

PROSPECTIVE ANALYSIS

LICENSING BOARD OF PROFESSIONAL COUNSELORS AND MARRIAGE AND FAMILY THERAPISTS

IDAPA 24.15.01

RULE 100.01 (LICENSED PROFESSIONAL COUNSELOR)

Legal Authority: This is a statutory authority of the Board. Idaho Code § 54-3404 states that the board shall have the power “to regulate the practice of professional counselors, clinical professional counselors, associate marriage and family therapists and marriage and family therapists in the state of Idaho.”

State Law Comparison

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Alaska	The Alaska Board of Professional Counselors does not distinguish between LPCs and LCPCs. Given that Alaska rule 08.29.110(6) requires 3000 hours of supervised experience, the requirements are closer to Idaho’s LCPC, and therefore Alaska has no LPC licensing. https://www.commerce.alaska.gov/web/Portals/5/pub/CounselorStatutes.pdf	Idaho allows for LPC licensure, making Idaho less restrictive.
Montana	The Montana Board of Behavioral Health does not distinguish between LPCs and LCPCs. Montana specifically references LCPC licensure, but has no LPC licensure. https://boards.bsd.dli.mt.gov/docs/arm/CH-219-BBH-as-of-06-30-2021.pdf	Idaho allows for LPC licensure, making Idaho less restrictive.
Nevada	The Nevada Board of Marriage And Family Therapists And Clinical Professional Counselors does not distinguish between LPCs and LCPCs. Montana specifically references LCPC licensure, but has no LPC licensure. (internships are required for LCPC licensure and may be similar to LPC in that time) https://www.leg.state.nv.us/NAC/NAC-641A.html#NAC641ASec075	Idaho allows for LPC licensure, making Idaho less restrictive.

Oregon	<p>Oregon requires 60 semester credit hours or 90 quarter credit hours, a course in 8 defined areas, and 700 clock hours with 280 direct client contact hours.</p> <p>https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=201895</p>	<p>Idaho's requirements are the same, but do not require the 700 clock hours, making Idaho less restrictive.</p>
South Dakota	<p>The South Dakota Board of Examiners for Counselors and Marriage and Family Therapists does not distinguish between LPCs and LCPCs. Given that South Dakota's rule 20:68:01:10 requires 2000 hours of board approved supervision experience, the requirements are closer to Idaho's LCPC, and therefore South Dakota has no LPC licensing.</p> <p>https://sdlegislature.gov/Rules/Administrative/11067</p>	<p>Idaho allows for LPC licensure, making Idaho less restrictive.</p>
Utah	<p>Utah does not use the terms "Professional Counselor" nor "Clinical Professional Counselor". However, "clinical mental health counselors" require 3,000 hours of supervised experience, the requirements are closer to Idaho's LCPC, and therefore Utah has no LPC licensing. (Worth noting, Utah code 58-60-404 allows for "an associate clinical mental health counselor", but 58-60-405 only delineated licensure for the non associate license. The associate license is not mentioned elsewhere.</p> <p>https://adminrules.utah.gov/public/rule/R156-60c/Current%20Rules? https://le.utah.gov/xcode/Title58/Chapter60/58-60-S404.html?v=C58-60-S404_1800010118000101</p>	<p>Idaho allows for LPC licensure, making Idaho less restrictive.</p>
Washington	<p>Washington has four types of licensure: "Licensed advanced social worker", "Licensed independent clinical social worker", "licensed mental health counselor" and "Licensed marriage and family therapist." All of which require minimum of 3,000 hours of supervised experience. Nothing appears to align with Idaho's LPC rules. .</p> <p>https://app.leg.wa.gov/RCW/default.aspx?cite=18.225.090</p>	<p>Idaho's LPC license only requires 1,000 hours of supervised experience, making it less restrictive than any Washington option.</p>
Wyoming	<p>Wyoming requires 90 quarter hours or 60 semester hours of graduate level course work across 9 defined areas, 600 clock hours of a supervised internship, with 240 clock hours of direct service.</p>	<p>Idaho's requirements include 280 hours, as opposed to Wyoming's 240, but do not require the 700 clock hours.</p>

https://rules.wyo.gov/Search.aspx?Agency=078&Program=0001

RULE 100.02 (LICENSED CLINICAL PROFESSIONAL COUNSELOR)

Legal Authority: This is a statutory authority of the Board. Idaho Code § 54-3404 states that the board shall have the power “to regulate the practice of professional counselors, clinical professional counselors, associate marriage and family therapists and marriage and family therapists in the state of Idaho.”

