verification of Academic Standing shall not be signed and dated or submitted to the Board more than 60 days prior to the expected date graduation;  
and

(4) Completed criminal background check.

## **SUBCHAPTER 17. CONTINUING EDUCATION REQUIREMENTS**

### **86:10-17-2. Number of hours required**

(a) Licensees shall complete and furnish documentation to the Board of twenty (20) clock hours of continuing education per year. One (1) graduate academic semester credit hour is equal to fifteen (15) clock hours. One (1) graduate academic quarter credit hour is equal to ten (10) clock hours. Current LPC License Committee members shall receive clock hours of acceptable continuing education for attendance and participation in Board or Committee meetings.

(b) A minimum of three (3) clock hours of continuing education hours must be in counseling ethics ~~from programs pre-approved by the Board or its designee~~. Continuing education in counseling ethics is acceptable as meeting the ~~pre-approval~~ requirements by the Board when the continuing education program:

(1) Addresses ethics issues, as the sole focus and specifically pertains to the practice of counseling, as defined in Title 59 of the Oklahoma Statutes, Section 1902(6), counseling treatment interventions, consulting, referral activities, or research activities as defined in Title 59 of the Oklahoma Statutes, Section 1902.

(2) Addresses regulations as promulgated in Subchapter 3 of this Chapter.

(3) Meets all requirements of sections 2-5 of OAC 86:10-17-3.

(4) Current LPC Board members shall receive clock hours of acceptable continuing education for attendance and participation in Board or Committee meetings.

(c) Approved LPC Supervisors must complete a minimum of three (3) clock hours of continuing education in counseling supervision ~~from programs pre-approved by the Board or its designee~~. Continuing education in Counseling Supervision is acceptable as meeting the ~~pre-approval~~ requirements by the Board when the continuing education program:

(1) Addresses issues specifically related to the practice of clinical supervision, as the sole focus, pursuant to regulations promulgated in Subchapter 11 of this Chapter.

(2) Contains content in one or more of the following knowledge areas:

(A) Ethical and legal considerations in the practice of clinical supervision;



- (B) Theoretical models of clinical supervision;
  - (C) Clinical supervision intervention methods and modalities;
  - (D) Research in clinical supervision; and
- (3) Meets all requirements of sections 2-5 of OAC 86:10-17-3 of this Chapter.

**86:10-17-3. Acceptable continuing education**

Continuing education (C.E.) is acceptable to the Board when it:

- (1) Approximates the content of any of the academic areas listed under OAC 86:10-9-2 of this chapter and;
- (2) Is presented by a person who:
  - (A) is licensed or certified by counseling related professions;
  - (B) is a licensed or certified member of a non-counseling field, i.e. medicine, law if the content of the presentation is counselor related and falls within the presenter's area of training; or
  - (C) has experience teaching, at the graduate level, in a regionally accredited college or university from any of the knowledge areas listed in OAC 86:10-9-2; or
  - (D) the person is presenting or has presented at a national mental health conference provided by the American Counseling Association (ACA), or any of its divisions, American Psychological Association (APA), Association for Marriage and Family Therapy (AAMFT), National Association for Social Workers (NASW), the Association for Addiction Professionals (NAADAC), or other nationally recognized professional organization in the mental health field; or
  - (E) is presenting in a program sponsored or provided by a state or federal government agency with responsibility for mental health and substance abuse services; and
- (3) Takes place in the context of:
  - (A) a college course, in-service training, institute, seminar, workshop, conference or a ~~Board pre-approved~~ home-study or technology-assisted distance learning course;
  - (B) takes place in the context of a national mental health conference provided by the American Counseling Association (ACA), or any of its divisions, American Psychological Association (APA), American Association for Marriage and Family Therapy (AAMFT), National Association for Social Workers (NASW), the Association for Addiction Professionals (NAADAC), or other nationally recognized professional organization in the mental health field; or
  - (C) a program approved or offered by a state or federal government agency with responsibility for mental health and substance abuse services; or

- (D) Current LPC Board members shall receive clock hours of acceptable continuing education for attendance and participation in Board or Committee meetings.
- (4) Is accrued during the twelve (12) months preceding the renewal deadline or, in the case of the first licensing period, twenty-four (24) months preceding.

#### **SUBCHAPTER 19. ISSUANCE OF LICENSE**

##### **86:10-19-1. License**

The Board shall issue a license certificate which contains the licensee's name, license number, ~~specialty designation, if any,~~ ~~highest accredited counseling-related academic degree~~ and date of issuance.

##### **86:10-19-4. Notification**

After having fulfilled all requirements for licensure the Board shall ~~mail~~ send notification to the licensee, ~~at last known address,~~ of qualification for licensure; and when the license fee is received and the Board approves the candidate for licensure, the ~~license will be mailed to the licensee~~ license certificate shall be issued.

##### **86:10-19-5. Replacement**

~~The Board shall replace a license that is lost, damaged, or is in need of revision upon written request and payment of the license replacement fee. Requests must include the LPC's original license or be accompanied by the damaged license, if available.~~

#### **SUBCHAPTER 21. LICENSE AND SPECIALTY RENEWAL**

##### **86:10-21-6. Display of verification card**

- ~~(a) A current license verification card shall be displayed on the original or replaced license.~~
- ~~(b) A current license verification card shall be readily available on the LPC's person at any time counseling services are being rendered.~~

##### **86:10-21-7. Inactive status**

- (a) An active license may be placed on inactive status by written request and payment of a one-time twenty-five dollar (\$25.00) fee. An inactive license forfeits all rights and privileges granted by the license.
- ~~(b) When a license is placed on inactive status, the license and active verification cards shall be returned to the Board.~~
- (e**b**) A license that has remained inactive for at least one (1) year may be reactivated upon payment of a prorated renewal fee and submission of prorated continuing education hours required during

the renewal year, in accordance with this Chapter, if there are no impediments to licensure.

(~~ec~~) A license placed on inactive status may be reactivated within one (1) year when submitted with the required renewal fee and continuing education, in accordance with this Chapter, if there are no impediments to licensure.

## **SUBCHAPTER 23. LICENSE AND SPECIALTY LATE RENEWAL AND EXPIRATION**

### **86:10-23-1. Renewal notification**

The Board shall ~~mailsend to licensee's last known address~~ licensee, at least forty-five (45) days prior to the expiration date of the LPCs license, a notice of expiration.

### **86:10-23-2. Failure to renew**

If the licensee fails to renew the license by the expiration date, the Board shall ~~mailsend~~ a notification ~~to the last known address~~ which shall include:

- (1) Suspension of the license and forfeiture of rights and privileges granted by the license, and,
- (2) The LPC has the right to renew the license by payment of the renewal fee and the late renewal fee and fulfillment of all other renewal requirements for up to one (1) year following the suspension of the license.

### **~~86:10-23-3. Return of license~~**

~~Licenses not renewed within the one (1) year renewal period shall be permanently expired and shall not be reinstated. The license shall be returned to the Board.~~

## **SUBCHAPTER 27. CONSUMER INFORMATION**

### **86:10-27-1. Directory**

(a) The Board shall provide a directory of Licensed Professional Counselors (LPC's).

~~(b) The directory of LPCs shall include but not be limited to the name, academic degree under which the license is held, preferred mailing address, telephone number, and license number of current licensees.~~ The Board shall provide information of consumer interest which describes the regulatory functions of the Board and its procedures to handle and resolve consumer complaints.

### **~~86:10-27-2. Brochure~~**

~~The Board shall provide information of consumer interest which describes the regulatory functions of the Board and its procedures to handle and resolve consumer complaints.~~