

DEPARTMENT OF HEALTH

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth under § 302(14) of the District of Columbia Health Occupations Revision Act of 1985 (“Act”), effective March 15, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2012 Repl.)), and Mayor’s Order 98-140, dated August 20, 1998, hereby gives notice of the adoption of the following amendments to Chapter 91 (Graduate Professional Counselor) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR).

The purpose of the amendments is to define the term “independent practice”, and to notify graduate professional counselors that maintaining an independent practice is prohibited during their period of licensure. In addition, this rulemaking notifies licensees, students, and graduates that practice professional counseling that they are required to abide by the most recent edition of the Code of Ethics as published by the American Counseling Association.

These amendments were published as Notice of Proposed Rulemaking in the *D.C. Register* on July 10, 2015 at 62 DCR 009488. No comments were received and no changes were made to the rulemaking. The rules were adopted as final on August 21, 2015 and will become effective upon publication of this notice in the *D.C. Register*.

Chapter 91, GRADUATE PROFESSIONAL COUNSELOR, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:

Section 9105, SUPERVISED EXPERIENCE REQUIREMENTS, is amended as follows:

Add a new Subsection 9105.9 to read as follows:

- 9105.9 Only a licensed professional counselor may engage in independent practice. A graduate professional counselor shall not engage in independent practice. For purposes of the section “independent practice” means:
- (a) Rendering counseling services on his or her own responsibility, free of the administrative and professional control of an employer or clinical supervisor;
 - (b) Directly collecting fees from a client, or his or her representative, as the payor, for services rendered where the counselor is the payee; or
 - (c) Maintaining an office or office space at his or her own expense with advertising to the public that conveys information or the idea that the counselor is not affiliated with a licensed health professional who provides supervision.

Section 9111, STANDARDS OF CONDUCT, is amended as follows:

Add a new Subsection 9111.48 to read as follows:

9111.48 A licensee, student or graduate practicing professional counseling pursuant to this chapter shall adhere to the standards set forth in the most recent edition of the _____ Code of Ethics as published by the American Counseling Association.