

APA-1
07/04

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. 255 Department or Agency: AL Board of Examiners in Counseling
Rule No. 255-X-2-.01
Rule Title: Practice Of Counseling

 New X Amended Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

.....

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

.....

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer Florence Hemphill
Florence Hemphill

Date 5/14/16

DATE FILED
STAMP

APA-2
07/04

ALABAMA BOARD OF EXAMINERS IN COUNSELING

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Examiners in Counseling

RULE NO. & TITLE: 255-X-2-.01 Practice of Counseling
255-X-2-.01(1)

INTENDED ACTION:

The Alabama Board of Examiners in Counseling proposes to amend this rule to clarify that a license issued by this Board authorizes the practice of counseling only in the state of Alabama.

SUBSTANCE OF PROPOSED ACTION:

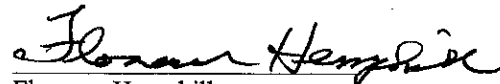
This rule clarifies that a license to engage in the private practice of counseling issued by this Board authorizes practice only in the state of Alabama.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing to the Executive Director of the Alabama Board of Examiners in Counseling at any time during the 38-day period following the 31st day of May, 2016, or if requested in advance, by personally appearing at Room 765, Medical Forum Building, 950 22nd Street North, Birmingham, AL at 10:00 a.m., Friday, July 8, 2016.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

July 8, 2016

CONTACT PERSON AT AGENCY: Florence Hemphill
Executive Director
Alabama Board of Examiners in Counseling
950 22nd Street, North, Suite 765
Birmingham, AL 35203
Telephone 205 458-8716


Florence Hemphill

255-X-2-.01 Practice Of Counseling.

(1) Unless specifically exempt by Code of Ala. 1975, §34-8A-3, no person shall engage in the private practice of counseling in the state of Alabama without a valid license issued through due process by the Alabama Board of Examiners in Counseling. The issuance of a license by the Alabama Board of Examiners in Counseling authorizes a licensee to engage in the private practice of counseling in the State of Alabama only.

(2) The private practice of counseling shall mean rendering or offering to render to individuals, groups, organizations, or the general public counseling services in settings of individual or group practice, for a fee, salary, or other compensation, involving the application of principles, methods or procedures of the counseling profession which include, but are not restricted to:

(a) COUNSELING. To render evaluation and therapy that includes, but is not limited to, providing individual counseling, family counseling, marital counseling, group therapy, school counseling, play therapy, rehabilitation counseling, art therapy, human growth and development counseling, couples counseling, chemical abuse or dependency counseling, career counseling, and vocational disability counseling. The use of specific methods, techniques, or modalities within the practice of a Licensed Professional Counselor is restricted to counselors appropriately trained in the use of these methods, techniques, or modalities. A licensed professional counselor or associate licensed counselor may diagnose and develop treatment plans but shall not attempt to diagnose, prescribe for, treat, or advise a client with reference to problems or complaints falling outside the boundaries of counseling services.

(b) APPRAISAL ACTIVITIES. Selecting, administering, scoring and interpreting instruments designed to assess an individual's aptitudes, attitudes, abilities, achievements, interests and personal characteristics, but shall not include the use of projective techniques in the assessment of personality.

(c) COUNSELING, GUIDANCE AND PERSONNEL CONSULTING. Interpreting or reporting upon scientific fact or theory in counseling, guidance and personnel services to provide assistance in solving some current or potential problems of individuals, groups, or organizations.

(d) REFERRAL ACTIVITIES. The evaluating of data to identify problems and to determine advisability of referral to other specialists.

(e) RESEARCH ACTIVITIES. The designing, conducting and interpreting of research with human subjects

Author: Alabama Board of Examiners in Counseling

Statutory Authority: Code of Ala. 1975, §34-8A-1 et seq.

History: Filed September 30, 1982. **Amended:** Filed September 22, 2000; effective October 27, 2000. **Amended:** Filed November 9, 2006; effective December 14, 2006.

Amended: Filed September 28, 2009; effective November 2, 2009.