



# HOUSE BILL No. 4317

February 7, 1995, Introduced by Reps. Gustafson, Jamian, Bennane, Hammerstrom, Rocca, McManus and Jaye and referred to the Committee on Regulatory Affairs.

A bill to amend sections 16131 and 16263 of Act No. 368 of the Public Acts of 1978, entitled as amended "Public health code," section 16131 as amended by Act No. 80 of the Public Acts of 1993 and section 16263 as amended by Act No. 216 of the Public Acts of 1990, being sections 333.16131 and 333.16263 of the Michigan Compiled Laws; to add section 16324 and part 169; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. Sections 16131 and 16263 of Act No. 368 of the  
2 Public Acts of 1978, section 16131 as amended by Act No. 80 of  
3 the Public Acts of 1993 and section 16263 as amended by Act  
4 No. 216 of the Public Acts of 1990, being sections 333.16131 and  
5 333.16263 of the Michigan Compiled Laws, are amended and  
6 section 16324 and part 169 are added to read as follows:

1       Sec. 16131. The terms of office of individual members of  
 2 ~~the council or~~ the boards and task forces, except those  
 3 appointed to fill vacancies, shall expire 4 years after appoint-  
 4 ment as follows:

5       Nursing	June 30
6       Optometry	June 30
7       Pharmacy	June 30
8       Podiatric medicine and surgery	June 30
9       Dentistry	June 30
10      Chiropractic	December 31
11      Counseling	June 30
12      MARRIAGE AND FAMILY THERAPY	JUNE 30
13      Medicine	December 31
14      Occupational therapists	December 31
15      Osteopathic medicine and surgery	December 31
16      Physical therapy	December 31
17      Psychology	December 31
18      Sanitarians	December 31
19      Veterinary medicine	December 31

20       Sec. 16263. (1) Except as provided in subsection (2), the  
 21 following words, titles, or letters or a combination thereof,  
 22 with or without qualifying words or phrases, are restricted in  
 23 use only to those persons authorized under this article to use  
 24 the terms and in a way prescribed in this article:

25       (a) "Chiropractic", "doctor of chiropractic",  
 26 "chiropractor", "d.c.", and "chiropractic physician".

1 (b) "Dentist", "doctor of dental surgery", "oral and  
2 maxillofacial surgeon", "orthodontist", "prosthodontist",  
3 "periodontist", "endodontist", "oral pathologist", "pediatric  
4 dentist", "dental hygienist", "registered dental hygienist",  
5 "dental assistant", "registered dental assistant", "R.D.A.",  
6 "d.d.s.", "d.m.d.", and "r.d.h."

7 (c) "Doctor of medicine" and "m.d."

8 (d) "Physician's assistant" and "p.a."

9 (e) "Registered professional nurse", "registered nurse",  
10 "r.n.", "licensed practical nurse", "l.p.n.", "nurse midwife",  
11 "nurse anesthetist", "nurse practitioner", "trained attendant",  
12 and "t.a."

13 (f) "Doctor of optometry", "optometrist", and "o.d."

14 (g) "Osteopath", "osteopathy", "osteopathic practitioner",  
15 "doctor of osteopathy", "diplomate in osteopathy", and "d.o."

16 (h) "Pharmacy", "pharmacist", "apothecary", "drugstore",  
17 "druggist", "medicine store", "prescriptions", and "r.ph."

18 (i) "Physical therapy", "physical therapist",  
19 "physiotherapist", "registered physical therapist", "licensed  
20 physical therapist", "physical therapy technician", "p.t.",  
21 "r.p.t.", "l.p.t.", and "p.t.t."

22 (j) "Chiropodist", "chiropody", "chiropodical", "podiatry",  
23 "podiatrist", "podiatric", "doctor of podiatric medicine", "foot  
24 specialist", "podiatric physician and surgeon", and "d.p.m."

25 (k) "Consulting psychologist", "psychologist",  
26 "psychological assistant", and "psychological examiner",  
27 "licensed psychologist", and "limited licensed psychologist".

