



Montana Department of
LABOR & INDUSTRY

Date: August 6, 2020

To: All Licensees and Public Individuals Interested in Board of Behavioral Health Licensing Regulations

From: Lucy Richards, Executive Officer

RE: Changes to the Board Administrative Rules which Take Effect on 8/8/20

On 8/8/20 changes that the board proposed to its administrative rules in February 2020 will take effect following the completion of the public comment process, board response to comments, and publication of the notice of adoption.

Even though the updated rules are effective on 8/8/20 the updated rule language will not appear on the official Secretary of State's website until October or November 2020 due to that agency's procedures. I have developed this FAQ so licensees, applicants, and the public have a reference they can use in the interim which highlights changes in requirements. **If you have questions on the new rules or anything else pertaining to the Board of Behavioral Health you should visit our website at www.bbh.mt.gov. If you cannot find the answer to your questions you should e-mail them to dlibsdbbh@mt.gov.**

General Summary: What Has Changed?

- Standardizes application process so that candidates who have completed their supervised work experience requirements and passed the exam must submit a separate application and fee in order to apply for a full license. However, due to COVID-19 and shifted priorities the last several months the new applications are still being programmed into our [eBiz licensing system](#). The new applications will not be live on 8/8/20. Licensees will be notified when the applications are available.
- Implements the licensure process and licensing requirements for the new social work licenses enacted by the Legislature in 2019. Those licenses include: licensed master's social workers, licensed master's social worker candidates, licensed baccalaureate social workers, and licensed baccalaureate social worker candidates. However, due to COVID-19 and shifted priorities over the last several months the new applications are still being programmed into our [eBiz licensing system](#). The new applications will not be live on 8/8/20 which means that people cannot begin applying for these licenses yet. Licensees will be notified when the applications are available.
- Updates, standardizes, and consolidates all ethics and unprofessional conduct rules for all license types under this board into one rule instead of multiple rules.
- Reduces renewal fees for all license types and consolidates all fees into one rule. Sets fees for new social work licenses
- Consolidates continuing education rules for all license types into one rule and updates and standardizes language to conform with national standards.
- Consolidates annual candidate registration/renewal requirements for all candidate licenses under one rule.

FAQ

Question 1:

When do the new rules take effect?

Response 1:

August 8, 2020

Question 2:

Where can I go to see a copy of the updated rule language?

Response 2:

The official rule language can normally be found on the Secretary of State's (SOS) website. However, the SOS only posts updates to the online rules on a quarterly basis. This new language will likely not be posted until October or November 2020. In the meantime you can reference the board's proposal notice, adoption notice, this FAQ, or e-mail department staff at dlibsdbbh@mt.gov if you have a specific question about these rules and/or any licensing requirements in general. All this information can be found on the board's website at www.bbh.mt.gov.

Question 3:

Have the board's fees for applications and renewals changed?

Response 3:

The board has reduced renewal fees for all license types. Application fees for existing license types remain the same. Additionally, the board has set application and renewal fees for the new social work licenses that were created by the 2019 Legislature under HB 626. Those new license types are licensed baccalaureate social worker (LBSW) and candidate (LBSW candidate) and licensed master's (non-clinical) social worker (LMSW) and candidate (LMSW candidate).

ARM 24.219.401 FEE SCHEDULE

(1) Application fee

(a) LCSW, LMSW, LBSW, LCPC, LMFT \$200

(b) LAC 250

(c) CBHPSS 125

(d) LCSW, LMSW, LBSW, LCPC, LMFT candidates 200

(e) LAC candidate 250

(2) Renewal fee for active status

(a) LCSW, LMSW, LBSW, LCPC, LMFT 149

(b) LAC 128

(c) CBHPSS 93

(3) Renewal fee for inactive status

(a) LCSW, LMSW, LBSW, LCPC, LMFT 75

(b) LAC 64

(c) CBHPSS 47

(4) Candidate annual registration fee (LCSW, LMSW, LBSW, LCPC, LMFT, and LAC candidates) 85

Question 4:

Since these rules are effective how can I apply for a license as a [LBSW/LBSW candidate/LMSW/LMSW/LAC candidate]?

