

# Texas State Board of Examiners of Marriage and Family Therapists

## *BOARD MEETING BY VIDEOCONFERENCE*

Friday, October 16, 2020, 8:30 a.m.  
333 Guadalupe, Suite 3-900  
Austin, Texas 78701

Due to Governor Greg Abbott's March 13, 2020, proclamation of a state of disaster affecting all counties in Texas due to the Coronavirus (COVID-19) and the Governor's March 16, 2020, suspension of certain provisions of the Texas Open Meetings Act, this meeting of the Texas State Board of Examiners of Marriage and Family Therapists (Board) will be held by videoconference, as authorized under Texas Government Code §551.127. There will be no physical meeting location open to the public so long as the disaster declaration is in effect.

**Members of the public will have access and a means to participate in this meeting with two-way communication by entering the URL address <https://us02web.zoom.us/j/89559988174> into their web browser or by calling**

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**+1 301 715 8592 US (Germantown)**

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**and entering meeting ID: 895 5998 8174.**

**An electronic copy of the agenda and any meeting materials will be available at <https://www.bhec.texas.gov/texas-state-board-of-examiners-of-marriage-and-family-therapists/important-dates/index.html> before the meeting. A recording of the meeting will be available after the meeting is adjourned. To obtain a recording, please email your request to [Open.Records@bhec.texas.gov](mailto:Open.Records@bhec.texas.gov).**

FOR THOSE WHO WISH TO PROVIDE PUBLIC COMMENT: When the public comment agenda item is announced, if you have joined the meeting by computer, please use the “raise hand” feature to indicate you would like to provide a public comment. Those who raise a hand will then be unmuted to give public comment. After all those who raised a hand have been given an opportunity to provide public comment, staff will call upon and unmute those who have joined the meeting by telephone. When providing public comment, please identify yourself and whether you are speaking individually or on behalf of an organization. All public comments will be limited to 3 minutes, unless otherwise directed by the presiding officer. In lieu of providing public comment during the meeting, you may submit written public comments via email to directed to executive leadership or legal staff, please send an email to [general@bhec.texas.gov](mailto:general@bhec.texas.gov) before the meeting. Any written public comment received is submitted to the Board members for their consideration during the meeting, but is not read aloud.

In the event Governor Greg Abbott's March 13, 2020, disaster declaration is not renewed or expires prior to October 16, 2020, then pursuant to Texas Government Code, §551.127, notice is hereby given that one or more Board members may appear at the scheduled meeting via videoconference, but the presiding officer will be physically present at the above-noticed location. This location will be open to the public only in the event the March 13 disaster declaration is not renewed.

Please note that the Board may request input during the meeting from any interested parties or members of the public during its discussion of an agenda item.

If you are planning to attend this meeting and need auxiliary aids, services or materials in an alternate format, please contact the Board at least 5 working days before the meeting date. PHONE: (512) 305-7700, FAX: (512) 305-7701, E-MAIL: [Executive.Director@tsbep.texas.gov](mailto:Executive.Director@tsbep.texas.gov), TTY/RELAY TEXAS: 711 or 1- 800-RELAY TX.

The Board may go into Executive Session to deliberate any item listed on this agenda if authorized under Texas Open Meetings Act, Government Code, Chapter 551.

The Board may discuss and take action concerning any matter on the agenda and in a different order from what it appears herein.

## **AGENDA**

(Smothermon, Bateman, Francis, Husband-Thompson, Merchant, Miller, Scoma, Stoglin)

1. Call meeting to order.
2. Approval of minutes:
  - A. Approval of minutes of the August 14, 2020, videoconference Board meeting.
  - B. Approval of minutes of the January 24, 2020, Ethics Committee meeting.
  - C. Approval of minutes of the January 24, 2020, Licensing Standards Committee meeting.
  - D. Approval of minutes of the January 25, 2020, Professional Development Committee meeting.
  - E. Approval of minutes of the January 25, 2020, Rules Committee meeting.
3. Discussion and possible action regarding the Board's complaint and enforcement functions:
  - A. Report from staff and discussion and possible action on status of open complaints.
  - B. Report from staff and discussion and possible action on compliance activities.
  - C. Report from staff and discussion and possible action on Complaint Review Team activities.
  - D. Discussion and possible action regarding complaint trends.
  - E. Update, discussion and possible action on complaints awaiting informal settlement conference, 1062-17-0057 DM, or State Office of Administrative Hearings (SOAH) hearings 1062-19-0006 ED, 1062-19-0032 LA, and 1062-19-0060 TN.
4. Discussion and possible action regarding application, licensure and supervision issues:
  - A. Discussion and possible action regarding update to applications and forms.
  - B. Discussion and possible action concerning licensing matrices.
5. Discussion and possible action regarding jurisprudence exam:
  - A. Discussion and possible action concerning the quarterly summary from the Texas State Board of Examiners of Marriage and Family Therapists' Jurisprudence Exam vendor.
  - B. Discussion and possible action related to changes in the Board's Jurisprudence Exam.
6. Discussion and possible action regarding regarding rules:
  - A. Discussion and possible action regarding recommendations to the Texas Behavioral Health Executive Council for rule change to 22 Texas Administrative Code, §801.143 regarding American Association for Marriage and Family Therapy (AAMFT) supervisor candidate's eligibility for supervisor status.
  - B. Discussion and possible action regarding Title 22 of the Texas Administrative Code, §801.174(g), concerning "submit to reexamination" after license has lapsed.
7. Discussion and possible final action on agreed orders, default orders, and final orders in enforcement cases: 1062-18-0007 DF.
8. Discussion and possible action concerning Board's strategies for communication to stakeholders and stakeholder engagement.
9. Discussion and possible action regarding report from Association of Marital and Family Therapy Regulatory Boards (AMFTRB) Annual Meeting of State Delegates and from Council on Licensure, Enforcement & Regulation (CLEAR) Conference.
10. Report from the Board Chair concerning current challenges and accomplishments; lawsuits; interaction with stakeholders, state officials, and staff; committee appointments and functions;