1 (l) "Licensed professional counselor", "licensed counselor",  
2 "professional counselor", and "l.p.c.".

3 (m) "Sanitarian", "registered sanitarian", and "r.s.".

4 (n) "Veterinary", "veterinarian", "veterinary doctor",  
5 "veterinary surgeon", "doctor of veterinary medicine", "v.m.d.",  
6 "d.v.m.", "animal technician", or "animal technologist".

7 (o) "Occupational therapist", "occupational therapist  
8 registered", "certified occupational therapist", "o.t.",  
9 "o.t.r.", "c.o.t.", "certified occupational therapy assistant",  
10 "occupational therapy assistant", or "c.o.t.a.".

11 (p) "MARRIAGE ADVISOR" OR "MARRIAGE CONSULTANT"; "FAMILY  
12 COUNSELOR", "FAMILY ADVISOR", "FAMILY THERAPIST", OR "FAMILY  
13 CONSULTANT"; "FAMILY GUIDANCE COUNSELOR", "FAMILY GUIDANCE  
14 ADVISOR", OR "FAMILY GUIDANCE CONSULTANT"; "MARRIAGE GUIDANCE  
15 COUNSELOR", "MARRIAGE GUIDANCE ADVISOR", OR "MARRIAGE GUIDANCE  
16 CONSULTANT"; "FAMILY RELATIONS COUNSELOR"; "MARRIAGE RELATIONS  
17 COUNSELOR", "MARRIAGE RELATIONS ADVISOR", OR "MARRIAGE RELATIONS  
18 CONSULTANT"; "MARITAL COUNSELOR" OR "MARITAL THERAPIST"; "LIMITED  
19 LICENSED MARRIAGE AND FAMILY THERAPIST" OR "LIMITED LICENSED MAR-  
20 RIAGE COUNSELOR"; "LICENSED MARRIAGE AND FAMILY THERAPIST" OR  
21 "LICENSED MARRIAGE COUNSELOR"; AND "L.M.F.T.".

22 (2) Notwithstanding section 16261, a person who was spe-  
23 cially trained at an institution of higher education in this  
24 state to assist a physician in the field of orthopedics and upon  
25 completion of training, received a 2-year associate of science  
26 degree as an orthopedic physician's assistant before January 1,

1 1977, may use the title "orthopedic physician's assistant"  
2 whether or not the person is licensed under this article.

3 SEC. 16324. FEES FOR A PERSON LICENSED OR SEEKING LICENSURE  
4 TO ENGAGE IN THE PRACTICE OF MARRIAGE AND FAMILY THERAPY UNDER  
5 PART 169 ARE AS FOLLOWS:

6 (A) APPLICATION PROCESSING FEE.....\$25.00

7 (B) LICENSE FEE, PER YEAR..... 50.00

8 PART 169. MARRIAGE AND FAMILY THERAPY

9 SEC. 16901. (1) AS USED IN THIS PART:

10 (A) "ADVERTISE" MEANS ISSUING OR ORDERING THE PRINTING OR  
11 DISTRIBUTION OF A CARD, SIGN, OR DEVICE OR CAUSING, PERMITTING,  
12 OR ALLOWING A SIGN OR MARKING ON OR IN A BUILDING OR STRUCTURE,  
13 OR PLACING MATERIAL IN A NEWSPAPER, MAGAZINE, OR DIRECTORY, OR ON  
14 RADIO OR TELEVISION.

15 (B) "MARRIAGE AND FAMILY THERAPIST" MEANS AN INDIVIDUAL  
16 LICENSED UNDER THIS ARTICLE TO ENGAGE IN THE PRACTICE OF MARRIAGE  
17 AND FAMILY THERAPY.

