

# THE FLORIDA BOARD OF CLINICAL SOCIAL WORK, MARRIAGE AND FAMILY THERAPY AND MENTAL HEALTH COUNSELING

## ANNUAL REGULATORY PLAN 2017-18

This Annual Regulatory Plan is being filed and published pursuant to section 120.74, *Florida Statutes* (2017). The Plan covers the period beginning October 1, 2017 and ending September 30, 2018.

### PART ONE LAWS ENACTED OR AMENDED

Part One of the Plan addresses each law enacted or amended during the 2017 Legislative Session which creates or modifies the duties or authority of the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling. §120.74(1)(a), Fla. Stat. (2017).

Law Enacted or Modified on or after Oct. 1, 2016	Florida Statute (modified or created)	Rule (impacted)	Must Agency Adopt Rules?	If Rulemaking Necessary, Notice of Development Published in Florida Administrative Register?	Expected Publication Date for Notice of Proposed Rulemaking	If Rulemaking Not Necessary, Explain
Ch 2017-041, §3, Laws of Fla., Effective 05/31/17 (Bill No. HB229)	§456.0635, F.S. (Health care fraud; disqualification for license, certificate, or registration)	64B4-3001, F.A.C. (Application for Licensure for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling Applicants)	No			The statute was amended to exempt applicants who were arrested or charged with one of the specified felonies before July 1, 2009. The licensure application already requires the applicant to disclose whether he or she has been arrested or charged for the specified felonies.

		64B4-3.0075, F.A.C. (Provisional Licensure)				
		64B4-3.0085 (Intern Registration)				
		64B4-3.009 (Limited Licenses)				

**PART TWO**  
**LAWS EXPECTED TO BE IMPLEMENTED THROUGH RULEMAKING**

Part Two of this plan addresses those laws which the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling intends to implement through rulemaking by July 1, 2018 that are otherwise not covered pursuant to Part One of this Plan. This Part does not include emergency rulemaking or any other rulemaking that may become necessary that was not evident to the Board at the time of the submission of this plan. Additionally, the listing of a law to be implemented does not mean the rule will necessarily be adopted or effective by July 1, 2018. §120.74(1)(b), Fla. Stat. (2017).

<b>Rule Number And Title</b>	<b>Law Expected to Be Implemented Through Rulemaking</b>	<b>Intent of Rulemaking</b>
64B4-2.001, F.A.C. (Definition of “Experience” for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling)	§491.005, F.S. (Licensure by examination)	Increase Efficiency and Clarification. To clarify “experience” obtained out of state.
64B4-3.0085, F.A.C. (Intern Registration)	§491.0045, F.S. (Intern registration; requirements)	Simplify and clarify. Rule needs to be updated as it contains obsolete references.

<p>64B4-3.009, F.A.C. (Limited Licenses)</p>	<p>§456.015, F.S. (Limited licenses)</p>	<p>Clarification. To outline requirements for renewal of a limited license.</p>
<p>64B4-5.001, F.A.C. (Disciplinary Guidelines)</p>	<p>§456.072, F.S. (Grounds for discipline; penalties; enforcement)</p>	<p>Increase Efficiency and Clarification. To make certain and clarify that each statutory violation has a corresponding disciplinary guideline.</p>
<p>64B4-5.006, F.A.C. (Probable Cause Panel)</p>	<p>§456.073, F.S. (Disciplinary proceedings)</p>	<p>Simplify and clarify. Rule needs to be updated to remove obsolete references.</p>

<p>64B4-6.0011, F.A.C. (Inactive Status)</p>	<p>§456.036, F.S. (Licenses; active and inactive status; delinquency)</p>	<p>Simplify and clarify. Rule needs to be updated to remove obsolete references.</p>
<p>64B4-6.0012, F.A.C. (Delinquent Status License)</p>	<p>§456.036, F.S. (Licenses; active and inactive status; delinquency)</p>	<p>Simplify and clarify. Rule needs to be updated to remove obsolete references.</p>

**PART THREE**  
**UPDATES TO PRIOR YEAR'S PLAN**

Part Three of the Plan address whether there are any updates to the prior year's regulatory plan. §120.74(1)(c), Fla. Stat. (2017).

- There are not any updates to the prior year's annual regulatory plan.

**PART FOUR**  
**CERTIFICATION PURSUANT TO §120.74(1)(d), Fla. Stat. (2017)**

The undersigned hereby certify that they have reviewed this Annual Regulatory Plan and that the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling regularly reviews all of its rules to determine if the rules remain consistent with the Board's rulemaking authority and the laws being implemented, with the most comprehensive enhanced review having been completed on the 30th day of June 2015 with continuing board review through August 2017.

/S/ Lisa Bolhouse, LCSW

Electronic Signature

Lisa Bolhouse, LCSW

Chair of the Board of Clinical Social Work, Marriage  
and Family Therapy and Mental Health Counseling

September 14, 2017

Date Signed

/S/ Deborah Bartholow Loucks

Electronic Signature

Deborah Bartholow Loucks

Assistant Attorney General

Counsel to the Board of Clinical Social Work,  
Marriage and Family Therapy and  
Mental Health Counseling

September 14, 2017

Date Signed