MN Board of MFT Rules Committee

May 23, 2022

9:00 – 11:30 a.m.

The Rules Committee will conduct this meeting electronically due to the COVID-19 health pandemic in accordance with the requirements of Minnesota Statutes 13D.021, subdivision 1. All Board members in attendance will participate via telephone or other electronic means.

https://minnesota.webex.com/minnesota/j.php?MTID=m0487f71440a78c33865686fe02c7727

Monday, May 23, 2022 9:00 am | 2 hours 30 minutes | (UTC-05:00) Central Time (US & Canada)
Meeting number: 2492 992 0815
Password: qDPa6Pp9Cp7

Join by video system
Dial 24929920815@minnesota.webex.com
You can also dial 173.243.2.68 and enter your meeting number.

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+1-415-655-0003 United States Toll
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Access code: 249 299 20815

1. 2021-2022 Rule Review:
   a. Call to Order & Introduction of Committee Members, Staff & Public
   
   b. Administrative Rule 5300 – Rules relating to National MFT and State LMFT examination structure
      i. 5300.0135 – Requirements for Licensure as a Licensed Associate Marriage and Family Therapist
      ii. 5300.0175 – Licensure Process for Licensed Associate Marriage and Family Therapists
      iii. 5300.0180 – Licensure Process for Licensed Marriage and Family Therapists
      iv. 5300.0190 – Procedures for Admission to Written Examination
      v. 5300.0200 – Procedures for Application for State LMFT Licensure
      vi. 5300.0240 – Examination Methods; Subjects and Procedures
   
   c. Administrative Rule 5300.320 - CONTINUING EDUCATION
   
   d. Supervision Rules (Discussion completed at this time; draft rules available for review)
      i. 5300.0100 – Definitions: Subp. 15. Supervisee; Supb. 16. Supervision; Supb. 17. Supervisor
      ii. 5300.0150 - Experience Requirements for Persons eligible to commence postgraduate supervised experience prior to 8/1/2016
      iii. 5300.0155 – Experience Requirements for Persons eligible to commence postgraduate supervised experience after 8/1/2016
iv. **5300.0160** – Requirements for Supervisor

v. **5300.0170** – Responsibilities for Supervisor

vi. **5300.0350** – Code of Ethics: Subp. 4 (addressing relationship between LMFT and supervisees)

2. Public Comment / Questions?

3. Next Meeting: To Be Scheduled
5300.0130 REQUIREMENTS FOR LICENSURE AS A LICENSED MARRIAGE AND FAMILY THERAPIST.

Subpart 1. Requirements. To be eligible for licensure, an applicant must meet the following requirements:

A. complete the education requirements in Minnesota Statutes, section 148B.33, subdivision 1, clause (5), and defined in part 5300.0140;

B. have obtained the age of majority, the age of majority being 18 years according to Minnesota Statutes, section 645.451, subdivision 5;

C. complete the experience requirements in Minnesota Statutes, section 148B.33, subdivision 1, clause (4), and defined in part 5300.0150;

D. provide evidence of meeting the requirements of Minnesota Statutes, section 148B.33, subdivision 1, clause (2), through endorsements from at least two individuals with the qualifications in part 5300.0230;

E. agree to conduct all professional activities as a licensed marriage and family therapist in accordance with the code of ethics for marriage and family therapists in part 5300.0350; and

F. pass the LMFT state examination and national examination in MFT and state examinations listed in part 5300.0240.

Subp. 2. Denial of licensure to applicant. An applicant who fails to meet all requirements in this part shall be denied a license.

5300.0135 REQUIREMENTS FOR LICENSURE AS A LICENSED ASSOCIATE MARRIAGE AND FAMILY THERAPIST.

Subpart 1. Requirements. To be eligible for licensure, an applicant must meet the following requirements:

A. complete the education requirements in Minnesota Statutes, section 148B.33, subdivision 1, clause (5), and defined in part 5300.0140;

B. be 18 years of age;

C. agree to conduct all professional activities as a licensed associate marriage and family therapist as specified in the code of ethics for marriage and family therapists in part 5300.0350; and

D. pass the national examination as listed in part 5300.0240 pass the LMFT state examination as listed in part 5300.0240.