18 (C) "PRACTICE OF MARRIAGE AND FAMILY THERAPY" MEANS THE PRO-  
19 VIDING OF GUIDANCE, TESTING, DISCUSSIONS, THERAPY, INSTRUCTION,  
20 OR ADVICE THAT IS INTENDED TO AVOID, ELIMINATE, RELIEVE, MANAGE,  
21 OR RESOLVE MARITAL OR FAMILY CONFLICT OR DISCORD, TO CREATE,  
22 IMPROVE, OR RESTORE MARITAL OR FAMILY HARMONY, OR TO PREPARE COU-  
23 PLES FOR MARRIAGE. PRACTICE OF MARRIAGE AND FAMILY THERAPY DOES  
24 NOT INCLUDE THE ADMINISTRATION AND INTERPRETATION OF PSYCHOLOGI-  
25 CAL TESTS EXCEPT FOR THOSE TESTS THAT ARE CONSISTENT WITH THE  
26 INDIVIDUAL'S EDUCATION AND TRAINING AND WITH THE CODE OF ETHICS  
27 FOR LICENSED MARRIAGE AND FAMILY THERAPISTS.

1 (2) IN ADDITION TO THE DEFINITIONS OF THIS PART, ARTICLE 1  
2 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION  
3 APPLICABLE TO ALL ARTICLES IN THIS CODE AND PART 161 CONTAINS  
4 DEFINITIONS APPLICABLE TO THIS PART.

5 SEC. 16903. (1) AN INDIVIDUAL LICENSED UNDER THIS PART AS A  
6 MARRIAGE AND FAMILY THERAPIST SHALL USE ONLY THE TITLE "LICENSED  
7 MARRIAGE AND FAMILY THERAPIST" OR "LICENSED MARRIAGE COUNSELOR"  
8 OR THE ABBREVIATION "L.M.F.T." IN REPRESENTING HIS OR HER SERV-  
9 ICES IN THE PRACTICE OF MARRIAGE AND FAMILY THERAPY TO THE  
10 PUBLIC.

11 (2) UNLESS EXEMPT UNDER SECTION 16905(3), ONLY AN INDIVIDUAL  
12 LICENSED UNDER THIS PART MAY ADVERTISE THAT HE OR SHE OFFERS MAR-  
13 RIAGE AND FAMILY THERAPY; MARRIAGE OR FAMILY COUNSELING SERVICE  
14 OR ADVICE; MARRIAGE OR FAMILY GUIDANCE SERVICE OR ADVICE; MAR-  
15 RIAGE OR FAMILY RELATIONS SERVICE OR ADVICE; MARRIAGE OR FAMILY  
16 PROBLEMS SERVICE OR ADVICE; MARRIAGE OR FAMILY RELATIONS ADVICE  
17 OR ASSISTANCE; SERVICE IN THE ALLEVIATION OF A MARITAL OR FAMILY  
18 PROBLEM; OR SERVICE OF SIMILAR IMPORT OR EFFECT THAT IS INCLUDED  
19 IN THE PRACTICE OF MARRIAGE AND FAMILY THERAPY.

20 (3) THE BOARD MAY GRANT A LIMITED LICENSE TO AN INDIVIDUAL  
21 WHO HAS MET THE REQUIREMENTS OF SECTION 16909(A) AND (B) IN ORDER  
22 TO PERMIT THAT INDIVIDUAL TO OBTAIN THE EXPERIENCE REQUIRED UNDER  
23 SECTION 16909(C). THE BOARD SHALL NOT RENEW A LIMITED LICENSE  
24 FOR MORE THAN 6 YEARS. A LIMITED LICENSEE SHALL DO ALL OF THE  
25 FOLLOWING:

26 (A) USE ONLY THE TITLE "LIMITED LICENSED MARRIAGE AND FAMILY  
27 THERAPIST" OR "LIMITED LICENSED MARRIAGE COUNSELOR".

1 (B) NOT REPRESENT THAT HE OR SHE IS ENGAGED IN THE  
2 INDEPENDENT PRACTICE OF MARRIAGE AND FAMILY THERAPY.

3 (C) PRACTICE ONLY UNDER THE SUPERVISION OF A FULLY LICENSED  
4 MARRIAGE AND FAMILY THERAPIST.

