

APA-1  
07/04

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control No. 255 Department or Agency: AL Board of Examiners in Counseling  
Rule No. 255-X-3-.02  
Rule Title: Associate Licensed Counselor (ALC).

New  Amended  Repeal  Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

.....  
Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

.....  
Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer Florence Hemphill  
Florence Hemphill

Date 5/11/06

DATE FILED  
STAMP

APA-2  
07/04

ALABAMA BOARD OF EXAMINERS IN COUNSELING

**NOTICE OF INTENDED ACTION**

AGENCY NAME: Alabama Board of Examiners in Counseling

RULE NO. & TITLE: 255-X-3-.02 Associate Licensed Counselor (ALC).  
255-X-3-.02(4)(a); 255-X-3-.02(4)(b)2; 255-X-3-.02(4)(b)3; 255-X-3-.02(4)(b)5

**INTENDED ACTION:**

The Alabama Board of Examiners in Counseling proposes to amend this rule to establish a limit for the number of direct counseling service hours accrued annually and would eliminate the exception for supervision provided by a Supervising Counselor. The amendment would prohibit concurrent supervision for an ALC and will state a required time for filing annual supervision progress reports. The amendment requires supervisors and ALCs to maintain supervision records for a 3 year period. The amendment further defines the supervisor's oversight of care for the ALC's clients.

**SUBSTANCE OF PROPOSED ACTION:**

The amendments specify that an ALC may not accrue more than 1500 hours of direct client service annually toward meeting licensure requirements. It also eliminates consideration for supervision by someone other than a Supervising Counselor. The amendment prohibits supervision of the direct service provided by an ALC by more than one supervisor for the same clients in order to meet licensure requirement of another Board. The amendment requires annual supervision progress reports to be submitted within 30 days and that disputes concerning data in reports should be resolved before filing. Supervision logs must be retained 3 years. Supervisors must establish and exercise oversight of client care by ALCs.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** Interested persons may present their views in writing to the Executive Director of the Alabama Board of Examiners in Counseling at any time during the 38-day period following the 31st day of May, 2016, or if requested in advance, by personally appearing at Room 765, Medical Forum Building, 950 22<sup>nd</sup> Street North, Birmingham, AL at 10:00 a.m., Friday, July 8, 2016.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:**

July 8, 2016

**CONTACT PERSON AT AGENCY:** Florence Hemphill  
Executive Director  
Alabama Board of Examiners in Counseling  
950 22<sup>nd</sup> Street, North, Suite 765  
Birmingham, AL 35203  
Telephone 205 458-8716

  
Florence Hemphill

**255-X-3-.02 Associate Licensed Counselor (ALC).**

(1) General. All applicants must meet the qualifications set out in Code of Ala. 1975, §34-8A-7(1) through (4).

(2) Education.

(a) All applicants must meet the educational requirements set out in Code of Ala. 1975, §34-8A-7(4).

(b) All applicant must meet the educational requirements set forth in Rule 255-X-3-.01(2).

(3) Character and Professional Integrity. All applicants must supply references and endorsement as required by the application form adopted by the Board pursuant to Code of Ala. 1975, §34-8A-7.

(4) Plan of Supervision.

(a) Applicants for associate licensed counselor must furnish to the Board, on a form approved by the Board, a plan for supervision by a Supervising Counselor. The hours of supervision listed in the plan for supervision are to be provided by the Supervising Counselor whose signature appears on the document. The Supervising Counselor must personally provide to the ALC a minimum of one hundred (100) total hours of supervision annually to include a minimum of fifty (50) hours of one-to-one, face-to-face, personal individual supervision. Supervision provided for a period of time less than a full year must be a minimum weekly average of two (2) hours which must include at least fifty percent (50%) of one-to-one, face-to-face, personal individual supervision. ~~An applicant may consider 255-X-3-.04 Exceptions for Supervision by Supervising Counselor as an alternative to supervision by a Supervising Counselor.~~

The number of direct counseling service hours accrued by an ALC toward licensure requirements shall not exceed fifteen hundred (1500) hours annually.

All supervision of an ALC is to be provided by the Supervising Counselor identified on the license of the ALC. Concurrent supervision is supervision of the direct service provided by an ALC by more than one supervisor for the same clients in order to meet licensure or certification requirements of an entity other than the Alabama Board of Examiners in Counseling. Concurrent supervision of an ALC's service to the same clients by more than one supervisor is prohibited by the Alabama Board of Examiners in Counseling.

(b) Applicants must comply with the following regulations:

1. The supervising LPC must submit the proposal for the plan of supervision to the Alabama Board of Examiners in Counseling.