Subp. 2. Denial of licensure to applicant. An applicant who fails to meet all requirements in this part shall be denied a license.

[Can this be incorporated into .0135 or .0135 be incorporated into .0175?] 5300.0175 LICENSURE PROCESS FOR LICENSED ASSOCIATE MARRIAGE AND FAMILY THERAPISTS.
A licensed associate marriage and family therapist is one who has completed the educational requirements in part 5300.0140 and who has passed the LMFT state national examination specified in part 5300.0240. A licensed associate marriage and family therapist must practice under the supervision of a board-approved LMFT supervisor as specified in parts 5300.0160 and 5300.0170. A licensed associate marriage and family therapist must observe all laws and rules that govern the practice of licensed marriage and family therapists. The licensed associate marriage and family therapist status shall be granted for one year upon completion of the board’s required application form and payment of the required fee. Licensed associate marriage and family therapist status may be renewed on a yearly basis for up to six additional years. An applicant must apply for a licensed associate marriage and family therapist license upon receiving notice of passage of the national examination specified in part 5300.0240:

[DELETE?] 5300.0180 LICENSURE PROCESS FOR LICENSED MARRIAGE AND FAMILY THERAPISTS.

The process of licensure by the board as a licensed marriage and family therapist consists of two separate parts:

A. successful completion of the national examination following completion of all educational requirements; and

B. successful completion of the state examination, following completion of all specified experience requirements.

5300.0190 PROCEDURES FOR ADMISSION TO WRITTEN EXAMINATION.

Subpart 1. Information required. To be admitted to the national examination, an applicant must submit to the board the information in items A to D.

A. The applicant must submit a completed, notarized application for admission to the national examination on a form provided by the board. The application must include:

(1) a photograph of the applicant; and

(2) an affirmation by the applicant that the statements made in the application are true and correct to the best knowledge of the applicant.

B. The applicant must submit the required, nonrefundable fee for application for admission to the national examination specified in Minnesota Statutes, section 148B.17, subdivision 2, made payable to the Board of Marriage and Family Therapy.

C. The applicant must submit official transcripts of all postbaccalaureate education, including verification of the degrees and certificates granted. The transcripts must be sent directly to the board from the institution granting the degrees and certificates.
(1) The applicant must demonstrate that the degree, program, or coursework documented by the official transcripts submitted meets the requirements of part 5300.0130, subpart 1, item A.

(2) The institution granting the degree or certificate must be regionally accredited at the time the degree or certificate is granted or coursework is completed.

D. An applicant for licensure must inform the board within 30 days of any changes in name, public or mailing address, business address, or other contact information provided.

Subp. 2. Verification of information; board's powers. The board has authority to verify the authenticity of the information in the application for admission to the national examination and to require the applicant to provide verification.

Subp. 3. Time requirements. An applicant's file shall be closed if the applicant fails to complete the application for admission to the national examination and provide all information required within six months from the date the board receives the application or requests information from the applicant.

Subp. 4. Admission to the national examination. Upon the board's approval of an application to take the national examination, an applicant is authorized to register for the national examination. An applicant may register for the national examination only after the board notifies the examination administration that the application has been approved by the board.

Subp. 5. Denial of admission to written examination. The board shall deny an applicant admission to the national examination if for any reason the applicant has not met the requirements of part 5300.0130, subpart 1, item A. The board shall notify the applicant of the denial in writing and state the reasons for the denial. Any subsequent application for admission to the national examination submitted after denial is deemed a new application for admission to the national examination which must be accompanied by the fee for application for admission to the national examination specified in Minnesota Statutes, section 148B.17, subdivision 2.

5300.0200 PROCEDURES FOR APPLICATION FOR STATE LMFT LICENSURE.

Subpart 1. Information required. To be eligible for licensure, an applicant must submit to the board the information in items A to E.