Response 4:

The rules are effective but unfortunately you cannot apply for a license as a [LBSW/LBSW candidate/LMSW/LMSW candidate] quite yet. In order to be able to review and issue licenses we must program new applications into our [eBiz licensing database](#). Unfortunately, due to COVID-19 department staff had to redirect their priorities starting in mid-March. Department staff have returned to business more or less as usual but that put us several months behind. In order to comply with other state laws, the board still needed to adopt these rules by no later than August 8, 2020.

As soon as the new license applications are available we will post notice on our website and send out an e-mail blast to all licensees with current e-mail addresses. In the meantime, check back on the board's website at www.bbh.mt.gov for information on this and other relevant board information.

Question 5:

I am licensed as an [LCPC/LCSW/LMFT/LAC] candidate. I have completed all the required supervised work experience and passed the required national exam. How do I become licensed as a full [LCPC/LCSW/LMFT/LAC]?

Response 5:

Under these updated rules applicants must submit an application and fee in order to apply for a full Montana [LCPC/LCSW/LMFT/LAC] license once they have obtained the requisite supervised work experience and passed the required exam.

Under the previous rules candidates did not need to reapply. However, based on changes to the statutes that created the new LBSW and candidate and LMSW and candidate licenses the board needed to standardize the licensing process for all application types by creating separate applications for candidates and full licensees. Additionally, the board concluded that with these changes, applications for full licensure following a candidacy will be a more effective protection of public health and safety as the applicants will need to obtain current background checks.

However, unfortunately you cannot apply for a license using this new process quite yet. For the same reasons described in Question/Response #4 above, the department is still programming the new applications into our database. As soon as the new license applications are available we will post notice on our website and send out an e-mail blast to all licensees with current e-mail addresses. In the meantime, check back on the board's website at www.bbh.mt.gov for information on this and other relevant board information.

Until the new applications are available candidates who have completed all requirements for full licensure may move forward with obtaining their full license by submitting the requisite proof to department processing staff the same way they did under the old rules.

Question 6:

When will all the new applications mentioned in Questions/Responses #4 and #5 be available?

Response 6:

We cannot give you an exact date as programming and testing are currently ongoing. Hopefully they will be ready in the next few months but we cannot give you an exact date at this time. As soon as the new license applications are available we will post notice on our website and send out an e-mail blast to all licensees with current e-mail addresses. In the meantime, check back on the board's website at www.bbh.mt.gov for information on this and other relevant board information.

Question 7:

What are the licensing requirements for the LBSW, LBSW candidate, LMSW, and LMSW candidate licenses?

Response 7:

Below are the minimum requirements for LBSW, LBSW candidate, LMSW, and LMSW candidate licenses. Also see Questions/Responses #5 and #6 regarding why you cannot begin applying for those licenses quite yet.

ARM 24.219.501 LCSW, LMSW, AND LBSW LICENSE REQUIREMENTS – ORIGINAL APPLICANTS

(1) Applicants for LCSW, LMSW, and LBSW licensure not currently licensed in another state or jurisdiction must submit a completed application on forms provided by the department. Completed applications include appropriate fees and required documentation.

(2) Applicants for LCSW licensure must meet the following requirements:

(a) have a degree that meets the requirements in 37-22-301, MCA;

(b) have completed supervised post-degree work that meets the requirements in 37-22-301, MCA, and ARM 24.219.504;

(c) have passed an examination as described in ARM 24.219.502 within four years of the date of application;

(d) have completed a Federal Bureau of Investigation fingerprint background check per 37-22-301, MCA, within six months of the application date;

(e) provide reference letters that meet the requirements in 37-22-301, MCA; and

(f) provide verification of any professional license(s) the applicant has ever held in any state or jurisdiction.

(3) Applicants for LMSW licensure must meet the following requirements:

(a) have a degree that meets the requirements in 37-22-308, MCA;

(b) have completed supervised post-degree work that meets the requirements in 37-22-308, MCA, and ARM 24.219.504;

(c) have passed an examination as described in ARM 24.219.502 within four years of the date of application;

(d) have completed a Federal Bureau of Investigation fingerprint background check per 37-22-308, MCA, within six months of the application date;

(e) provide reference letters that meet the requirements in 37-22-308, MCA; and

(f) provide verification of any professional license(s) the applicant has ever held in any state or jurisdiction.