workload of Board members; conferences; and general information regarding the routine functioning of the Board.

11. Report from the Executive Director concerning operations of Texas Behavioral Health Executive Council, including program operations, organization, and staffing; program costs and revenue; current operational initiatives; workload processing and statistical information; status of rulemaking; customer service accomplishments, inquiries, and challenges; media, legislative, and stakeholder contacts and concerns; special projects assigned to executive director or staff; and general information regarding the routine functioning of the program.
12. Discussion and possible action regarding future priorities and activities of the Board.
13. Public Comment.
14. Executive Session: Consultation with Board Attorney pursuant to Government Code §551.071 regarding pending or contemplated litigation and/or settlement offers.
15. Discussion and possible action regarding pending or contemplated litigation or settlement offers.
16. Announcements and comments not requiring Board action, such as statements regarding conferences and other recent or upcoming events.
17. Adjournment.

Action may be taken on any of the above items. The Board reserves the right to go into executive session on any agenda item as authorized by Texas Government Code, Chapter 551. Agenda items may be taken in any order at the discretion of the Chair. An individual who wishes to speak on an issue that falls under the Board's jurisdiction shall be heard during the Public Comment agenda item. The Chair may establish and announce limitations on speakers, including time limits and when speakers may address the Board. The limitations, if any, may vary from meeting to meeting.

This meeting is open to the public. No reservations are required and there is no cost to attend this meeting.

CONTACT: Sarah Faszholz, Executive Director  
Texas State Board of Examiners of Marriage and Family Therapists  
general@bhec.texas.gov

Texas State Board of Examiners of Marriage and Family Therapists  
Rules for Consideration, October 16, 2020

**§801.143 Supervisor Requirements**

(a) To apply for supervisor status, an LMFT in good standing must submit an application and applicable fee as well as documentation of the following:

(1) completion of at least 3,000 hours of LMFT practice over a minimum of 3 years; and

(A) successful completion of a 3-semester-hour, graduate course in marriage and family therapy supervision from an accredited institution; or

(B) a 40-hour continuing education course in clinical supervision; or

(2) designation as an approved supervisor [~~or supervisor candidate~~] by the American Association for Marriage and Family Therapy (AAMFT).

**OR**

**§801.143 Supervisor Requirements**

(a) To apply for supervisor status, an LMFT in good standing must submit an application and applicable fee as well as documentation of the following:

(1) completion of at least 3,000 hours of LMFT practice over a minimum of 3 years; and

(A) successful completion of a 3-semester-hour, graduate course in marriage and family therapy supervision from an accredited institution; or

(B) a 40-hour continuing education course in clinical supervision; or

(2) designation as an approved supervisor [~~or supervisor candidate~~] by the American Association for Marriage and Family Therapy (AAMFT); ~~or~~[-]

(3) verification as a supervisor candidate on a form approved by AAMFT and signed by an AAMFT approved supervisor who also holds Texas LMFT-S license.

(A) Both the supervisor candidate and the verifying AAMFT approved supervisor are fully responsible for the marriage and family therapy and supervision activities of the supervisor candidate.

(B) The verifying AAMFT approved supervisor must ensure the supervisor candidate knows and adheres to all statutes and rules that govern the practice of marriage and family therapy.

(C) Both the supervisor candidate and verifying AAMFT approved supervisor must provide written notice to the board if the supervisory relationship ends before the candidate has completed requirements for AAMFT approved supervisor.

(i) The written notice must be received no later than 30 days from the date the supervisory relationship ended.

(ii) Within that same 30 days, the supervisor candidate must submit verification of supervisor candidacy on a form approved by AAMFT and signed by another AAMFT approved supervisor who also holds Texas LMFT-S license; or provide written surrender, signed and dated by the candidate, of the Texas supervisor status.

(iii) The supervisor candidate must provide written notice to all impacted LMFT Associates no later than 15 days from the date the supervisory relationship with the verifying AAMFT approved supervisor ended and assist each Associate in finding another board-approved supervisor.

(iv) The supervisor candidate, who has previously surrendered Texas supervisor status, may again qualify for supervisor status by meeting all current requirements.

**§801.174 Licensure and Jurisprudence Examinations**

(g) A person whose license has been expired for one year or more, must submit proof of passing of the national licensure examination administered by the Association of Marital and Family Therapy Regulatory Boards (AMFTRB) no more than 6 months before the date an application for reinstatement is received by the council.