A. The applicant must submit evidence of having passed the national examination in part 5300.0240, subpart 3.

B. The applicant must submit a completed, notarized application for licensure on a form provided by the board. The application must include an affirmation by the applicant that the statements in the application are true and correct to the best knowledge of the applicant and an agreement by the applicant that the applicant will conduct all professional activities as a licensed marriage and family therapist according to the code of ethics in part 5300.0350.

C. The applicant must submit the required, nonrefundable application for licensure fee specified in Minnesota Statutes, section 148B.17, subdivision 2, made payable to the Minnesota Board of Marriage and Family Therapy.
D. The applicant must submit completed forms provided by the board, verifying the applicant's postgraduate, supervised experience, conforming to the requirements of part 5300.0150, subdivision 6, or 5300.0155, subdivision 5.

E. The applicant must submit two endorsements attesting to the applicant's professional and ethical character. The endorsements must be completed and signed by individuals who meet the requirements for endorser under part 5300.0230, subdivisions 1 and 2. The endorsements must be on forms provided by the board.

Subp. 2. Verification of information; board's powers. The board has authority to verify the authenticity of the information in the application for licensure and to require the applicant to provide verification.

Subp. 2a. Time requirements. An applicant's file shall be closed if the applicant fails to complete the application for licensure and provide all information required within six months from the date the board receives the application or requests additional information from the applicant. An application for licensure submitted following closure of a prior file is considered a new application for licensure and must be accompanied by the fee for application for licensure as specified in Minnesota Statutes, section 148B.17, subdivision 2.

Subp. 3. Denial of application for licensure. An applicant who fails to meet all the requirements in subpart 1 shall be denied licensure. An applicant who is denied licensure shall be informed in writing of the denial and the reasons for it. An application for licensure submitted following denial is considered a new application for licensure and must be accompanied by the fee for application for licensure specified in Minnesota Statutes, section 148B.17, subdivision 2.

5300.0240 EXAMINATION METHODS; SUBJECTS AND PROCEDURES.

Subpart 1. National and state examination required. Examination of an applicant for a license as a marriage and family therapist consists of:

A. a national examination designed and scored by a professional examination service approved by the Association of Marriage and Family Therapy Regulatory Boards; and

B. a state licensure examination provided by the board.

Subp. 2. Examination fee. An applicant who is admitted to the national examination under part 5300.0190 must pay an examination fee directly to the test administrator before taking the examination.

Subp. 3. National part of examination. The national examination is the examination approved by the Association of Marriage and Family Therapy Regulatory Boards. The national examination shall be offered on dates established by the Association of Marriage and Family Therapy Regulatory Boards.

Subp. 4. State part of examination. The state examination of an applicant for licensure shall be conducted according to methods determined by the board. The state examination of an applicant shall
take place after the applicant's application for licensure has been approved by the board. The state examination of an applicant shall cover:

A. the applicant's knowledge of the statutes and rules governing marriage and family therapists;
B. the applicant's knowledge of the code of ethics;
C. the applicant's awareness of the responsibilities to the board and to the public; and
D. other practice-related areas.

Subp. 5. [Repealed, 41 SR 87]

Subp. 6. Passing score required on examination. The passing score of the national examination is determined by the Association of Marriage and Family Therapy Regulatory Boards. The passing score for the state examination shall be determined by the board. An applicant must pass both parts of the examination to qualify for licensure as a marriage and family therapist.

Subp. 7. Reexamination permitted. An applicant who has failed the national or state examination may be reexamined, but not more than five times without a variance. Each time an applicant is reexamined on the national examination, the applicant must pay an examination fee to the test administrator.
5300.0155 EXPERIENCE REQUIREMENTS FOR PERSONS ELIGIBLE TO COMMENCE POSTGRADUATE SUPERVISED EXPERIENCE ON OR AFTER AUGUST 1, 2016. APPLICANTS FOR MARRIAGE AND FAMILY THERAPY LICENSURE

Subpart 1. Supervised experience required. The minimum two-year supervised, postgraduate experience required by Minnesota Statutes, section 148B.33, subdivision 1, clause (4), must meet the requirements in subparts 2 to 5.6.

