

1 HB366  
2 172879-3  
3 By Representative Davis  
4 RFD: Boards, Agencies and Commissions  
5 First Read: 03-MAR-16

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8 SYNOPSIS: Under existing law, the practice of marriage  
9 and family therapy includes assessing,  
10 understanding, and treating emotional and mental  
11 problems, but does not specifically include the  
12 diagnosis of the problems.

13 This bill would specifically include within  
14 the definition of the practice of marriage and  
15 family therapy the utilization of principles to  
16 diagnose mental and emotional disorders. The bill  
17 would also delete certain limitations on the  
18 practice of marriage and family therapy.

19  
20 A BILL

21 TO BE ENTITLED

22 AN ACT

23  
24 Relating to the Board of Marriage and Family  
25 Therapy; to amend Section 34-17A-3 of the Code of Alabama  
26 1975, to further define the practice of marriage and family  
27 therapy.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 34-17A-3 of the Code of Alabama  
3 1975, is amended to read as follows:

4 "§34-17A-3.

5 "As used in this chapter, the following words have  
6 the following meanings:

7 "(1) ADVERTISE. The issuing or causing to be  
8 distributed any card, sign, or device to any person; or the  
9 causing, permitting, or allowing any sign or marking on or in  
10 any building, radio or television, transmission or broadcast,  
11 or advertising by any media or other means designed to secure  
12 public attention.

13 "(2) BOARD. The Alabama Board of Examiners in  
14 Marriage and Family Therapy.

15 "(3) MARRIAGE AND FAMILY THERAPIST. A person to whom  
16 a valid, current license has been issued pursuant to this  
17 chapter.

18 "(4) PERSON. Any individual, firm, corporation,  
19 partnership, organization, political body, or other entity.

20 "(5) PRACTICE OF MARRIAGE AND FAMILY THERAPY. The  
21 process of providing professional marriage and family therapy  
22 to individuals, couples, and families, either alone or in a  
23 group. The practice of marriage and family therapy utilizes  
24 established principles that recognize the interrelated nature  
25 of the individual problems and dysfunctions in family members  
26 in order to diagnose, assess, ~~understand~~, and treat ~~emotional~~  
27 ~~and mental problems~~ mental and emotional disorders. Marriage

1 and family therapy includes, without being limited to,  
2 individual, group, couple, sexual, family, ~~and~~ divorce  
3 therapy, and psychotherapy, whether the services are offered  
4 directly to the general public or through organizations,  
5 either public or private, for a fee or other compensation.  
6 Marriage and family therapy is a specialized mode of treatment  
7 for the purpose of resolving mental and emotional ~~problems~~  
8 disorders and modifying intrapersonal and interpersonal  
9 dysfunctions. The terms "diagnose," "assess" and "treat" as  
10 used in this subdivision, when considered in isolation or in  
11 conjunction with the rules of the board, shall not be  
12 construed to permit the performance of any act which marriage  
13 and family therapists are not educated and trained to perform,  
14 ~~including, but not limited to, administering and interpreting~~  
15 ~~psychological tests, intellectual, neuropsychological,~~  
16 ~~personality, and projective instruments, admitting persons to~~  
17 ~~hospitals for treatment for the foregoing conditions, treating~~  
18 ~~persons in hospitals without medical supervision, prescribing~~  
19 ~~medicinal drugs, authorizing clinical laboratory procedures or~~  
20 ~~radiological procedures, or use of electroconvulsive therapy.~~  
21 In addition, this definition shall not be construed to permit  
22 any person licensed pursuant to this chapter to describe or  
23 label any test, report, or procedure as "psychological," or as  
24 a "psychological evaluation."

25 "(6) QUALIFIED SUPERVISION. The supervision of  
26 clinical services in accordance with standards established by

1 the board. The supervisor shall be recognized by the board as  
2 an approved supervisor.

3 "(7) RECOGNIZED EDUCATIONAL INSTITUTION. Any  
4 educational institution which grants a bachelor's, master's,  
5 or doctoral degree and which is recognized by the board and by  
6 a regional educational accrediting body or a postgraduate  
7 training institute accredited by the Commission on  
8 Accreditation for Marriage and Family Therapy Education.

9 "(8) USE A TITLE OR DESCRIPTION. To hold oneself out  
10 to the public as having a particular status by means of  
11 stating on signs, mailboxes, address plates, stationery  
12 announcements, calling cards, or other instruments of  
13 professional identification."

14 Section 2. This act shall become effective on the  
15 first day of the third month following its passage and  
16 approval by the Governor, or its otherwise becoming law.