



If you cannot find the answer to your question(s) regarding the Montana Board of Behavioral Health on this FAQ we encourage you to review the board's website, www.bbh.mt.gov, or contact our customer service unit at dlibsbsdhelp@mt.gov.

Frequently Asked Questions (FAQ) **Montana Board of Behavioral Health** **(FAQ updated 1/24/21)**

General Questions about License Requirements and Applying for a License

Question 1:

What professions does this board regulate?

Response 1:

Presently the board issues the following licenses. See also Response 2.

- Licensed Clinical Social Workers (LCSW)
- LCSW Candidates
- Licensed Master's (non-clinical) Social Workers (LMSW)
- Licensed Master's (non-clinical) Social Worker Candidates (SWLM)
- Licensed Baccalaureate Social Workers (LBSW)
- Licensed Baccalaureate Social Worker Candidates (SWLB)
- Licensed Addiction Counselors (LAC)
- LAC Candidates
- Licensed Clinical Professional Counselors (LCPC)
- LCPC Candidates
- Licensed Marriage and Family Therapists (LMFT)
- LMFT Candidates
- Certified Behavioral Health Peer Support Specialists (CBPHSS)

Question 2:

How can I apply for a license?

Response 2:

If you want to apply for a license we recommend you use the [online application \(www.ebiz.mt.gov/pol\)](http://www.ebiz.mt.gov/pol) as that is the fastest, most efficient way to apply for a license.

Question 3:

Does the board license licensed master's (nonclinical) social workers (LMSW) and LMSW candidates or licensed baccalaureate social workers (LBSW) and LBSW candidates?

Response 3:

Yes. As of 1/25/21 the applications for these license types are live and individuals can begin applying for those licenses.

Question 4:

I am interested in applying for a license. What are the licensing requirements?

Response 4:

Each license type under this board has a licensing requirements and application checklist that summarizes the licensing requirements and lists that specific documents that applicants need to submit as part of the application. Click on the below links to access a particular checklist. The fee to apply for the license is also listed on the checklist.

The revision date in the document footer of the checklist should be 1/25/21. If you see a different date you should delete your cookies and cached browsing history, close out of your browser, and try again.

- [Licensed Clinical Professional Counselor Application Checklist](#)
- [Licensed Clinical Professional Counselor Candidate Application Checklist](#)
- [Licensed Clinical Social Worker Application Checklist](#)
- [Licensed Clinical Social Worker Candidate Application Checklist](#)
- [Licensed Master's \(non-clinical\) Social Worker Checklist](#)
- [Licensed Master's \(non-clinical\) Social Worker Candidate Checklist](#)
- [Licensed Baccalaureate Social Worker Checklist](#)
- [Licensed Baccalaureate Social Worker Candidate Checklist](#)
- [Licensed Addiction Counselor Application Checklist](#)
- [Licensed Addiction Counselor Candidate Application Checklist](#)
- [Licensed Marriage and Family Therapist and Candidate Application Checklist](#)
- [Certified Behavioral Health Peer Support Specialist Application Checklist](#)

If you are licensed as a candidate in Montana and wish to apply for full licensure as an [LCPC/LCSW/LMSW/LBSW/LMFT/LAC] after completing all your supervised work experience hours and the requisite exam you cannot just transition to a full license. As of 1/25/21 you must submit an application and pay the fee for the license you wish to obtain. Note that in order to continue practicing you must maintain an active candidate license and appropriate supervision until you are licensed as an [LCPC/LCSW/LMSW/LBSW/LMFT/LAC]

For more information on how to apply for a license and licensing requirements visit the board's website at www.bbh.mt.gov. If you want to apply for a license we recommend you use the [online application](#) (www.ebiz.mt.gov/pol) as that is the fastest, most efficient way to apply for a license. Note that it is paying the fee that actually submits the application so that staff can begin their review.

Question 5:

I am currently licensed as an [LCPC/LCSW/LMSW/LBSW/LMFT/LAC/CBHPSS] in another state or jurisdiction. Can I "transfer" my license? Does Montana have reciprocity agreements with any other states?