(4) Applicants for LBSW licensure must meet the following requirements:

- (a) have a degree that meets the requirements in 37-22-307, MCA;
- (b) have completed supervised post-degree work that meets the requirements in 37-22-307, MCA, and ARM 24.219.504;
- (c) have passed an examination as described in ARM 24.219.502 within four years of the date of application;
- (d) have completed a Federal Bureau of Investigation fingerprint background check per 37-22-308, MCA, within six months of the application date;
- (e) provide reference letters that meet the requirements in 37-22-308, MCA; and
- (f) provide verification of any professional license(s) the applicant has ever held in any state or jurisdiction.

ARM 24.219.505 LCSW, LMSW, AND LBSW CANDIDATE LICENSE REQUIREMENTS (1)

Applicants for LCSW, LMSW, and LBSW candidate licensure not currently licensed in another state or jurisdiction must submit a completed application on forms provided by the department. Completed applications include appropriate fees and required documentation.

(2) Applicants for LCSW, LMSW, and LBSW candidate licensure must meet the following education requirements:

- (a) LCSW candidate applicants must have a degree that meets the requirements in 37-22-301, MCA;
- (b) LMSW candidate applicants must have a degree that meets the requirements in 37-22-308, MCA; and
- (c) LBSW candidate applicants must have a degree that meets the requirements in 37-22-307, MCA.

(3) In addition to the appropriate education requirements in (2), applicants for LCSW, LMSW, and LBSW candidate licensure must:

- (a) have a supervisor that meets the requirements in ARM 24.219.421;
- (b) have completed a Federal Bureau of Investigation fingerprint background check per 37-22-313, MCA, within six months of the application date;
- (c) provide reference letters that meet the requirements in 37-22-301, 37-22-307, or 37-22-308, MCA; and
- (d) provide verification of any professional license(s) the applicant has ever held in any state or jurisdiction.

(4) Incomplete applications will automatically expire one year from the date the fee was received. If an application expires, the applicant must reapply and pay all appropriate fees.

ARM 24.219.502 EXAMINATION – LCSW, LMSW, and LBSW(1) The following examinations are approved for licensure as an LCSW:

- (a) Association of Social Work Boards (ASWB) clinical examination; or
- (b) other licensing examinations approved by the board.

(2) The following examinations are approved for licensure as an LMSW:

- (a) ASWB master's examination; or
- (b) other licensing examinations approved by the board.

(3) The following examinations are approved for licensure as an LBSW:

- (a) ASWB bachelor's exam; or
- (b) other licensing examinations approved by the board.

(4) Individuals who have not already passed an approved examination will be approved by department staff to register for the appropriate ASWB examination upon:

- (a) submission of a complete application under ARM 24.219.501 or 24.219.512 where all requirements with the exception of the examination have been met; or
 - (b) proof of completion of supervised work experience requirements as described in ARM 24.219.504.
- (5) Applicants or candidates may not take the ASWB examination more than three times unless approved by the board to retake the examination. Applicants or candidates requesting to retake the examination must submit a request including but not limited to a specific study plan.

Question 8:

What are the supervised work experience requirements for full licensure as an LBSW or LMSW license. Are they the same as the requirements for an LCSW license.

Response 8:

LBSW and LMSW supervised work experience requirements are different than those for an LCSW license. See below.