State Law Comparison

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Alaska	The Alaska Board of Professional Counselors requires 3000 hours of supervised experience with 1000 hours of direct counseling with clients. (100 hours face to face: at least 50 hours 1:1, 50 hours group allowed.) https://www.commerce.alaska.gov/web/Portals/5/pub/CounselorStatutes.pdf	Idaho requires 2000 hours of supervised experience, but all 2000 hours must be direct client contact, making Idaho’s rule simultaneously more and less stringent.
Montana	The Montana Board of Behavioral Health requires 3000 hours of supervised experience with 1000 hours of direct counseling with clients. The remaining supervisor ratios match with Idaho’s requirements. https://boards.bsd.dli.mt.gov/_docs/arm/CH-219-BBH-as-of-06-30-2021.pdf	Idaho requires 2000 hours of supervised experience, but all 2000 hours must be direct client contact, making Idaho’s rule simultaneously more and less stringent. .
Nevada	Nevada’s Board of Marriage And Family Therapists And Clinical Professional Counselors requires an internship prior to licensing an LCPC. The internship includes requirements for 1500 hours of direct client contact, 300 hours of counseling under direct supervision, and 1200 hours of work related to the practice, for a total of 3,000 hours.	Idaho requires 2000 hours of supervised experience, but all 2000 hours must be direct client contact, making Idaho’s rule simultaneously more and less stringent. .

	https://www.leg.state.nv.us/NAC/NAC-641A.html#NAC641ASec146	
Oregon	Oregon requires 2400 supervised direct client contact hours. https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=282032	Idaho requires 2000 supervised direct client contact hours, making Idaho less restrictive.
South Dakota	South Dakota requires 2,000 board approved hours of supervision. https://sdlegislature.gov/Statutes/Codified_Laws/2061150	Idaho has the same hourly requirement, but specifies what those hours look like. Without knowing what South Dakota's board might approve, it is not possible to know if Idaho is more restrictive.
Utah	Utah requires 3,000 hours of training, 1,000 occurring after completion of education, including 100 hours of direct supervision. This requirement is in code, not in rule. https://adminrules.utah.gov/public/rule/R156-60c/Current%20Rules? https://le.utah.gov/xcode/Title58/Chapter60/58-60-S405.html?v=C58-60-S405_2022050420220504	Idaho requires 2000 hours of supervised experience, but all 2000 hours must be direct client contact, making Idaho's rule simultaneously more and less stringent.
Washington	Washington requires 3,200 hours of supervised training, including 90 direct supervision, 800 of direct client contact https://app.leg.wa.gov/WAC/default.aspx?cite=308-20	Idaho requires 2000 hours of supervised experience, but all 2000 hours must be direct client contact, making Idaho's rule simultaneously more and less stringent. .
Wyoming	Wyoming requires requires 3,000 hours of training, all of which must occur after completion of education, including 1200 hours of direct client contact and 100 hours of direct supervision. https://rules.wyo.gov/Search.aspx?Agency=078&Program=0001	Idaho only requires 2000 hours, have no limitation as to before or after education, but require all 2000 to be supervised.

RULE 100.03 (ASSOCIATE MARRIAGE AND FAMILY THERAPIST)

Legal Authority: This is a statutory authority of the Board. Idaho Code § 54-3404 states that the board shall have the power “to regulate the practice of professional counselors, clinical professional counselors, associate marriage and family therapists and marriage and family therapists in the state of Idaho.”

Federal Law Comparison (where applicable)

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)

State Law Comparison

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
<p>Alaska</p>	<p>Alaska’s board of Marital and Family Therapy allows practice as a “marital therapy associate” as long as educational requirements are met, including “one year of supervised clinical practice.”</p> <p>https://www.commerce.alaska.gov/web/portals/5/pub/BandHStatutes.pdf</p>	<p>Idaho defines what hours are required within the one year of supervised clinical practice, including 300 hours of direct client contact and 100 hours with families, making Idaho more restrictive.</p>
<p>Montana</p>	<p>Montana’s board of Behavioral Health does not allow for Associate Marriage and Family Therapists.</p> <p>https://boards.bsd.dli.mt.gov/docs/arm/CH-219-BBH-as-of-06-30-2021.pdf</p>	<p>Idaho allows for AMFT licensure, making Idaho less restrictive.</p>
<p>Nevada</p>	<p>Nevada’s Board of Marriage And Family Therapists And Clinical Professional Counselors does not allow for Associate Marriage and Family Therapists.</p> <p>https://www.leg.state.nv.us/nac/NAC-641A.html#NAC641ASec075</p>	<p>Idaho allows for AMFT licensure, making Idaho less restrictive.</p>