Response 5:

You cannot "transfer" a license nor does Montana have reciprocity agreements with any other jurisdictions. If you are interested in applying for a Montana license you will need to apply and pay the associated application fee (see links to licensing requirements and application checklists in Response #3). If you are actively licensed in another state your application will be considered under the "out-of-state" licensing rule for your particular license type.

Question 6:

Can I conduct telepractice/telehealth in Montana if I am licensed in another state but do not have a license in Montana?

Response 6:

Telehealth/telepractice is a method of delivery of services and not a specific type of license or practice. In order to practice one of the professions licensed under this board you must be licensed in the state of Montana (e.g. where the services are occurring) or be exempt from licensure in Montana. Click on the below links to view the statutory exemptions from licensure for different license types.

Note that laws concerning telepractice/telehealth vary from jurisdiction to jurisdiction so you should also check with the regulatory entity in the jurisdiction where you are licensed with regard to its laws.

- [MCA 37-22-305](#)(3) – LCSW/LMSW/LBSW
- [MCA 37-23-201](#)(4) – LCPC
- [MCA 37-35-201](#)(2) & (3) – LAC
- [MCA 37-37-201](#)(5) and [37-37-202](#)(2) – LMFT
- [MCA 37-28-201](#)(2) & (3) – CBHPSS

Question 7:

I am thinking of going to school/am already in school and am interested in applying for licensure as an [LCPC/LCSW/LMSW/LBSW/LMFT/LAC] in Montana. Do you have any schools or programs you would recommend? What classes should I take so I can eventually get licensed in Montana?

Response 7:

Neither the board nor staff can offer you legal advice. It is up to you to look at current licensing requirements in Montana and make your own choices regarding schools and/or degree programs or classes. It is possible your academic advisor or the school might have some advice for you if you show them Montana's licensing requirements.

Additionally, the Legislature and the board can change the board's licensing regulations. The requirements today might not be the same as the requirements at a future date. If you are interested in staying current on board activities and proposed rulemaking you can e-mail dlibsdbbh@mt.gov and ask to be added to the board's interested parties list. Individuals on that list will receive notice of all board meeting agendas and proposals to change the administrative rules.

You should also keep in mind that different states and jurisdictions have different licensing requirements so if you are interested in eventually applying for a license in a jurisdiction other than Montana you should contact that jurisdiction(s) regulatory body as well.

Question 8:

I have reviewed the licensing requirements for [LCPC/LCSW/LMSW/LBSW/LMFT/LAC/CBHPSS/candidate] but I am not sure if I would qualify for a license. If I send you my [unofficial transcript, facts about a license I hold in another state, etc.], could you review the information and let me know if I would qualify and should apply for a license?

Response 8:

Neither staff nor the board "preapprove" application materials or give legal advice. It is up to you to review the licensing requirements and make your own determination regarding whether or not you would like to apply for a license. The only way staff will review your specific information is if you apply for a license and pay the application fee. Unless you pay the fee you have not submitted an application. If you do decide to apply we recommend you [apply online](#) as it is the most efficient method. Once you apply and pay the fee processing staff will begin reviewing your information.

Question 9:

I have had [criminal conviction(s) in the past/am currently on probation/was disciplined by another state licensing board, etc]. Could you review my legal history to let me know if I would qualify and should apply for a license?

Response 9:

See Response #8. Having a criminal history does not automatically disqualify you from licensure. If you apply and pay the fee the specifics of your personal history will be evaluated as part of your application.

Applications that qualify as complete and "routine" can be issued by staff. Applications that are "nonroutine" must be evaluated by the board at a board meeting. "Nonroutine" is defined in a board policy as:

Applications for licensure that disclose any of the following circumstances are nonroutine and must be reviewed and approved by the board before the license may be issued:

- 1. the applicant has been convicted of a felony or two or more misdemeanors (other than traffic violations) within the past five years; regardless of whether an appeal is pending and regardless of whether the sentence was suspended or deferred;*
- 2. any of the applicant's occupational or professional licenses have been disciplined or an application for a license was denied in any state or jurisdiction;*
- 3. a pending or completed legal or disciplinary action involving licensure in this state, another state, territory, or jurisdiction; or*
- 4. any substantive irregularity deemed by department staff to warrant board review and approval prior to issuance of the license.*

Question 10:

I have just graduated with my degree. I see that the license I would like to apply for requires post-degree supervised work experience as one of the licensure qualifications. How do obtain this experience?