ARM 24.219.504 LCSW, LMSW, AND LBSW SUPERVISED WORK EXPERIENCE REQUIREMENTS

- (1) Applicants applying under ARM 24.219.501 for an LCSW license must meet the supervised work experience requirements in 37-22-301, MCA, and as defined in ARM 24.219.301. As a part of the total supervised work experience requirements, at least 100 hours must include individual or group supervision by a qualified supervisor under ARM 24.219.421.
- (a) Of those 100 hours, at least 50 hours must be individual and supervised face-to-face by an LCSW.
 - (b) Of the 50 hours in (a), at least ten hours must include direct observation of service delivery as defined in ARM 24.219.301.
- (2) Applicants applying under ARM 24.219.501 for an LMSW or LBSW license must meet the supervised work experience requirements as described in ARM 24.219.301 and this rule.
- (a) Applicants must complete a minimum of 2000 total hours of supervised work experience over a period of no less than 18 months.
 - (b) Of those 2000 hours:
 - (i) at least 100 hours must include individual or group supervision by a qualified supervisor under ARM 24.219.421; and
 - (ii) of the 100 hours in (i), at least 25 hours must be with the client populations that will be served by the LMSW or LBSW candidate (see (5) for examples of client populations).
- (3) Supervisors must provide at least two hours of supervision for LCSW, LMSW, and LBSW candidates for every 160 hours of social work as defined in 37-22-102, MCA.
- (4) When an LCSW, LMSW, or LBSW candidate who applied under ARM 24.219.505 completes all the supervised work experience requirements in this rule, the candidate will qualify for the appropriate examination per ARM 24.219.502.
- (5) A supervisor must have experience and expertise with the candidate's client population (e.g., child, adolescent, adult, chemically dependent/substance use disorder) and methods of practice (i.e., individual, group, family, crisis, or brief interventions).
- (6) Supervised work experience hours earned by LMSW and LBSW applicants who are not currently actively licensed in another jurisdiction must have been earned within five years of the date of application.

Question 9:

Can supervised work experience I earned as an LBSW candidate count toward a full LMSW or LCSW license?

Response 9:

No. All the licenses under this board are separate licenses with their own requirements. Hours earned toward an LBSW license under an LBSW candidate license only count toward the LBSW licensing requirements. If you wish to obtain hours toward an LMSW or LCSW license in Montana you must be apply for and be licensed as an LMSW or LCSW candidate, respectively.

Question 10:

Can supervised work experience I earned as an LMSW candidate count toward a full LCSW license?

Response 10:

No. See Response #9.

Question 11:

What are the supervisor qualifications in order to supervise LBSW and LMSW candidates?

Response 11:

See below.

ARM 24.219.421 SUPERVISOR QUALIFICATIONS (1) LCSW, LMSW, LBSW, LCPC, LMFT, and LAC licensure candidates and CBHPSS must be supervised per the requirements of this rule and ARM 24.219.504, 24.219.604, 24.219.704, and 24.219.5008.

(2) LCSW, LCPC, or LMFT candidate supervisors must:

(a) have an active license in good standing in the jurisdiction in which the supervision is occurring as an LCSW, LCPC, LMFT, licensed psychologist, or licensed and board-certified psychiatrist; and

(b) meet one of the below criteria:

(i) have been licensed in their respective disciplines for at least three years, excluding any period of licensure as a candidate; or

(ii) have taken board-approved training consisting of a minimum of one semester credit graduate education focused on supervision or 20 hours of board-approved training in supervision.

(3) LMSW candidate supervisors must:

(a) have an active license in good standing in the jurisdiction in which the supervision is occurring as an LCSW or LMSW; and

(b) meet one of the below criteria:

(i) have been licensed in their respective disciplines for at least three years, excluding any period of licensure as a candidate; or

(ii) have taken board-approved training consisting of a minimum of one semester credit graduate education focused on supervision or 20 hours of board-approved training in supervision.

(4) LBSW candidate supervisors must have an active license in good standing in the jurisdiction in which the supervision is occurring as an LCSW, LMSW, or LBSW.

(a) If the supervisor is an LCSW or LMSW the supervisor must also meet one of the below criteria:

(i) have been licensed in that discipline for at least three years, excluding any period of licensure as a candidate; or

(ii) have taken board-approved training consisting of a minimum of one semester credit graduate education focused on supervision or 20 hours of board-approved training in supervision.

(b) If the supervisor is an LBSW the supervisor must have been licensed for at least three years as an LBSW. An LBSW may not take supervision courses to qualify to supervise LBSW candidates.