Subp. 2. Application-to-written-examination—Initial Application for marriage and family therapy licensure. Within six months of commencement—beginning of the postgraduate, supervised practice of marriage and family therapy experience, an applicant must submit the initial application for marriage and family therapy licensure apply to the board, to take the national examination specified in part 5300.0190. Postgraduate hours logged more than six months prior to filing of the initial application for marriage and family therapy licensure may not be used in meeting experience requirements for licensure. Hours logged in another jurisdiction more than six months prior to filing the initial application for marriage and family therapy licensure may be allowed at the discretion of the board. Hours logged more than six months prior to filing of the initial application for licensure by an individual whose qualifying degree for licensure was awarded prior to August 1, 2016, may be allowed at the discretion of the board.

Subp. 3. Years of experience; computation. The postgraduate experience shall include not less than 4,000 hours, and must be completed in no less than two and no more than seven years from the filing of the initial application for licensure to take the national examination. This experience must include the following:

A. A minimum of 1,000 hours of direct clinical client contact supervised by a board-approved, Minnesota-licensed marriage and family therapist—LMFT supervisor. The 1,000 hours shall include at least 500 hours of face-to-face therapy direct clinical client contact with couples, families, or similar relational groups. This experience shall include the practice of marriage and family therapy as defined in the MN MFT Practice Act and include the assessment, diagnosis and treatment of illnesses and cognitive, emotional and behavioral disorders, as well as providing therapy to individuals, couples and families for the purpose of resolving relational or emotional problems by modifying intrapersonal and interpersonal dysfunction. The direct clinical client contact may be provided in-person or by synchronous electronic methods.

B. A minimum of 200 hours of supervision as described in subpart 4.

C. No more than 2,800 hours of non-clinical client contact. These hours may include work related to the supervised practice of marriage and family therapy including education, training, documentation, consultation and all other professional responsibilities. The non-clinical client contact hours may be supervised by a licensed mental health professional, as defined in the Minnesota Mental Health Uniform Service Standards Act, Statutes, section 245.462 or 245.4871. This experience shall include the assessment, diagnosis, and treatment of mental illness, and cognitive, emotional, and behavioral disorders, as well as all other professional responsibilities.
D. A detailed log shall be maintained of all professional hours and activity during this time period. This log shall be regularly reviewed and verified by the supervisor and shall be permanently maintained by the applicant.

Subp. 4. Supervision requirements. The 4,000 hours of postgraduate experience must comply with the following requirements:

**A.** All clinical client contact must be supervised by a board-approved, LMFT supervisor. Minnesota licensed marriage and family therapist supervisor who meets the requirements of Minnesota Rule 5300.0160 and Rule 5300.0170. The board-approved LMFT supervisor must provide a minimum of two hours of supervision every four weeks whenever the applicant is providing any direct clinical client contact. The supervision must be obtained at an average rate of one hour of supervision per five hours of clinical client contact, for a minimum total of 200 hours of supervision.

**B.** An applicant may have a secondary supervisor who meets the requirements of Minnesota Rule 5300.0160 and Rule 5300.0170. The secondary supervisor may provide up to 50 hours of the required supervision for licensure. Supervision by the secondary supervisor shall be concurrent with supervision by the board-approved LMFT supervisor.

**C.** The board-approved LMFT supervisor and the secondary supervisor shall establish procedures for communication regarding the applicant's supervised practice of marriage and family therapy. The board-approved LMFT supervisor retains clinical responsibility for the applicant's supervised practice.

**D.** The applicant shall receive supervision at an average rate of at least one hour of supervision for every 20 hours of direct clinical client contact provided by the applicant.

**E.** No more than 100 hours of supervision may be logged in any 12-month period to be accepted toward the licensure requirement and must comply with the average rate of supervision stated in item A.

**F.** At least 100 hours of supervision shall be received in an individual setting. The remaining 100 hours may be received in a group setting. For purposes of this paragraph, individual supervision is defined as a setting in which the supervisor and no more than two supervisees are present. Group supervision is defined as a setting in which the supervisor and no more than six supervisees are present.