Response 10:

In order to gain post-graduate supervised work experience hours in Montana you must apply for and be issued one of the following licenses. The specific requirements for gaining experience vary depending on the license type.

- LCSW, LMSW, and LBSW candidates (ACLC, SWLM, SWLB) – see [ARM 24.219.504](#)
- LCPC candidate (PCLC) – see [ARM 24.219.604](#)
- LMFT candidate (MFLC) – see [ARM 24.219.704](#)
- LAC candidate (ACLC) – see [ARM 24.219.5008](#)

The Legislature created the candidate licenses in 2015 and the board implemented the licenses on May 1, 2016. Prior to May 1, 2016, people could gain post-degree supervised work experience hours in Montana without a license. However, to gain experience after that date in Montana you must be licensed as a candidate.

Question 11:

I have applied for a [insert license type] candidate license but have not been issued a license yet. Can I start earning hours before a license is issued?

Response 11:

No. Also see Response #10.

Question 12:

I am licensed as a [LCPC/LCSW/LMSW/LBSW/LMFT/LAC] candidate. Can the supervised work experience hours I am earning under that license also count toward the post-graduate supervised work experience requirements for a [insert different license type] license?

Response 12:

No. Theoretically you could be earning supervised work experience hours toward different types of full licenses as at the same time. However, you would need to hold active candidate licenses for each license type for which you were earning hours. Each license under this board is its own license and profession (including the different types of social work licenses) and the supervised work experience hours for each full license must be earned under that license type's candidate license. Also see Response #10.

General Questions on Supervision of CBHPSS and All Types of Candidate License

Question 13:

I have applied for an [LCPC/LCSW/LMSW/LBSW/LMFT/LAC] candidate license or a CBHPSS license. I have submitted all the application materials but have not found a supervisor yet. Can you issue my license?

Response 13:

No. Having at least one qualified supervisor is one of the initial licensing requirements to qualify for a candidate license or CBHPSS license. Even if all other aspects of your application are complete and routine your application will not be complete until you have found at a least one qualified supervisor.

Question 14:

What are the qualifications to supervise a candidate or CBHPSS?

Response 14:

See [ARM 24.219.421](#).

Question 15:

I am applying for an LCSW candidate license/have an LCSW candidate license. Do I have to have a supervisor who is an LCSW?

Response 15:

As an LCSW candidate earning supervised work experience hours can be supervised by any of the individuals who are listed in [ARM 24.219.421](#)(1) and (2). However, of the total 3000 hours an LCSW candidate needs to earn, 50 of those hours must be supervised by an LCSW as described in ARM 24.219.504(2). The remaining 2950 hours can be supervised by any of the other license types approved to supervise LCSW candidates.

Question 16:

I am not an LAC but I am licensed in a different profession. Can I supervise an LAC candidate?

Response 16:

In order for a non-LAC to supervise an LAC candidate you must be approved by the board as "trained in a related field" per [ARM 24.219.421](#)(5)(b).

Question 17:

I have not been fully licensed for three years. Can I supervise a candidate or CBHPSS?

Response 17:

Under [ARM 24.219.421](#) persons who have been licensed less than three years who would otherwise qualify to supervise can qualify to supervise if they have taken a 20 hour board-approved training. A list of [trainings already approved by the board is posted to the website](#). If you have taken a course(s) that is not on the list you can submit that course for consideration by the board at a future board meeting. Submit the request to dlibsdbbh@mt.gov.

The only exception to this is LBSW who supervise LBSW candidates. LBSW must be licensed for a minimum of 3 years and cannot take training courses to supplement for years of licensure.

