

BEFORE THE BOARD OF BEHAVIORAL HEALTH
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of)
ARM 24.219.301, 24.219.401,) NOTICE OF AMENDMENT,
24.219.421, 24.219.422, 24.219.431,) ADOPTION, AND REPEAL
24.219.435, 24.219.501, 24.219.504,)
24.219.601, 24.219.604, 24.219.701,)
24.219.704, 24.219.907, 24.219.912,)
24.219.1001, 24.219.1002,)
24.219.1003, 24.219.1005,)
24.219.1011, 24.219.1201,)
24.219.1205, 24.219.1211,)
24.219.1213, 24.219.1217,)
24.219.2301, 24.219.5006,)
24.219.5008, and 24.219.5010, the)
adoption of NEW RULES I through III,)
and the repeal of ARM 24.219.415,)
24.219.423, 24.219.502, 24.219.505,)
24.219.508, 24.219.512, 24.219.602,)
24.219.605, 24.219.608, 24.219.612,)
24.219.702, 24.219.705, 24.219.706,)
24.219.712, 24.219.923, 24.219.1004,)
24.219.1014, 24.219.1017,)
24.219.1020, 24.219.1023,)
24.219.1026, 24.219.1029,)
24.219.1032, 24.219.1035,)
24.219.1038, 24.219.1209,)
24.219.1215, 24.219.2404,)
24.219.5005, 24.219.5007, and)
24.219.5013, and 24.219.5020)
pertaining to the board of behavioral)
health)

TO: All Concerned Persons

1. On November 3, 2023, the Board of Behavioral Health (agency) published MAR Notice No. 24-219-37 regarding the public hearing on the proposed changes to the above-stated rules, at page 1480 of the 2023 Montana Administrative Register, Issue No. 21.

2. On November 30, 2023, a public hearing was held on the proposed changes to the above-stated rules via the videoconference and telephonic platform. Comments were received by the deadline.

3. The agency has thoroughly considered the comments received. A summary of the comments and the agency responses are as follows:

Comment 1: Several commenters requested the board add the California Clinical Examination to the list of approved exams for licensure as a Marriage and Family Therapist, citing that LMFTs from California would face difficulty in getting licensed in Montana. (AAMFT)

Response 1: Applicants who hold out of state licensure are evaluated by the department on a substantially equivalent basis. California's requirements for licensure are substantially equivalent to Montana, and licensees from California who are otherwise routine will not be required to take a second examination. For new applicants, the board retains authority to review and approve licensing exams other than the AMFTRB. The board may choose to include the California examination in a later rules package.

4. The agency has amended ARM 24.219.301, 24.219.401, 24.219.421, 24.219.422, 24.219.431, 24.219.501, 24.219.504, 24.219.601, 24.219.604, 24.219.701, 24.219.704, 24.219.907, 24.219.912, 24.219.1001, 24.219.1002, 24.219.1003, 24.219.1005, 24.219.1011, 24.219.1201, 24.219.1205, 24.219.1211, 24.219.1213, 24.219.1217, 24.219.2301, 24.219.5008, and 24.219.5010 as proposed.

5. The agency has adopted NEW RULES I (24.219.402), II (24.219.403), and III (24.219.436) as proposed.

6. The agency has repealed ARM 24.219.415, 24.219.423, 24.219.502, 24.219.505, 24.219.508, 24.219.512, 24.219.602, 24.219.605, 24.219.608, 24.219.612, 24.219.702, 24.219.705, 24.219.706, 24.219.712, 24.219.923, 24.219.1004, 24.219.1014, 24.219.1017, 24.219.1020, 24.219.1023, 24.219.1026, 24.219.1029, 24.219.1032, 24.219.1035, 24.219.1038, 24.219.1209, 24.219.1215, 24.219.2404, 24.219.5005, 24.219.5007, and 24.219.5013, and 24.219.5020 as proposed.

7. The agency has amended ARM 24.219.435 and 24.219.5006 to correct scrivener's errors with the following changes, stricken matter interlined, new matter underlined:

24.219.435 CONTINUING EDUCATION REQUIREMENTS (1) through (3) remain as proposed.

(4) Of the 20 hours:

(a) a minimum of two hours must relate to suicide prevention for a licensee's first renewal and every ~~three~~ two years thereafter; and

(b) through (10) remain as proposed.

AUTH: 37-1-131, 37-1-319, 37-39-103, MCA

IMP: 37-1-131, 37-1-306, 37-1-319, 37-1-321, 37-39-103, MCA

24.219.5006 LAC EDUCATION REQUIREMENTS (1) Applicants must have completed a minimum of ~~270~~ 285 contact hours of training in addiction studies completed either in whole or in part of the degree or certificate in 37-39-310, MCA. If not all 285 required hours were completed as part of the degree, then the applicant can complete those outside of the degree or certificate. The ~~270~~ 285 hours must be in the following areas:

(a) through (i) remain as proposed.

AUTH: 37-1-131, 37-39-103, MCA

IMP: 37-1-131, 37-39-310, MCA

BOARD OF BEHAVIORAL HEALTH
LAURA DEVER, CHAIR

/s/ QUINLAN L. O'CONNOR

Quinlan L. O'Connor
Rule Reviewer

/s/ SARAH SWANSON

Sarah Swanson, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State January 30, 2024.