5 (D) CONFINE HIS OR HER PRACTICE TO AN ORGANIZED HEALTH CARE  
6 SETTING OR OTHER ARRANGEMENT APPROVED BY THE BOARD.

7 (4) AN INDIVIDUAL ENGAGED IN OBTAINING EXPERIENCE REQUIRED  
8 UNDER SECTION 16909(B) MAY USE THE TITLE "MARRIAGE AND FAMILY  
9 THERAPIST INTERN" OR "MARRIAGE AND FAMILY THERAPIST TRAINEE"  
10 DURING THE TRAINING PERIOD. THE BOARD SHALL NOT REQUIRE AN INDI-  
11 VIDUAL OBTAINING EXPERIENCE REQUIRED UNDER SECTION 16909(B) TO  
12 HOLD A LIMITED LICENSE.

13 SEC. 16905. (1) THIS PART DOES NOT APPLY TO AN INDIVIDUAL  
14 ENGAGED IN SOCIAL WORK AS DEFINED IN SECTION 1601 OF THE OCCUPA-  
15 TIONAL CODE, ACT NO. 299 OF THE PUBLIC ACTS OF 1980, BEING SEC-  
16 TION 339.1601 OF THE MICHIGAN COMPILED LAWS, IN THE COURSE OF  
17 EMPLOYMENT WITH A GOVERNMENTAL AGENCY OR A REPUTABLE SOCIAL SERV-  
18 ICE AGENCY REGULARLY PROVIDING SOCIAL WORK SERVICES AS AN  
19 AGENCY.

20 (2) THIS PART DOES NOT APPLY TO AN ORDAINED CLERIC OR OTHER  
21 RELIGIOUS PRACTITIONER WHO IS EMPLOYED BY OR WORKING UNDER THE  
22 AUTHORITY OF AN ORGANIZATION EXEMPT FROM TAXATION UNDER  
23 SECTION 501(c)(3) OF THE INTERNAL REVENUE CODE OF 1986, 26  
24 U.S.C. 501, IF THE ADVICE OR COUNSEL GIVEN BY THE CLERIC OR OTHER  
25 RELIGIOUS PRACTITIONER IS INCIDENTAL TO HIS OR HER DUTIES AS A  
26 CLERIC OR OTHER RELIGIOUS PRACTITIONER, AND IF THE CLERIC OR  
27 OTHER RELIGIOUS PRACTITIONER DOES NOT HOLD HIMSELF OR HERSELF OUT

1 TO THE PUBLIC AS A MARRIAGE AND FAMILY THERAPIST LICENSED UNDER  
2 THIS ARTICLE OR USE 1 OR MORE OF THE TITLES LISTED IN  
3 SECTION 16263(1)(P) AND IF NO FEE OR DONATION IS EXACTED FOR THE  
4 SERVICE.

5 (3) THIS PART DOES NOT APPLY TO A PHYSICIAN LICENSED UNDER  
6 THIS ARTICLE WHO HAS COMPLETED AN ACCREDITED PSYCHIATRIC RESI-  
7 DENCY PROGRAM APPROVED BY THE MICHIGAN BOARD OF MEDICINE OR TO A  
8 PSYCHOLOGIST FULLY LICENSED UNDER THIS ARTICLE, IF BOTH OF THE  
9 FOLLOWING CIRCUMSTANCES EXIST:

10 (A) THE INDIVIDUAL IS PRACTICING HIS OR HER PROFESSION IN A  
11 MANNER CONSISTENT WITH HIS OR HER EDUCATION AND TRAINING AND IS  
12 PRACTICING IN A MANNER CONSISTENT WITH THE CODE OF ETHICS OF THAT  
13 PROFESSION.