Question 18:

I see the board has recently added a definition for "supervised work experience." Have the requirements for an [LCPC/LCSW/LMFT/LAC] supervised work experience changed?

Response 18:

No, the requirements are still the same. The board has just added a definition for reference purposes. The definition cites the specific supervised work experience rules which apply to each license type.

- [ARM 24.219.301](#)(24): *"Supervised work experience" means the requirements described in ARM 24.219.504, 24.219.604, 24.219.704, or 24.219.5008 where a candidate gains minimal competencies in the areas of an identified theory base, application of a differential diagnosis, establishing and monitoring a treatment plan, development and appropriate use of the professional relationship, assessing the client for risk of imminent danger, and implementing a professional and ethical relationship with clients and colleagues.*

Question 19:

I am licensed as an [LCPC/LCSW/LMSW/LBSW/LMFT/LAC] candidate. Do I need submit all my supervised experience records to department staff in order to qualify to register for the national exam and/or become licensed as a "full" [LCPC/LCSW/LMSW/LBSW/LMFT/LAC]?

Response 19:

No. To prove that you have completed supervised experience under a particular supervisor you only need to submit a simple, department form where you and the supervisor attest by signing that you have met those requirements. However, in order to ensure compliance the board has specified in [ARM 24.219.422](#) that candidates must maintain all supervised experience records for seven years from the date they obtain [LCPC/LCSW/LMSW/LBSW/LMFT/LAC] licensure or seven years from the expiration off the candidate license if they do not obtain licensure in

Montana. To ensure candidates are obtaining necessary supervision the board now can conduct a random compliance audit of supervision records annually for all actively licensed candidates.

Question 20:

I am a CBHPSS. Do I have to maintain records of supervision?

Response 20:

Yes. Both you and your supervisor(s) must maintain records as described in [ARM 24.219.422](#) for a minimum of seven years from the date the supervisor(s) ceased to supervise you. To ensure CBHPSS are obtaining necessary supervision the board now can conduct a random compliance audit of supervision records annually for all actively licensed candidates.

Question 21:

I am licensed as an [LCPC/LCSW/LMSW/LBSW/LMFT/LAC] candidate and need to track my hours to show I am complying with the supervised work experience requirements in order to eventually qualify for full licensure. Does the board have a form for me to use?

Response 21:

No. There is no board form for tracking hours. In the past there was an optional form posted to the board's website but that has been removed since it is the licensees' responsibility to maintain records that comply with the recordkeeping requirements (see Response 19). The board and department do not dictate format. The candidate and supervisor(s) should review the board's rules and determine the method they want to use to maintain records that comply with the board's requirements.

Question 22:

I supervise a candidate/CBHPSS. In the past I was not required to maintain supervision records. Only the candidate/CBHPSS was required to maintain supervision records. Why do I have to maintain them now?

Response 22:

To ensure both sides of the supervision relationship are represented in the records, the board is now requiring that supervisors—as well as candidates and CBHPSS—must maintain supervision records. This change will help ensure a more complete documentation of the supervision should discrepancies arise. If you did not maintain records prior to 12/28/19 you do not need to go back and reconstruct records. However, going forward from the effective date of these rules on 12/28/19 you, the supervisor, will need to maintain a record of supervision that complies with board rule (see Response 19).

Question 23:

I am licensed as an [LCPC/LCSW/LMSW/LBSW/LMFT/LAC] candidate and am still earning supervised experience hour to meet full licensure requirements. One of my supervisors is no longer supervising me and/or I am getting a new supervisor. What do I need to do?

Response 23:

You are required to notify the board using a board form no later than 20 business days following the date that individual ceases to supervise you. Even if the supervisor has already notified the department, you as the candidate licensee are also required to separately notify the department. Do not forget that as a candidate you must have a least one qualified supervisor to continue practicing under your candidate license. If you are getting a new supervisor then you must submit a training and supervision plan signed by both you and the new supervisor no later than 20 business days following the date the supervisor began supervising you. If you have completed all supervised work experience hours and are ending the relationship because you have been issued a full license then the change notification form does not need to be submitted.

