

HOUSE BILL No. 6207

June 15, 2006, Introduced by Rep. Gaffney and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 16903, 16905, and 16907 (MCL 333.16903,
333.16905, and 333.16907), as added by 1995 PA 126.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16903. (1) An individual licensed under this part as a
2 marriage and family therapist shall use only the title "licensed
3 marriage and family therapist" or "licensed marriage counselor" or
4 the abbreviation "l.m.f.t." in representing his or her services in
5 the practice of marriage and family therapy to the public.

6 (2) Unless exempt under section 16905(3), only an individual
7 licensed under this part may advertise that he or she offers
8 marriage and family therapy; marriage or family counseling service

1 or advice; marriage or family guidance service or advice; marriage
2 or family relations service or advice; marriage or family problems
3 service or advice; marriage or family relations advice or
4 assistance; service in the alleviation of a marital or family
5 problem; or service of similar import or effect that is included in
6 the practice of marriage and family therapy.

7 (3) The board may grant a limited license to an individual who
8 has met the requirements of section 16909(a) and (b) in order to
9 permit that individual to obtain the experience required under
10 section 16909(c). The board shall not renew a limited license for
11 more than 6 years. A limited licensee shall do all of the
12 following:

13 (a) Use only the title "limited licensed marriage and family
14 therapist" or "limited licensed marriage counselor".

15 (b) Not represent that he or she is engaged in the independent
16 practice of marriage and family therapy.

17 (c) Practice only under the supervision of a fully licensed
18 marriage and family therapist.

19 (d) Confine his or her practice to an organized health care
20 setting or other arrangement approved by the board.

21 (4) An individual engaged in obtaining experience required
22 under section 16909(b) may use the title "marriage and family
23 therapist intern" or "marriage and family therapist trainee" during
24 the training period. The board shall not require an individual
25 obtaining experience required under section 16909(b) to hold a
26 limited license.

27 (5) THE FOLLOWING WORDS, TITLES, OR LETTERS OR A COMBINATION

1 THEREOF, WITH OR WITHOUT QUALIFYING WORDS OR PHRASES, ARE
 2 RESTRICTED IN USE ONLY TO THOSE INDIVIDUALS AUTHORIZED UNDER THIS
 3 PART TO USE THE TERMS AND IN A WAY PRESCRIBED BY THIS PART:
 4 "MARRIAGE ADVISOR" OR "MARRIAGE CONSULTANT"; "FAMILY COUNSELOR",
 5 "FAMILY ADVISOR", "FAMILY THERAPIST", OR "FAMILY CONSULTANT";
 6 "FAMILY GUIDANCE COUNSELOR", "FAMILY GUIDANCE ADVISOR", OR "FAMILY
 7 GUIDANCE CONSULTANT"; "MARRIAGE GUIDANCE COUNSELOR", "MARRIAGE
 8 GUIDANCE ADVISOR", OR "MARRIAGE GUIDANCE CONSULTANT"; "FAMILY
 9 RELATIONS COUNSELOR"; "MARRIAGE RELATIONS COUNSELOR", "MARRIAGE
 10 RELATIONS ADVISOR", OR "MARRIAGE RELATIONS CONSULTANT"; OR "MARITAL
 11 COUNSELOR" OR "MARITAL THERAPIST".

12 Sec. 16905. (1) This part does not apply to an individual
 13 engaged in **THE PRACTICE OF** social work as defined in ~~section 1601~~
 14 ~~of the occupational code, Act No. 299 of the Public Acts of 1980,~~
 15 ~~being section 339.1601 of the Michigan Compiled Laws~~ **PART 185**, in
 16 the course of employment with a governmental agency or a reputable
 17 social service agency regularly providing social work services as
 18 an agency.

19 (2) This part does not apply to an ordained cleric or other
 20 religious practitioner who is employed by or working under the
 21 authority of an organization exempt from taxation under section
 22 501(c)(3) of the internal revenue code of 1986, 26 ~~U.S.C.~~ **USC**
 23 501, if the advice or counsel given by the cleric or other
 24 religious practitioner is incidental to his or her duties as a
 25 cleric or other religious practitioner, and if the cleric or other
 26 religious practitioner does not hold himself or herself out to the
 27 public as a marriage and family therapist licensed under this

1 article or use 1 or more of the titles listed in section
2 ~~16263(1)(p)~~ **16903** and if no fee or donation is exacted for the
3 service.

4 (3) This part does not apply to a physician licensed under
5 this article who has completed an accredited psychiatric residency
6 program approved by the Michigan board of medicine or to a
7 psychologist fully licensed under this article, if both of the
8 following circumstances exist:

9 (a) The individual is practicing his or her profession in a
10 manner consistent with his or her education and training and is
11 practicing in a manner consistent with the code of ethics of that
12 profession.

13 (b) The individual does not hold himself or herself out to the
14 public as a marriage and family therapist licensed under this
15 article or use any of the titles listed in section ~~16263(1)(p)~~
16 **16903** for advertising purposes. However, this subdivision does not
17 prohibit the individual from advertising under a telephone or other
18 business directory listing that uses those titles if the individual
19 discloses in the listing, in an unabbreviated fashion, the
20 profession in which he or she is licensed.

21 (4) This part does not limit an individual in, or prevent an
22 individual from, the practice of a statutorily regulated profession
23 or occupation if services to families, couples, or subsystems of
24 families are part of the services provided by that profession or
25 occupation, and if the individual does not hold himself or herself
26 out to the public as a marriage and family therapist licensed under
27 this article or use 1 or more of the titles listed in section

1 ~~16263(1)(p)~~ **16903**. As used in this subsection, "statutorily
 2 regulated profession or occupation" means an occupation or
 3 profession regulated by statute that includes, but is not limited
 4 to, all of the following: a physician, attorney, social worker,
 5 ~~certified social worker,~~ social ~~work~~ **SERVICE** technician, fully
 6 licensed psychologist, limited licensed psychologist, temporary
 7 limited licensed psychologist, licensed professional counselor,
 8 limited licensed counselor, or school counselor.

9 Sec. 16907. **(1)** Subject to section 16913(2), the Michigan
 10 board of marriage and family therapy is created in the department.
 11 The board consists of the following 9 voting members who shall meet
 12 the requirements of part 161: six licensed marriage and family
 13 therapists and 3 public members.

14 **(2) SUBJECT TO SECTION 16913(2), THE TERMS OF OFFICE OF**
 15 **INDIVIDUAL MEMBERS OF THE BOARD CREATED UNDER SUBSECTION (1),**
 16 **EXCEPT THOSE APPOINTED TO FILL VACANCIES, EXPIRE 4 YEARS AFTER**
 17 **APPOINTMENT ON JUNE 30 OF THE YEAR IN WHICH THE TERM WILL EXPIRE.**

18 Enacting section 1. This amendatory act does not take effect
 19 unless Senate Bill No.____ or House Bill No. 6147(request no.
 20 05150'05) of the 93rd Legislature is enacted into law.