14 (B) THE INDIVIDUAL DOES NOT HOLD HIMSELF OR HERSELF OUT TO  
15 THE PUBLIC AS A MARRIAGE AND FAMILY THERAPIST LICENSED UNDER THIS  
16 ARTICLE OR USE ANY OF THE TITLES LISTED IN SECTION 16263(1)(P)  
17 FOR ADVERTISING PURPOSES. HOWEVER, THIS SUBDIVISION DOES NOT  
18 PROHIBIT THE INDIVIDUAL FROM ADVERTISING UNDER A TELEPHONE OR  
19 OTHER BUSINESS DIRECTORY LISTING THAT USES THOSE TITLES IF THE  
20 INDIVIDUAL DISCLOSES IN THE LISTING, IN AN UNABBREVIATED FASHION,  
21 THE PROFESSION IN WHICH HE OR SHE IS LICENSED.

22 (4) THIS PART DOES NOT LIMIT AN INDIVIDUAL IN, OR PREVENT AN  
23 INDIVIDUAL FROM, THE PRACTICE OF A STATUTORILY REGULATED PROFES-  
24 SION OR OCCUPATION IF SERVICES TO FAMILIES, COUPLES, OR SUBSYS-  
25 TEMS OF FAMILIES ARE PART OF THE SERVICES PROVIDED BY THAT PRO-  
26 FESSION OR OCCUPATION, AND IF THE INDIVIDUAL DOES NOT HOLD  
27 HIMSELF OR HERSELF OUT TO THE PUBLIC AS A MARRIAGE AND FAMILY

1 THERAPIST LICENSED UNDER THIS ARTICLE OR USE 1 OR MORE OF THE  
2 TITLES LISTED IN SECTION 16263(1)(P). AS USED IN THIS SUBSEC-  
3 TION, "STATUTORILY REGULATED PROFESSION OR OCCUPATION" MEANS AN  
4 OCCUPATION OR PROFESSION REGULATED BY STATUTE THAT INCLUDES, BUT  
5 IS NOT LIMITED TO, ALL OF THE FOLLOWING: A PHYSICIAN, ATTORNEY,  
6 SOCIAL WORKER, CERTIFIED SOCIAL WORKER, SOCIAL WORK TECHNICIAN,  
7 FULLY LICENSED PSYCHOLOGIST, LIMITED LICENSED PSYCHOLOGIST, TEM-  
8 PORARY LIMITED LICENSED PSYCHOLOGIST, LICENSED PROFESSIONAL COUN-  
9 SELOR, LIMITED LICENSED COUNSELOR, OR SCHOOL COUNSELOR.

10 SEC. 16907. SUBJECT TO SECTION 16913(2), THE MICHIGAN BOARD  
11 OF MARRIAGE AND FAMILY THERAPY IS CREATED IN THE DEPARTMENT. THE  
12 BOARD CONSISTS OF THE FOLLOWING 9 VOTING MEMBERS WHO SHALL MEET  
13 THE REQUIREMENTS OF PART 161: SIX LICENSED MARRIAGE AND FAMILY  
14 THERAPISTS AND 3 PUBLIC MEMBERS.

15 SEC. 16909. THE BOARD SHALL GRANT A LICENSE AS A MARRIAGE  
16 AND FAMILY THERAPIST TO AN INDIVIDUAL WHO MEETS ALL OF THE FOL-  
17 LOWING REQUIREMENTS:

18 (A) PROVIDES SATISFACTORY EVIDENCE TO THE BOARD OF MEETING  
19 EITHER OF THE FOLLOWING EDUCATIONAL QUALIFICATIONS:

20 (i) HAS A MASTER'S OR HIGHER GRADUATE DEGREE FROM AN ACCRED-  
21 ITED TRAINING PROGRAM IN MARRIAGE AND FAMILY THERAPY APPROVED BY  
22 THE BOARD.

23 (ii) HAS A MASTER'S OR HIGHER GRADUATE DEGREE FROM AN  
24 ACCREDITED COLLEGE OR UNIVERSITY APPROVED BY THE BOARD AND HAS  
25 COMPLETED ALL OF THE FOLLOWING GRADUATE-LEVEL COURSES AT AN  
26 ACCREDITED COLLEGE OR UNIVERSITY APPROVED BY THE BOARD:

1 (A) THREE COURSES IN FAMILY STUDIES THAT TOTAL AT LEAST 6  
2 SEMESTER OR 9 QUARTER HOURS.