- (5) LAC candidate supervisors must be:
- (a) licensed as an LAC and have an active license in good standing in the jurisdiction in which the supervision is occurring with a minimum of three years post-licensure experience in a qualified treatment setting as defined in ARM 24.219.5010; or
 - (b) trained in a related field. If trained in a related field:
 - (i) the supervisor must have taken board-approved training consisting of a minimum of one semester credit graduate education focused on supervision or 20 hours of board-approved training in supervision;
 - (ii) the supervisor must have training equivalent to that described in ARM 24.219.5006(2)(b); and
 - (iii) the board will evaluate each individual on a case-by-case basis.
- (6) CBHPSS supervisors must:
- (a) have an active license in good standing in the jurisdiction in which the supervision is occurring as an LCSW, LCPC, LMFT, LAC, physician, psychologist, or an advanced practice registered nurse with a clinical specialty in psychiatric mental health nursing; and
 - (b) meet one of the below criteria:
 - (i) have been licensed in their respective discipline for at least three years, excluding any period of licensure as a candidate; or
 - (ii) have taken board-approved training consisting of a minimum of one semester credit graduate education focused on supervision or 20 hours of board-approved training in supervision.
- (7) A supervisor shall not:
- (a) be the candidate or CBHPSS's parent, child, spouse, or sibling; or
 - (b) have a conflict of interest such as, but limited to, being in a cohabitation or financially dependent relationship.

Question 12:

Can LBSW and a LMSW engage in "independent practice"? How is independent practice defined? What are the scopes of practice for each license type?

Response 12:

Only LCSW can engage in independent practice as defined by the boards. See below.

ARM 24.219.301(15): "Independent practice" means the practice of social work by an LCSW who assumes responsibility and accountability for the nature and quality of the services provided to the client in exchange for direct payment or third-party reimbursement.

ARM 24.219.508 INDEPENDENT PRACTICE – LCSW, LMSW, AND LBSW

- (1) LCSW are allowed to engage in independent practice as defined in ARM 24.219.301.
- (2) LMSW and LBSW are allowed to practice outside of an agency or other organized setting but may not engage in independent practice.

ARM 24.219.301 below are the definitions/scopes of practice for social work licenses)

- (3) "Candidate":
- (b) "LBSW candidate" means an individual as defined in [37-22-102, MCA](#);
- (d) "LCSW candidate" means an individual as defined in [37-22-102, MCA](#);
- (f) "LMSW candidate" means an individual as defined in [37-22-102, MCA](#).

- (17) "LBSW" means licensed baccalaureate social worker licensed under [Title 37, chapter 22, MCA](#).

(19) "LCSW" means licensed clinical social worker licensed under [Title 37, chapter 22, MCA](#).

(21) "LMSW" means licensed master's social worker licensed under [Title 37, chapter 22, MCA](#).

Question 13:

I heard the board updated its ethics and unprofessional conduct rules for all the license types under this board. Where can I find the rule?

Response 13:

All ethics and unprofessional conduct rules have been combined and standardized and are now located in one rule for ease of use and reference. See below.

ARM 24.219.2301 UNPROFESSIONAL CONDUCT AND CODE OF ETHICS – LCSW, LMSW, LBSW, LCPC, LMFT, LAC, CBHPSS, AND LCSW, LMSW, LBSW, LCPC, LMFT, AND LAC CANDIDATES

(1) Any violation of this rule constitutes unprofessional conduct.

(2) A licensee shall not:

(a) commit any of the following boundary violations:

(i) provide services to a person with whom the licensee has had sexual contact at any time;

(ii) engage in or solicit sexual relations with a client or commit an act of sexual misconduct or a sexual offense if such act, offense, or solicitation is substantially related to the qualifications, functions, or duties of the licensee;

(iii) engage in sexual contact with a former client, within two years following termination of professional services. After two years, the licensee who engages in such activity following termination of professional services must demonstrate that there has been no exploitation, in light of all relevant factors, including:

(A) the amount of time that has passed since professional services terminated;

(B) the nature and duration of the professional services;

(C) the circumstances of termination;

(D) the client's personal history;

(E) the client's current mental status;

(F) the likelihood of adverse impact on the client; and

(G) any statements or actions made by the licensee during the defined professional relationship suggesting or inviting the possibility of a post-termination sexual or romantic relationship with the client;

(iv) solicit or engage in a sexual or intimate relationship with a client, a supervisee, client's family member, a client's household member, or other persons with whom a client has had a significant relationship;

(v) soliciting or engaging in sexual relations with the client of another licensee employed in the same program providing services;

(vi) condone or engage in sexual or other harassment;