The below links will take you to the referenced forms.

- [Training and Supervision Plan - Licensed Clinical Professional Counselor Candidate](#)
- [Training and Supervision Plan - Licensed Clinical Social Worker Candidate](#)
- [Training and Supervision Plan - Licensed Addiction Counselor Candidate](#)
- [Training and Supervision Plan - Licensed Marriage and Family Therapist Candidate](#)
- [Change of Supervisor Notification form](#) (submitted by the candidate)

Question 24:

I am ceasing to supervise a candidate who is still earning supervised experience hours. What do I need to do?

Response 24:

You are required to notify the board using a board form no later than 20 business days following the date you cease to supervise the candidate. Even if the candidate has already notified the department, you as the supervisor are also required to separately notify the department. If the candidate has completed all supervised work experience hours and is ending the relationship because he/she has been issued a full license then the change notification form does not need to be submitted.

- [Change of Supervisor Notification form](#) (submitted by the supervisor signing this form)

Question 25:

I am licensed as an CBHPSS and a relationship with a supervisor is ending. What do I need to do?

Response 25:

You are required to notify the board using a board form no later than 20 business days following the date that individual ceases to supervise you. Even if the supervisor has already notified the department, you as the CBHPSS licensee are also required to separately notify the department. Do not forget that as a candidate you must have a least one qualified supervisor to continue practicing under your candidate license. In order to add a new supervisor you and the new supervisor must sign and submit a new supervision agreement form.

- [Change of Supervisor Notification form](#) (submitted by the candidate)
- [Supervision Agreement form](#)

Question 26:

I am ceasing to supervise a CBHPSS. What do I need to do?

Response 26:

You are required to notify the board using a board form no later than 20 business days following the date you cease to supervise the CBHPSS. Even if the CBHPSS has already notified the department, you as the supervisor are also required to separately notify the department.

- [Change of Supervisor Notification form](#) (submitted by the supervisor signing this form)

Question 27:

I am licensed as an [LCPC/LCSW/LMSW/LBSW/LMFT/LAC] candidate or CBHPSS or I supervise an [LCPC/LCSW/LMSW/LBSW/LMFT/LAC] candidate or CBHPSS. Is "telesupervision" okay under the board's rules?

Response 27:

For added clarity the board has defined "face-to-face" in [ARM 24.219.301\(13\)](#) to clarify acceptable supervision methods that include both in-person and electronic means. The term "face-to-face" is now used consistently in the supervision/supervised experience rules.

- *ARM 24.219.301(13): "Face-to-face" means supervision of a candidate by the supervisor which is either: (a) in-person; or (b) electronically. The transmission must: (i) be two-way; (ii) be interactive; (iii) be real-time; (iv) be simultaneous; and (v) provide for both audio and visual interaction.*

Question 28:

I am applying for an LAC or LAC candidate license. I heard the 330 addiction specific education hours requirements have recently changed?

Response 28:

Yes, the requirements changed on 12/28/19 and apply to anyone who is applying for licensure on or after that date. You are still required to have 330 clock hours. However, under the new rule you only need 10 hours in ethics and 20 hours in multicultural competency. All the other requirements remain the same. See [ARM 24.219.5006\(2\)\(b\)](#) and [24.219.5013\(2\)\(b\)](#) for the complete requirements.

Miscellaneous Topics

Question 29:

I have tried e-mailing staff and/or calling staff but I have not heard back regarding my question yet. Should I keep calling and/or resending my e-mail?

Response 29:

If you e-mailed or called and left a message rest assured that staff have received your question. We will get back to you as soon as possible. Leaving multiple messages and sending multiple e-

mails can actually delay staff responses times overall due to duplication of effort. Unless otherwise directed, the best e-mail to use is dlibsdhel@mt.gov. That goes to our customer service unit and they will ensure that the appropriate staff member receives the question if they are not able to answer it themselves. If you have not already done so we encourage you to visit our website at www.bbh.mt.gov which may have the answer to your question.

Question 30:

What are the board's laws for registering my business, setting up a business license, etc.