3 (B) THREE COURSES IN FAMILY THERAPY METHODOLOGY THAT TOTAL  
4 AT LEAST 6 SEMESTER OR 9 QUARTER HOURS.

5 (C) THREE COURSES IN HUMAN DEVELOPMENT, PERSONALITY THEORY,  
6 OR PSYCHOPATHOLOGY THAT TOTAL AT LEAST 6 SEMESTER OR 9 QUARTER  
7 HOURS.

8 (D) AT LEAST 2 SEMESTER OR 3 QUARTER HOURS IN ETHICS, LAW,  
9 AND STANDARDS OF PROFESSIONAL PRACTICE.

10 (E) AT LEAST 2 SEMESTER OR 3 QUARTER HOURS IN RESEARCH.

11 (B) PROVIDES SATISFACTORY EVIDENCE TO THE BOARD OF HAVING  
12 COMPLETED SUPERVISED CLINICAL MARRIAGE AND FAMILY THERAPY  
13 EXPERIENCE IN CONJUNCTION WITH THE APPLICANT'S EDUCATIONAL  
14 PROGRAM. THE CLINICAL MARRIAGE AND FAMILY THERAPY EXPERIENCE  
15 DESCRIBED IN THIS SUBDIVISION SHALL MEET ALL OF THE FOLLOWING  
16 REQUIREMENTS:

17 (i) BE OBTAINED EITHER IN A CLINICAL PRACTICUM DURING GRADU-  
18 ATE EDUCATION OR IN A POSTGRADUATE MARRIAGE AND FAMILY INSTITUTE  
19 TRAINING PROGRAM ACCEPTABLE TO THE BOARD.

20 (ii) BE OBTAINED OVER NOT LESS THAN 8 CONSECUTIVE MONTHS.

21 (iii) BE VERIFIED BY THE SUPERVISING LICENSED MARRIAGE AND  
22 FAMILY THERAPIST.

23 (iv) INCLUDE NOT LESS THAN 300 DIRECT CLIENT CONTACT HOURS  
24 IN SUPERVISED CLINICAL MARRIAGE AND FAMILY THERAPY EXPERIENCE, AT  
25 LEAST 1/2 OF WHICH WERE COMPLETED IN A SETTING IN WHICH FAMILIES,  
26 COUPLES, OR SUBSYSTEMS OF FAMILIES WERE PHYSICALLY PRESENT IN THE  
27 THERAPY ROOM.

1 (v) BE SUPERVISED IN A RATIO OF AT LEAST 1 HOUR OF  
2 SUPERVISION FOR EACH 5 HOURS OF DIRECT CLIENT CONTACT, FOR A  
3 TOTAL OF NOT LESS THAN 60 HOURS OF SUPERVISION CONCURRENT WITH  
4 THE 300 HOURS OF SUPERVISED DIRECT CLIENT CONTACT.

5 (C) PROVIDES SATISFACTORY EVIDENCE TO THE BOARD OF HAVING  
6 COMPLETED, OVER A PERIOD OF NOT MORE THAN 5 YEARS, A MINIMUM OF  
7 2,000 DIRECT CLIENT CONTACT HOURS IN SUPERVISED MARRIAGE AND  
8 FAMILY THERAPY EXPERIENCE, AT LEAST 1/2 OF WHICH WAS COMPLETED  
9 WITH FAMILIES, COUPLES, OR SUBSYSTEMS OF FAMILIES PHYSICALLY  
10 PRESENT IN THE THERAPY ROOM, THAT MEETS ALL OF THE FOLLOWING  
11 CONDITIONS:

12 (i) IS VERIFIED BY THE SUPERVISING LICENSED MARRIAGE AND  
13 FAMILY THERAPIST.