**G.** Up to 25 percent of the required supervision may be received via secure, synchronous electronic means.

**H.** Supervision may occur in-person or be by secure, synchronous electronic methods.

**I.** Supervision must focus on matters related to the direct clinical client contact provided by the supervisee. The supervisees must make data from their clinical work directly available to the supervisor through written clinical materials, direct observation, audio or video recordings, or other reporting methods.

**J.** The following is not considered supervision: peer consultation; supervision by a current or former family member or any person with whom a previous or personal relationship prevents or hinders the establishment of a professional supervisory relationship; supervision by a person employed by the supervisee or supervised by the supervisee for employment purposes; administrative supervision for an
employment-related purpose and not for the purpose of overseeing direct clinical client contact; a primarily didactic process wherein techniques or procedures are taught in a classroom setting, workshop or seminar or staff training session.

§Subp. 5. Verification of supervised experience. A supervisor must verify all supervised experience by completing a form supplied by the board. The form must be signed by the supervisor. The form must include the setting, nature, and extent of the supervised experience, the time frame of the supervision, the number of hours and type of clinical client contact, the number of hours of supervision, and the name and credentials of the supervisor. The supervisor must attest that the performance, competence, and adherence to the standards of practice and ethical conduct of the supervisee are satisfactory.
5300.0160 REQUIREMENTS FOR SUPERVISOR.

Subpart 1. Requirements. A supervisor is acceptable to the board if the supervisor was listed by the board under this part prior to August 1, 2016, except that those supervisors must meet the continuing education requirement specified in part 5300.0170, item D. After August 1, 2016, new supervisors are acceptable to the board if the supervisor meets the requirements of either subpart 2 or 3. [Is This Subpart Still Necessary?]

§Subp. 2. Board-approved LMFT supervisor requirements. An applicant for board-approved LMFT supervisor status will be approved by the board if the applicant:

A. is licensed as a marriage and family therapist in Minnesota;

B. has at least four years and 4,000 hours of experience in clinical practice as a licensed of licensure as a marriage and family therapist; and

§C. provides evidence of training in supervision. Evidence must be shown through completion of a board-approved MFT supervisor training course equivalent to three semester hours from a graduate program of a regionally accredited institution, 30 hours of an AAMFT-approved supervisor training course, or 30 hours of coursework in a board-approved MFT supervision education course.

Subp. 3. AAMFT-approved supervisor status. An applicant for board-approved LMFT supervisor status will be approved by the board if the applicant is designated an approved supervisor by the American Association for Marriage and Family Therapy (AAMFT).

Subp. 4. Application. An application for board-approved LMFT supervisor status must be filed with the board prior to approval of supervisor status by the board. Supervision provided prior to the board granting board-approved LMFT supervisor status cannot be used by a supervisee in meeting experience requirements.

Subp. 5. Secondary supervisor requirements. An individual is acceptable to the board as a secondary supervisor and may supervise an applicant for licensure if the individual:

A. is licensed in Minnesota as a mental health professional as that term is defined in the Minnesota Mental Health Uniform Service Standards Act and the required license is not subject to disciplinary or corrective action;
B. has held the required license for at least four years;
C. is authorized to provide licensure supervision by the board issuing the individual’s qualifying mental health professional credential; and
D. agrees to fulfill the responsibilities of supervision found in Minnesota Rule 5300.0170.

Subp. 6. Supervisor status revocation. An individual’s ability to serve as a board-approved LMFT supervisor or secondary supervisor is automatically revoked if the supervisor ceases to meet the qualifications or licensure requirements on which supervisor status was based or if the supervisor is subject to disciplinary action by a state licensing board impacting licensure or supervisor status.
5300.0170 RESPONSIBILITIES OF SUPERVISOR.

A. An applicant for licensure shall be under the supervision of a board-approved LMFT supervisor at all times when providing direct clinical client contact until independently licensed as an LMFT. The supervision of the applicant for licensure shall be regular and sufficient so as to insure public protection.