2. A supervision progress report, on a form provided by the Board, must be submitted annually ~~on the anniversary of the issue date of the ALC's license~~, by the Supervising Counselor whose name appears on the plan for supervision required in 255-X-3-.02(4)(a). Annual supervision progress reports must verify a minimum of one hundred (100) total hours of supervision for that year, at least fifty (50) hours of which must be one-to-one, face-to-face, personal individual supervision. Any ~~S~~supervision progress reports representing less than a full year of supervised experience must verify a minimum weekly average of two (2) hours of supervision for that period, at least fifty percent (50%) of which must be one-to-one, face-to-face, personal individual supervision. Only counseling experience supervised by the Supervising Counselor whose name appears on the ALC's license may accrue toward meeting the supervised experience requirements in 255-X-3-.01(3)(b).

Annual supervision progress reports shall be submitted to the board no later than thirty (30) days after the expiration date of the previous ALC license. A Supervising Counselor must submit a final supervision progress report to the board upon the termination of supervision of the ALC for any reason. Any disputes concerning the content of supervision progress reports must be resolved by the ALC and Supervising Counselor before the submission of the report.

3. Both the Supervising Counselor and the ALC have responsibility for maintaining ongoing records of supervision sessions and records of direct and indirect counseling service.. The records are to be available for review by both parties to verify data contained in supervision progress reports. These records may also be examined, on request, available for examination by the Alabama Board of Examiners in Counseling for a period of three years following termination of the ALC's supervision.

4. The Supervising Counselor has clinical authority concerning the functioning of the ALC in order to maintain ultimate responsibility for the welfare of every client.

5. All Supervising Counselors must ~~have clinical contact~~ establish and exercise oversight of client care with all clients of ALCs whom they supervise to plan effective service delivery procedures. The progress of the practice shall be monitored to ensure that full professional responsibility and liability will be accepted by the supervising LPC for all services rendered. The supervising LPC shall be available for emergency consultation and intervention.

6. The Supervising Counselor shall establish and maintain a level of supervisory contact consistent with the Code of Ethics and Standards of Practice approved by the Alabama Board of Examiners in Counseling and be fully accountable in the event that professional, ethical, or legal issues are raised. The ALC shall have read and shall be bound by the Code of Ethics and Standards of Practice.

7. Associate Licensed Counselors performing counseling services must be under the exclusive supervision of the Supervising Counselor required in 255-X-3-.02(4)(a).

8. The practices of the ALC shall be commensurate with the skills of the ALC and all practice procedures shall be planned in consultation with the Supervising Counselor.

9. Associate Licensed Counselors performing counseling services or announcing such services to the public or professional community shall clarify that they are under the supervision of the Supervising Counselor. In performing or announcing counseling services in which the term, or any derivative of the term, "Associate Licensed Counselor" is employed, such descriptions must be offered in the following manner: "John Doe, M.A., Associate Licensed Counselor under the supervision of Jane Smith, Ph.D., Supervising Counselor." Activities that are not performance or announcement of counseling services (e.g., presentations, etc.) shall not require such a description.

10. The Supervising Counselor is to notify the Board immediately in writing of any change in the status of the ALC's supervision or in the event supervision cannot begin upon the issue of the ALC's license. The Supervising Counselor must submit to the Board a final supervision report, on a form approved by the Board, when the ALC has accrued the required number of supervised experience hours or if the approved plan of supervision is terminated for any reason.

11. After meeting the requirements specified in subdivisions (5) and (6) of Section 34-8A-7 of the Code of Ala. 1975, the Associate Licensed Counselor must petition the Board in writing to be reviewed for licensure as a licensed professional counselor.

(5) Examination Option. Applicants for associate licensed counselor may opt for examination at the completion of their educational requirement as set out in Code of Ala. 1975, §34-8A-7(4), or they may defer examination until completion of the experience requirement set out in Code of Ala. 1975, §34-8A-7(5).

**Author:** Alabama Board of Examiners in Counseling

**Statutory Authority:** Code of Ala. 1975, §§34-8A-1 et seq.

**History:** Filed September 30, 1982. **Amended:** Filed February 5, 1988; Filed March 30, 1993. **Amended:** Filed March 21, 1995; effective April 25, 1995. **Amended:** Filed November 26, 1996; effective December 31, 1996. **Amended:** Filed September 22, 1997; effective October 27, 1997. **Amended:** Filed September 22, 2000; effective October 27, 2000. **Amended:** Filed March 22, 2002; effective April 26, 2002.

**Amended:** Filed May 30, 2003; effective July 4, 2003. **Amended:** Filed November 9, 2006; effective December 14, 2006.