Response 30:

The board does not license businesses/facilities/practices. It only licenses *people*. If there are specific laws pertaining to your question they are outside this board's jurisdiction and regulatory authority. You could try contacting the [Secretary of State's Office](#) to see if it has more information on laws in this area.

Question 31:

I have questions about how to bill insurance/what services I am allowed to bill/who can bill for what services. What are the board's laws in this area?

Response 31:

Laws pertaining to billing, including private insurance and Medicare and Medicaid, are outside this board's jurisdiction and regulatory authority. As a licensee you are expected to comply with other state and federal laws that pertain to your scope of practice. However, it is not this board that regulates those specific areas. You could try contacting the [Office of the Commissioner of Securities and Insurance](#) and the [Montana Department of Public Health and Human Services Addictive and Mental Disorders Division](#) for more information in these areas.

Question 32:

What are the board's recordkeeping/record retention requirements for my client files?

Response 32:

The board does not have specific laws in this area. As a licensee you are expected to comply with other state and federal laws that pertain to your scope of practice, such as HIPAA. You could try contacting the [U.S Department of Public Health and Human Services](#) and/or the [Montana Department of Public Health and Human Services](#).

Question 33:

Where can I find a copy of all the board's laws?

Response 33:

Links to the official, online versions of the board's statutes, administrative rules, and notices of proposed rulemaking can be found on the website at www.bbh.mt.gov under the regulations menu. Also, see the direct links below.

- **Statutes and Rules that Apply to All Licensing Boards under DLI**
 - [Title 37, chapter 1, MCA](#)
 - [ARM Title 24, chapter 101](#)
- **Statutes and Rules that Apply to Professions Regulated by the Board of Behavioral Health**
 - [Title 2 Chapter 15 Part 17, MCA](#) - Board of Behavioral Health
 - [Title 37 Chapter 22 , MCA](#) - Social Workers
 - [Title 37 Chapter 35, MCA](#) - Addiction Counselors
 - [Title 37 Chapter 23, MCA](#) - Professional Counseling
 - [Title 37 Chapter 37, MCA](#) - Marriage and Family Therapists
 - [Title 37 Chapter 38, MCA](#) - Certified Behavioral Support Peer Support Specialists
 - [ARM Title 24, Chapter 219](#) – all licenses types under this board
- **[Proposed Rulemaking](#)**

Question 33:

Can the board/department give me legal advice/interpretation of its statutes and rules?

Response 33:

The board and its staff cannot offer advice, interpretation, or legal determinations. Doing so would be providing you legal advice/counsel. It is the responsibility of licensees and members of the public to review the relevant statutes and rules to determine whether a specific practice is legal and/or what licenses are required to operate. If legal advice is needed, you may consult your own attorney.

Question 34:

What are the board's requirements regarding COVID-19 special requirements pertaining to health and safety or emergency registration for individuals licensed in another jurisdiction?

Response 34:

See the board's COVID-19 specific FAQ. This FAQ can also be found by visiting the board's homepage at www.bbh.mt.gov.

Question 35:

How do I obtain a list/mailling list of licensees under this board?

Response 35:

You can purchase a list of licensees from the licensee download service on our website at <https://app.mt.gov/download/>. Once you select all the criteria for the list then you pay by credit card to complete your purchase.



The cost is \$35 for up to and including 300 records (licensees) with an additional charge of \$0.03 per record after the initial 300 records. Note that we do not give out phone numbers or e-mail addresses for any of our licensees.

For further questions and assistance contact customer service staff at dlibsdhelp@mt.gov.

Question 36:

What is the best way to submit a question to staff or the board?

Response 36:

First, we encourage you to visit the board's website to see if the information you require is already posted. If you cannot find the information on the website or have a comment for staff or the board you can e-mail the board at dlibsdhelp@mt.gov or contact customer service staff at 406-841-2300. E-mail is usually the most efficient way to contact department staff and will also allow you to have your response in writing so you can reference it later.

If you have a question regarding an application you have already submitted for review you should also contact staff at dlibsdhelp@mt.gov.