14 (ii) IS OBTAINED FOLLOWING THE COMPLETION OF THE DEGREE  
15 REQUIRED BY SUBDIVISION (A)(i) OR THE COMPLETION OF THE DEGREE  
16 AND COURSE WORK REQUIRED BY SUBDIVISION (A)(ii), OR IS OBTAINED  
17 AS PART OF A DOCTORAL PROGRAM IN MARRIAGE AND FAMILY THERAPY FROM  
18 AN ACCREDITED COLLEGE OR UNIVERSITY APPROVED BY THE BOARD, WHICH  
19 EXPERIENCE MAY INCLUDE EXPERIENCE OBTAINED UNDER  
20 SUBDIVISION (B)(i).

21 (iii) IS SUPERVISED IN A RATIO OF AT LEAST 1 HOUR OF SUPER-  
22 VISION FOR EACH 10 HOURS OF EXPERIENCE, FOR A TOTAL OF NOT LESS  
23 THAN 200 HOURS OF SUPERVISION CONCURRENT WITH THE 2,000 HOURS OF  
24 SUPERVISED EXPERIENCE. NOT LESS THAN 100 HOURS OF SUPERVISION  
25 UNDER THIS SUBPARAGRAPH SHALL BE INDIVIDUAL SUPERVISION WITH NO  
26 MORE THAN 1 OTHER SUPERVISEE PRESENT. THE REMAINING SUPERVISION  
27 UNDER THIS SUBPARAGRAPH MAY BE GROUP SUPERVISION INVOLVING NO

1 MORE THAN 6 SUPERVISEES WITH 1 SUPERVISOR. THE SUPERVISION SHALL  
2 BE GIVEN IN FACE-TO-FACE CONTACT WITH THE INDIVIDUAL OBTAINING  
3 MARRIAGE AND FAMILY THERAPY EXPERIENCE.

4 SEC. 16911. (1) EXCEPT AS PROVIDED IN SUBSECTION (3),  
5 INFORMATION REGARDING AN INDIVIDUAL TO WHOM A LICENSEE PROVIDED  
6 MARRIAGE AND FAMILY THERAPY IS PRIVILEGED INFORMATION AND NOT  
7 SUBJECT TO WAIVER, REGARDLESS OF ANY OF THE FOLLOWING:

8 (A) WHETHER THE INFORMATION WAS OBTAINED DIRECTLY FROM THE  
9 INDIVIDUAL, FROM ANOTHER PERSON INVOLVED IN THE THERAPY, FROM A  
10 TEST OR OTHER EVALUATION MECHANISM, OR FROM OTHER SOURCES.

11 (B) WHETHER THE INFORMATION WAS OBTAINED BEFORE, DURING, OR  
12 FOLLOWING THERAPY.

13 (C) WHETHER THE INDIVIDUAL INVOLVED IS A PRESENT CLIENT OR A  
14 FORMER CLIENT.

15 (2) EXCEPT AS PROVIDED IN SUBSECTION (3), REFERRALS MADE BY  
16 A CIRCUIT COURT OR ITS COUNSELING SERVICE, AS PROVIDED IN THE  
17 CIRCUIT COURT FAMILY COUNSELING SERVICES ACT, ACT NO. 155 OF THE  
18 PUBLIC ACTS OF 1964, BEING SECTIONS 551.331 TO 551.344 OF THE  
19 MICHIGAN COMPILED LAWS, IS PRIVILEGED INFORMATION NOT SUBJECT TO  
20 WAIVER.

21 (3) THE PRIVILEGE ESTABLISHED IN THIS SECTION IS WAIVED ONLY  
22 UNDER 1 OF THE FOLLOWING CIRCUMSTANCES:

23 (A) IF DISCLOSURE IS REQUIRED BY LAW OR NECESSARY TO PROTECT  
24 THE HEALTH OR SAFETY OF AN INDIVIDUAL.

