

## MINUTES

### UTAH MARRIAGE AND FAMILY THERAPIST LICENSING BOARD MEETING

September 16, 2010  
Room 464 – 4<sup>th</sup> Floor – 9:00 A.M.  
Heber Wells Building  
Salt Lake City, UT 84111

**CONVENED:** 9:10 A.M.

**ADJOURNED:** 11:06 A.M.

**Bureau Manager:**  
**Board Secretary:**

Richard J. Oborn  
Lee Avery

**Board Members Present:**

Scot M. Allgood, Ph. D.  
Veon G. Smith, DSW  
Karen Feinauer  
Jean N. Soderquist, Ph. D.  
Alan Springer, Ph.D.

**Guests:**

Gary Leavitt  
Darren Adamson  
Dwayne Horton

#### TOPICS FOR DISCUSSION

#### DECISIONS AND RECOMMENDATIONS

##### **ADMINISTRATIVE BUSINESS:**

Swear in new Board member Alan Springer

Dr. Springer was sworn in as a new Board member.

Elect a new Board Chair

Ms. Feinauer nominated Dr. Allgood to be the Board Chair. Dr. Springer seconded the nomination. The motion carried unanimously.

##### **MINUTES:**

The Board reviewed the minutes from March 11, 2010. Dr. Springer motioned to approve the minutes, seconded by Ms. Feinauer. The motion carried unanimously.

##### **Preliminary review**

The Board reviewed documents submitted by David Fawcett in his application for licensure as a licensed Associate Marriage and Family Therapist (LAMFT).

##### **APPOINTMENTS:**

Mr. David Fawcett, applicant for Associate Marriage and Family Therapist license

Mr. Fawcett met with the Board. The Board reviewed documents submitted by David Fawcett in his application for licensure as a LAMFT. Mr. Oborn provided a copy of the documents to Mr. Fawcett. The

Board noted that Mr. Fawcett earned a non-clinical Master of Science degree in psychology from the University of Utah in December 2007. He later was accepted into the marriage and family therapy Ph.D. program at Brigham Young University (BYU). As a student in the Ph.D. program, Mr. Fawcett completed all courses required for a Master's degree in marriage and family therapy (MFT); however, he was not awarded a Masters in MFT degree because he is a Ph.D. student and is not required to complete a thesis. A thesis is a requirement to obtain the Masters in MFT degree. Mr. Fawcett completed a thesis as part of his Masters in psychology at the University of Utah; however, the course work was non-clinical. Mr. Fawcett shared examples of applications reviewed by the Division and Board in the past which he believed set precedence for approving applications similar to his. The Board noted that although each application has unique characteristics, the Board and Division strive to be consistent over time in standards applied to applications. Mr. Oborn said he would review the cases referenced by Mr. Fawcett. The Board reviewed the MFT license education requirements established in the Marriage and Family Therapist Licensing Act (Utah Code 58-60, Part 3) and the Marriage and Family Therapist Licensing Act Rule (Utah Administrative Code R156-60b). The education requirement is found in Utah Code 58-60-305 (1)(d) and it is further defined in Utah Administrative Code R156-60b-302a. Dr. Allgood noted that the Division and Board have approved applications submitted by applicants with degrees in a field other than marriage and family therapy in the past, but the degrees' emphasis has always been clinical. The clinical training obtained by a student is an essential element of the student's preparation for practice as a clinician. The awarding of a degree by a school to a student in a clinical program reflects the school's confidence in the student's clinical competency. Although Mr. Fawcett completed some clinical training in marriage and family therapy as a Ph.D. student, he has not yet been awarded a clinical degree. Dr. Soderquist motioned to recommend that the Division deny Mr. Fawcett's application for licensure as a LAMFT but she requested that the Division review precedence set in approval of past applications. Dr. Smith seconded the

motion. The motion carried unanimously.

**Discussion:**

The Board discussed making amendments to the Marriage and Family Therapy Licensing Act Rule. Specifically, they discussed clarifying Utah Administrative Code R156-60b-203a (1)(b)(i). Mr. Smith moved to add the underlined text to the rule: “produce certified transcripts evidencing completion of a clinical master's degree in marriage and family therapy or equivalent from a program accredited by a professional accrediting body approved by the Council for Higher Education Accreditation of the American Council on Education at the time the applicant obtained the education.” Ms. Feinauer seconded the motion. The motion carried unanimously.

**DISCUSSION:**

1. Online therapy legislation, Gary Leavitt

Mr. Gary Leavitt and Mr. Darren Adamson met with the Board. Mr. Leavitt advised the Board that he and Mr. Adamson are currently working with a legislator who is sponsoring a bill that would clarify the use of online therapy in Utah. The bill would clarify jurisdiction when Utah mental health therapists provide online counseling to out-of-state clients. When therapy takes place between a Utah mental health therapist and a non-Utah resident, the therapy will be considered to have taken place in Utah and regulated by Utah’s laws, rules, and regulations. Mr. Leavitt is currently establishing an Online Counseling Association as a resource for Utah therapists practicing online therapy to. The Board emphasized the importance of Utah therapists practicing online therapy being aware of statutes in the jurisdictions where their patients are physically located. The Board encouraged Mr. Leavitt to discuss the potential language of the bill with associations representing professionals in related mental health fields such as professional counseling, social work, substance abuse counseling, and psychology. Mr. Leavitt stated that feedback from all related mental health fields and any areas of concern would be worked out in the final version of the bill. Information will be posted online at [www.Onlinecounselingassociation.org](http://www.Onlinecounselingassociation.org).

2. Clarification of MFT license requirement to complete 500 hours in “couple or family

Mr. Oborn advised the Board that there was a question regarding the requirement to complete 500 hours in

therapy”

“couple or family therapy” as stated in the Marriage and Family Therapist Licensing Act Rule. Mr. Oborn noted that this becomes a problem for individuals obtaining a Utah license. The concern raised is it is very difficult to obtain 500 hours in couple or family therapy. The other concern is the supervisory requirement. The applicant may have completed supervisor education in school; however, they must wait two (2) years after obtaining an MFT license before they can start supervising. The Board reviewed and discussed the current Marriage and Family Therapist Licensing Act Rule. The Board noted that the above requirements are within the same guidelines with the other mental health professionals and opted not to make any changes.

3. Bernell Lee Christensen, public reprimand

Mr. Oborn reviewed the public information regarding the public reprimand of Mr. Christensen.

4. Update on changes to Marriage and Family Therapist Licensing Act Rule

Mr. Oborn reviewed the changes to the Marriage and Family Therapist Licensing Act Rule. Mr. Oborn noted that this change became effective August 16, 2010.

**CORRESPONDENCE:**

None at this time.

**NEXT MEETING SCHEDULED FOR:**

December 9, 2010

2010 Board meetings are tentatively scheduled:  
December 9.

2011 Board meetings are tentatively scheduled:  
March 10, June 9, September 8, December 15.

**ADJOURN:**

The Board adjourned at 11:06 A.M.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

March 10, 2011  
Date Approved

(ss) Scot M. Allgood  
Chairperson, Utah Marriage and Family Therapist  
Licensing Board

September 30, 2010  
Date Approved

(ss) Richard J. Oborn  
Bureau Manager, Division of Occupational &  
Professional Licensing