Oregon	Oregon's Board of Licensed Professional Counselors and Therapist does not allow for Associate Marriage and Family Therapists. https://secure.sos.state.or.us/oard/displayChapterRules.action?selectedChapter=12	Idaho allows for AMFT licensure, making Idaho less restrictive.
South Dakota	The South Dakota Board of Examiners for Counselors and Marriage and Family Therapists does not allow for Associate Marriage and Family Therapists. https://sdlegislature.gov/Rules/Administrative/14937	Idaho allows for AMFT licensure, making Idaho less restrictive.
Utah	Utah does not allow for Associate Marriage and Family Therapists. https://adminrules.utah.gov/public/rule/R156-60b/Current%20Rules?	Idaho allows for AMFT licensure, making Idaho less restrictive.
Washington	Washington does not allow for Associate Marriage and Family Therapists. https://app.leg.wa.gov/RCW/default.aspx?cite=18.225.090	Idaho allows for AMFT licensure, making Idaho less restrictive. .
Wyoming	Wyoming does not allow for Associate Marriage and Family Therapists. https://drive.google.com/file/d/1Ki_RJ4wggdzcKqyrscAeT1fjfaQpIr6d/view	Idaho allows for AMFT licensure, making Idaho less restrictive.

RULE 100.04 (ASSOCIATE MARRIAGE AND FAMILY THERAPIST)

Legal Authority: This is a statutory authority of the Board. Idaho Code § 54-3404 states that the board shall have the power “to regulate the practice of professional counselors, clinical professional counselors, associate marriage and family therapists and marriage and family therapists in the state of Idaho.”

Federal Law Comparison (where applicable)

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)

State Law Comparison

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
<p>Alaska</p>	<p>Alaska requires 3,000 hours of experience over a minimum of two calendar years, demonstrating 1,000 hours of direct client contact of 100 of face-to-face supervision with a qualified supervisor.</p> <p>https://www.commerce.alaska.gov/web/Portals/5/pub/CounselorStatutes.pdf</p>	<p>Idaho requires 2,000 hours: 1,000 must be direct client contact, 200 must be supervised (100 by an LMFT with the remaining 100 by a qualified mental health practitioner. 100 must be individual). Idaho requires fewer total hours but more supervised hours.</p>
<p>Montana</p>	<p>Montana requires 3,000 hours of direct supervision, 1,000 hours of face-to-face, no more than 500 during education.</p> <p>https://leg.mt.gov/bills/mca/title_0370/chapter_0370/part_0020/section_0010/0370-0370-0020-0010.html</p>	<p>Idaho is less restrictive.</p>

	<p>100 individual hours using a 5:1 ratio of client contact hours to supervision hours. Group supervision of no more than 6:1. 1000 hours with couples and families with a 5:1 ratio of client contact to supervision, 200 hours of face-to-face supervision, 100 hours with raw clinical data.</p> <p>https://rules.mt.gov/gateway/RuleNo.asp?RN=24%2E219%2E704</p>	
Nevada	<p>Nevada requires 3,000 hours of supervised experience. 1,500 must be direct client contact, 1,200 must be related to marriage and family therapy including less than 500 hours of educational client contact, less than 300 hours of group counseling, less than 200 hours of teaching, less than 150 hours of individual counseling from a non-supervisor, and less than 50 hours of additional training approved by the supervisor.</p> <p>https://www.leg.state.nv.us/nac/NAC-641A.html#NAC641ASec075</p>	<p>Idaho requires 2,000 hours: 1,000 must be direct client contact, 200 must be supervised (100 by an LMFT with the remaining 100 by a qualified mental health practitioner. 100 must be individual). Idaho requires fewer total hours but more supervised hours.</p>
Oregon	<p>Oregon requires three years of supervised clinical experience with no less than 1,900 (was 2,400) supervised direct client contact hours, 750 working with couples and families.</p> <p>https://www.oregon.gov/oblpc/ Documents/PermOAR_Filed_2-24-23.pdf</p>	<p>Idaho is less restrictive.</p>
South Dakota	<p>The South Dakota requires 2,000 hours of supervised experience. 1,000 must be client contact hours, with no more than 400 being electronic. 100 hours must be with a board approved supervisor. 0 may be group supervision. 900 must related to counseling related activities.</p> <p>https://sdlegislature.gov/Rules/Administrative/20:68</p>	<p>South Dakota and Idaho are substantially similar.</p>
Utah	<p>Washington requires 4,000 hours of experience over a minimum of two calendar years, demonstrating 1,000 hours of direct client contact of which 500 is with two or more clients and 100 hours with direct supervision</p>	<p>Idaho is less restrictive.</p>