B. The term “supervision” means taking full professional responsibility for, and control of, the quality of marriage and family therapy and related services provided by the supervisee. Supervision includes, but is not limited to, all of the following:

1. Ensuring the extent, kind and quality of therapy performed is consistent with the education, training and experience of the supervisee.

2. Monitoring and evaluating the supervisee’s assessment, diagnosis and treatment decisions and providing regular feedback.

3. Monitoring and evaluating the supervisee’s ability to provide services at the site or sites where the supervisee is practicing and to the particular clientele being served.

4. Monitoring and addressing clinical dynamics, including, but not limited to, countertransference, interpersonal, or trauma-related issues that may affect the supervisory or therapist-client relationship.

5. Ensuring the supervisee’s compliance with laws and regulations governing the practice of marriage and family therapy.

6. Reviewing the supervisee’s progress notes, process notes or other patient treatment records, as deemed appropriate by the supervisor.

7. With the client’s written consent, providing direct observation or review of audio or video recordings of the supervisee’s therapy, as deemed appropriate by the supervisor.

C. A supervisor must:

1. Maintain a supervision record for a supervisee. The supervision record must include:

   a. A completed statement of supervisor responsibility on a form promulgated by the board;

   b. A copy of any supervision agreement or contract setting forth the requirements and terms of the supervisory relationship;

   c. A dated record of each supervision session with the supervisee which includes any specific issue identified and discussed with the supervisee which may prevent the supervisee from meeting a reasonable standard of care in providing marriage and family therapy to clients; and

   d. A record of any LMFT or secondary supervisor providing concurrent licensure supervision to the supervisee.

A-2 Be knowledgeable of current clinical skills required for effective delivery of marriage and family therapy services;
§8-3. Be knowledgeable of current literature in the field of marriage and family therapy, including professional ethics, evidence-based standards of practice, cultural competency and be knowledgeable of the basic skills and service delivery of supervision;

C-(4). See that all supervised work is conducted in an appropriate professional setting, with adequate administrative and clerical controls, so as to assure the quality and competency of supervised activities; and

D-(5). Devote at least ten percent of the required continuing education hours to supervision, training and skills.
5300.0100 DEFINITIONS.

Subpart 1. Scope. For the purpose of this chapter, unless the context otherwise requires, the following terms have the meanings given.

Subp. 2. Advertising. Advertising includes, but is not limited to, business solicitations, with or without limiting qualifications, in a card, sign, or device issued to a person; in a sign or marking in or on a building; or in the form of an article or publication in any form of print media. Advertising also includes business solicitations communicated by individual, radio, video, television broadcasting, or any other technological means.

Subp. 3. Applicant. "Applicant" means an individual seeking licensure by the Board of Marriage and Family Therapy as a marriage and family therapist.

Subp. 4. Board. "Board" means the Board of Marriage and Family Therapy created in Minnesota Statutes, section 148B.30, subdivision 1.

Subp. 5. Certified professions or occupations. "Certified professions or occupations" means those professions or occupations that have a certification process based upon specific criteria identified as necessary for effective performance of the profession or occupation. The certification process must include:

A. eligibility requirements established through education or experience or both;

B. successful completion of a competency-based written examination;

C. successful demonstration of competent clinical skills; and

D. assurance of practitioner competencies through mandatory recertification and continuing education requirements.

Subp. 6. [Repealed, 41 SR 87]

Subp. 6a. Emeritus. "Emeritus" means retired from active practice but retaining one's license and title.

Subp. 7. Fee splitting. "Fee splitting" means the practice of compensating others for referrals.

Subp. 7a. LAMFT. "LAMFT" are the initials designating a licensed associate marriage and family therapist as licensed by the Board of Marriage and Family Therapy to practice within Minnesota.

Subp. 8. Licensee. "Licensee" means a licensed marriage and family therapist or a licensed associate marriage and family therapist.

Subp. 9. LMFT. "LMFT" are the initials designating a licensed marriage and family therapist as licensed by the Board of Marriage and Family Therapy to practice within Minnesota.