(vii) engage in a dual relationship with a client or former client if the dual relationship has the potential to compromise the client's well-being, impair the licensee's objectivity and professional judgment, or creates or increases the risk of exploitation of the client. If a dual relationship arises as a result of unforeseeable and unavoidable circumstances, the licensee shall promptly take appropriate professional precautions. Appropriate professional precautions must ensure that the client's well-being is not compromised and that no exploitation occurs and should include consultation, supervision, documentation, or obtaining written informed consent of the client;

(viii) terminate a professional relationship for the purpose of beginning a personal or business relationship with a client;

- (ix) participate in bartering, unless bartering is considered to be essential for the provision of services, negotiated without coercion, and entered into at the client's initiative and with the client's informed consent. Licensees who accept goods or services from clients as payment for professional services assume the full burden of demonstrating that this arrangement will not be detrimental to the client or the professional relationship;
 - (x) accept gifts or gratuities of significant monetary value or borrow money from a client or former client within two years after termination of services, except when this is a culturally accepted practice;
 - (xi) interfere with or encourage termination of any legitimate personal relationship of a client, or interfere with a therapeutic relationship of another professional;
 - (b) intentionally, recklessly, or carelessly cause physical or emotional harm to a client;
 - (c) misrepresent or permit the misrepresentation of the licensee's professional qualifications, affiliations, or purposes;
 - (d) perform or hold the licensee out as able to perform professional services beyond the licensee's field or fields of competence as established by the licensee's education, training, and/or experience;
 - (e) misrepresent the type or status of license held by the licensee;
 - (f) fail to indicate licensure candidate status in professional communications and documentation;
 - (g) engage in any advertising which is in any way fraudulent, false, deceptive, or misleading;
 - (h) commit fraud or misrepresent services performed;
 - (i) divide a fee or accept or give anything of value for receiving or making a referral;
 - (j) exploit, as defined in ARM 24.219.301, in any manner professional relationships;
 - (k) provide professional services while under the influence of alcohol or other mind-altering or mood-altering drugs which impair delivery of services;
 - (l) discriminate in the provision of services on the basis of race, creed, religion, color, sex, physical or mental disability, marital status, age, or national origin;
 - (m) falsify, misrepresent, or fail to maintain supervision records as required by ARM 24.219.422;
 - (n) fail to appropriately supervise a licensure candidate or a CBHPSS;
 - (o) recommend a client seek or discontinue prescribed medication, or fail to provide a supportive environment for a client who is receiving prescribed medication;
 - (p) engage in the practice when the licensee's license is inactive, has expired, is terminated, or has been suspended;
 - (q) violate federal or state law regulating the possession, distribution, or use of a controlled substance, as defined by Title 50, chapter 32, MCA; or
 - (r) be convicted of driving while under the influence of alcohol or drugs (DUI), or criminal possession of dangerous drugs at any time after issuance of a license, and within the two years preceding an application for licensure.
- (3) All licensees shall:
- (a) provide clients with accurate and complete information regarding the extent and nature of the services available to them, including the purpose and nature of any evaluation, treatment, or other procedures, and of the client's right to freedom of choice regarding services provided;
 - (b) terminate services and professional relationships with clients when such services and relationships are no longer required or where a conflict of interest exists;
 - (c) make every effort to keep scheduled appointments;
 - (d) notify clients promptly and seek the transfer, referral, or continuation of services pursuant to the client's needs and preferences if termination or interruption of services is anticipated;
 - (e) attempt to make appropriate referrals pursuant to the client's needs;
 - (f) obtain informed written consent of the client or the client's legal guardian prior to the client's involvement in any research project of the licensee that might identify the client or place them at risk;