	https://rules.utah.gov/wp-content/uploads/r156-60b.pdf	
Washington	<p>Washington requires 3,000 hours of experience over a minimum of two calendar years, demonstrating 1,000 hours of direct client contact of which 500 is in diagnosis, 200 hours with a qualified supervisor (100 with an LMFT, and the other 100 with any other mental health practitioner. 100 must be one-on-one, the rest can be in groups.)</p> <p>https://app.leg.wa.gov/WAC/default.aspx?cite=246-809-130</p>	Idaho requires 2,000 hours: 1,000 must be direct client contact, 200 must be supervised (100 by an LMFT with the remaining 100 by a qualified mental health practitioner. 100 must be individual). Idaho is less restrictive.
Wyoming	<p>Wyoming requires 3,000 hours of supervised clinical work, 1,200 must be direct client contact.</p> <p>https://wyoleg.gov/arules/2012/rules/ARR19-020.pdf</p>	Idaho is less restrictive.

RULE 100.07 (CONTINUING EDUCATION)

Legal Authority: This is a statutory authority of the Board. Idaho Code § 54-3404(2) states that the board shall have the power “...to adopt rules requiring annual continuing education as a condition for the renewal of licenses issued under this chapter.”

Federal Law Comparison (where applicable)

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)

State Law Comparison

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Alaska	Alaska requires 40 hours of continuing education biannually. https://www.commerce.alaska.gov/web/Portals/5/pub/CounselorStatutes.pdf	Idaho requires 12 total hours biannually for all license level. Idaho is less restrictive, but more prescriptive.
Montana	Montana requires 20 hours of continuing education annually, 2 hours must be for suicide prevention. https://rules.mt.gov/gateway/RuleNo.asp?RN=24%2E219%2E435	Idaho requires 12 total hours biannually for all license levels: 6 hours of ethics and 6 hours in suicide assessment. Idaho is less restrictive but more prescriptive.
Nevada	Nevada requires 20 hours of continuing education annually, including 3 hours on ethics and 2 hours of suicide prevention. https://www.leg.state.nv.us/nac/NAC-641A.html#NAC641ASec075	Idaho is less restrictive.
Oregon	Oregon requires 40 hours of continuing education biannually, including 6 hours in ethics and 8 hours in cultural competency.	Idaho is less restrictive.

	https://www.oregon.gov/oblpcct/Documents/BLPCT_Statutes-OARs.pdf	
South Dakota	<p>South Dakota requires 40 hours of continuing education biannually.</p> <p>https://sdlegislature.gov/Rules/Administrative/20:68</p>	Idaho requires 12 total hours biannually for all license levels: 6 hours of ethics and 6 hours in suicide assessment. Idaho is less restrictive but more prescriptive.
Utah	<p>Utah requires 40 hours biannually, with 6 hours in ethics, 2 hours in suicide prevention, 15 hours directly related to Marriage and family therapy.</p> <p>https://rules.utah.gov/wp-content/uploads/r156-60.pdf</p>	Idaho is less restrictive.
Washington	<p>Washington requires 18 hours of continuing education for associates and 36 hours for licensed counselors biannually. These are broken down into suicide prevention, ethics, law, and various other requirements.</p> <p>https://app.leg.wa.gov/WAC/default.aspx?cite=246-809-630</p>	Idaho requires 12 total hours biannually for all license levels: 6 hours of ethics and 6 hours in suicide assessment. Idaho is less restrictive.
Wyoming	<p>Wyoming requires 45 hours of biannually, with 3 hours of ethics and 3 hours of suicide prevention.</p> <p>https://rules.wyo.gov/Search.aspx?Agency=078&Program=0001#</p>	Idaho is less restrictive.