Subp. 10. Marriage and family therapy. "Marriage and family therapy" has the meaning given in Minnesota Statutes, section 148B.29, subdivision 3.

Subp. 10a. Multiple relationship. "Multiple relationship" means a relationship between a therapist and another person that is both professional and one or more of the following:
A. cohabitational;

B. familial;

C. one in which there is or has been personal involvement with the person or a family member of the person that is reasonably likely to affect adversely the person’s welfare or ability to benefit from services; or

D. one in which there is a significant financial involvement other than legitimate payment for professional services rendered that is reasonably likely to affect adversely the person’s welfare or ability to benefit from services.

Subp. 11. Postgraduate supervised experience. "Postgraduate supervised experience" means supervised experience occurring after the educational institution grants the graduate degree or postgraduate certificate for licensure as shown on the applicant’s transcript and all educational requirements specified in part 5300.0140 have been completed.


Subp. 13. Secondary supervisor. "Secondary supervisor” means an individual who has met the requirements in part 5300.0160, subpart 5 and agrees to comply with the requirements of part 5300.0170 while providing clinical supervision of an applicant for licensure.

Subp. 14. Sexual behavior. "Sexual behavior" includes sexual contact or any physical, verbal, written, interactive, or electronic communication, conduct, or act that may be reasonably interpreted to be sexually seductive, demeaning, or harassing.

Subp. 15. Sexual contact. "Sexual contact" means any of the following, whether or not occurring with the consent of a person with whom such conduct is prohibited by law or rule:

A. sexual intercourse, cunnilingus, fellatio, anal intercourse or any intrusion, however slight, into the genital or anal openings of the body by any part of the therapist's body or by any object used by the therapist for this purpose, or any intrusion, however slight, into the genital or anal openings of the therapist's body by any part of another person's body or by any object used by another person for this purpose, if agreed to by the therapist;

B. kissing of, or the intentional touching by the therapist of another person's genital area, groin, inner thigh, buttocks, or breast or of the clothing covering any of these body parts;

C. kissing of, or the intentional touching by another person of the therapist's genital area, groin, inner thigh, buttocks, or breast or of the clothing covering any of these body parts if the therapist agrees to the kissing or intentional touching.

Sexual contact includes requests by the therapist for conduct described in items A to C.

Sexual contact does not include conduct described in item A or B that is a part of standard medical treatment of a patient.
Subp. 146. Sexual harassment. "Sexual harassment" has the meaning given in Minnesota Statutes, section 363A.03, and in the case of employment, the employer knows or should know of the existence of the harassment and fails to take timely and appropriate action.

Subp. 157. Supervisee. "Supervisee" means an individual who is supervised while engaged in a graduate program practicum or internship, or postgraduate experience needed to obtain credentialing by the board, or to comply with a board order.

Subp. 168. Supervision. "Supervision" means taking full professional responsibility for, and control of, the quality of marriage and family therapy and related services provided by the supervisee as that term is defined in part 5300.0170, subpart (B), training, work experience, and performance in the practice of marriage and family therapy of a supervisee, including planning for and evaluation of the work product of the supervisee, and including face-to-face contact between the supervisor and supervisee.

§Subp. 179. LMFT Supervisor. "LMFT Supervisor" means an individual who has met the requirements in part 5300.0160, subparts 2 or 3, has been credentialled as an LMFT supervisor by the board, agrees to comply with the requirements of part 5300.0170 and takes full professional responsibility for the practice of the supervisee during a specific time to enable the supervisee to:

A. complete a practicum or internship;

B. complete a postgraduate supervised experience to obtain credentialing by the board; or

C. satisfy a board requirement or order.

Subp. 4820. Therapeutic deception. "Therapeutic deception" means a representation by a therapist that sexual contact or unethical conduct with the therapist is consistent with or part of the professional work with a client, student, or supervisee or former client, student, or supervisee.

Subp. 4921. Therapist. "Therapist" means a licensee or applicant providing marriage and family therapy services.

Subp. 2922. Variance. "Variance" means permission from the board to comply with a rule in a manner other than that generally specified in this chapter.