- (g) obtain informed written consent of the client or the client's legal guardian prior to taping, recording, or permitting third-party observation of the client's activities that might identify the client or place them at risk;
- (h) except where required by law or court order, safeguard information provided by clients, and make reasonable efforts to limit access to client information in an agency setting to those staff whose duties require access;
- (i) disclose to and obtain written acknowledgement from the client or prospective client as to the fee to be charged for professional services, and/or the basis upon which the fee will be calculated;
- (j) make and maintain records of services provided to a client. At a minimum, the records shall contain:
 - (i) documentation verifying the identity of the client;
 - (ii) documentation of the assessment and/or diagnosis;
 - (iii) documentation of each session;
 - (iv) documentation of a plan, documentation of any revision of the assessment or diagnosis or of a plan;
 - (v) documentation of discharge summary;
 - (vi) any fees charged and other billing information; and
 - (vii) copies of all client authorization for release of information and any other legal forms pertaining to the client. These records shall be maintained by the licensee or agency employing the licensee under secure conditions and for time periods in compliance with applicable federal or state law, but in no case for fewer than seven years after the last date of service.
- (4) In addition to (2) and (3), CBHPSS are subject to the following standards.
 - (a) CBHPSS shall:
 - (i) conduct themselves in a way that fosters their own recovery and take personal responsibility to seek support and manage their wellness;
 - (ii) as mandatory reporters, report abuse to appropriate authorities and supervisors;
 - (iii) disclose any pre-existing relationships, sexual or otherwise, to supervisor(s) prior to providing services to that individual; and
 - (iv) report risk of imminent harm to self or others to the proper authorities and to their supervisor. When reporting, the minimum amount of information necessary will be given to maintain confidentiality.
 - (b) CBHPSS shall not:
 - (i) engage or offer advice on the matters of diagnosis, treatment, or medications to the client; or
 - (ii) engage in or promote behaviors or activities that would jeopardize the CBHPSS's recovery or the recovery of those they serve.

Question 14:

I heard the board updated its continuing education rules for all the license types that need to get continuing education hours. What are the changes?

Response 14:

LCPC, LCSW, LMSW, LBSW, LMFT, LAC, and CBHPSS are now required to get two hours of suicide prevention continuing education as part of their CE requirements. Since these rules are effective on 8/8/20 that means that any licensees renewing by 12/31/20 will need to have two hours in suicide prevention. All other CE requirements remain the same. However, the board has combined all CE requirements for all license types into one rule. See below. Note that as under the previous rules, candidate licensees still do not have any CE requirements.

ARM 24.219.435 CONTINUING EDUCATION REQUIREMENTS – LCSW, LMSW, LBSW, LCPC, LMFT, LAC, and CBHPSS

- (1) Licensees are required to obtain 20 hours of continuing education (CE) annually, prior to renewal.
- (2) Licensees completing more than 20 hours of CE may carry forward those hours into the next year. The number of hours carried forward shall not exceed 20 hours.
- (3) Licensees holding more than one type of license must obtain the requisite 20 hours of CE for each license.
- (4) Of the 20 hours:
- (a) a minimum of two hours must relate to suicide prevention; and
 - (b) a maximum ten hours may be for:
 - (i) first-time preparation of a new course, in-service training workshop, or seminar which meets the criteria in (6); or
 - (ii) preparation time by the author or authors of a paper which meets the criteria in (6) that is published for the first time in a recognized professional journal, or given for the first time at a statewide or national professional meeting.
- (5) Continuing education requirements will not apply until after the licensee's first renewal.
- (6) Licensees are responsible for selecting quality programs that focus on protecting the health, safety, and welfare of the public and contribute to licensees' professional knowledge and competence.
- Acceptable CE activities:
- (a) directly relate to the licensee's scope of practice as defined in board statute or rule;
 - (b) review existing concepts and techniques;
 - (c) convey information beyond the basic professional education;
 - (d) update knowledge on the practice and advances in the profession; or
 - (e) reinforce professional conduct or ethical obligations of the licensee.
- (7) The department may randomly audit up to 50 percent of renewed licensees.
- (8) Licensees must maintain documentation of completed CE for three years and provide documentation to the board upon request. Documentation must include the following information:
- (a) licensee name;
 - (b) course title and description of content;
 - (c) presenter or sponsor;
 - (d) course date(s); and
 - (e) number of CE hours earned.
- (9) Licensees found to be in noncompliance with CE requirements may be subject to administrative suspension. Licensees may not apply CE hours used to complete delinquent CE requirements for the next education reporting period.
- (10) Any CE hours required by disciplinary order do not apply toward the 20 hours that are required annually under this rule.
- (11) A licensee may request an exemption from CE requirements due to hardship. Requests will be considered by the board.

Visit the board's website at www.bbh.mt.gov to find answers to more questions. You can also e-mail dlibsdfhelp@mt.gov although staff encourage you to try and find the information on our website before you e-mail.