25 (B) IF THE LICENSEE IS A PARTY DEFENDANT TO A CIVIL, CRIMI-  
26 NAL, OR ADMINISTRATIVE ACTION ARISING FROM SERVICES PERFORMED AS

1 A LICENSEE, IN WHICH CASE THE WAIVER IS LIMITED ONLY TO THAT  
2 ACTION.

3 (C) IF A WAIVER SPECIFYING THE TERMS OF DISCLOSURE IS  
4 OBTAINED IN WRITING FROM EACH INDIVIDUAL OVER 18 YEARS OF AGE  
5 INVOLVED IN THE MARRIAGE AND FAMILY THERAPY AND THEN ONLY IN  
6 ACCORDANCE WITH THE TERMS OF THE WRITTEN WAIVER. IF MORE THAN 1  
7 INDIVIDUAL IS OR WAS INVOLVED IN THE MARRIAGE AND FAMILY THERAPY  
8 PERFORMED BY A LICENSEE, THE PRIVILEGE IS NOT WAIVED FOR ANY  
9 INDIVIDUAL UNLESS ALL INDIVIDUALS OVER 18 YEARS OF AGE INVOLVED  
10 IN THE MARRIAGE AND FAMILY THERAPY HAVE EXECUTED THE WRITTEN  
11 WAIVER.

12 SEC. 16913. (1) AN INDIVIDUAL WHO HOLDS A LICENSE ISSUED  
13 UNDER FORMER ARTICLE 15 OF ACT NO. 299 OF THE PUBLIC ACTS OF 1980  
14 ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS PART  
15 IS LICENSED UNDER THIS PART UNTIL THAT LICENSE EXPIRES AND MAY  
16 RENEW HIS OR HER LICENSE PURSUANT TO PART 161.

17 (2) THE MEMBERS OF THE BOARD OF MARRIAGE AND FAMILY THERAPY  
18 CREATED UNDER FORMER SECTION 1502 OF ACT NO. 299 OF THE PUBLIC  
19 ACTS OF 1980 SHALL SERVE AS THE INITIAL MEMBERS OF THE MICHIGAN  
20 BOARD OF MARRIAGE AND FAMILY THERAPY UNTIL THEIR SUCCESSORS ARE  
21 APPOINTED UNDER THIS ARTICLE OR UNTIL THE EXPIRATION OF THEIR  
22 RESPECTIVE TERMS, WHICHEVER OCCURS FIRST. HOWEVER, IF THE TERM  
23 OF A MEMBER OF THE BOARD OF MARRIAGE AND FAMILY THERAPY CREATED  
24 UNDER FORMER SECTION 1502 OF ACT NO. 299 OF THE PUBLIC ACTS OF  
25 1980 HAS NOT EXPIRED ON THE EFFECTIVE DATE OF THE AMENDATORY ACT  
26 THAT ADDED THIS PART, THAT TERM EXPIRES ON JUNE 30 OF THE YEAR IN  
27 WHICH THE TERM WILL EXPIRE.

1           (3) RULES PROMULGATED BY THE BOARD OF MARRIAGE AND FAMILY  
2 THERAPY UNDER FORMER ARTICLE 15 OF ACT NO. 299 OF THE PUBLIC ACTS  
3 OF 1980 AND UNDER SECTION 308 OF THE OCCUPATIONAL CODE, ACT  
4 NO. 299 OF THE PUBLIC ACTS OF 1980, BEING SECTION 339.308 OF THE  
5 MICHIGAN COMPILED LAWS, AND IN EFFECT ON THE EFFECTIVE DATE OF  
6 THE AMENDATORY ACT THAT ADDED THIS PART CONTINUE IN EFFECT TO THE  
7 EXTENT THAT THEY DO NOT CONFLICT WITH THIS ARTICLE. THE RULES  
8 SHALL BE ENFORCED BY AND MAY BE AMENDED OR RESCINDED BY THE  
9 MICHIGAN BOARD OF MARRIAGE AND FAMILY THERAPY.

10          Section 2. (1) Article 15 of Act No. 299 of the Public Acts  
11 of 1980, being sections 339.1501 to 339.1511 of the Michigan  
12 Compiled Laws, is repealed.

13          (2) Section 19 of Act No. 152 of the Public Acts of 1979,  
14 being section 338.2219 of the Michigan Compiled Laws, is  
15 repealed.

16          Section 3. This amendatory act shall take effect January 1,  
17 1996.