12-0911-16353-1

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE

BOARD OF
BEHAVIORAL HEALTH AND THERAPY

In the Matter of the Proposed
Permanent Rules Relating to Supervised Field Experience and Professional Practice, Minnesota Rules 2150.5000 to 2150.5010.

REPORT OF THE ADMINISTRATIVE LAW JUDGE

Administrative Law Judge Steve M. Mihalchick held a hearing concerning the above rules on March 22, 2005, at 9:00 a.m. at the Minnesota Department of Health building, Snelling office, St. Paul, Minnesota. For reasons set forth below, the ALJ concludes the Board has demonstrated that the proposed rules are necessary and reasonable.

The hearing and this Report are part of the rulemaking process that must occur under the Minnesota Administrative Procedure Act (APA)[1] before a board can adopt rules. The legislature has designed that process to ensure that state boards—here, the Board of Behavioral Health and Therapy (the Board)—meet all the requirements that the APA specifies for adopting rules. Those requirements include determinations that the proposed rules are necessary and reasonable and that any modifications that the board may have made after the proposed rules were initially published do not result in them being substantially different from those originally proposed. The APA requires a public hearing on proposed rules if 25 or more people request a hearing. More than 25 such requests were received in this matter.[2]

Minnesota Statute, section 148B.52 (2004) established the Board as the regulatory board empowered with the responsibility for licensing and regulating professional counselors in the State of Minnesota. The Board is adopting rules governing any of the operations necessary for the effective licensing and regulation of professional counselors, including rules governing professional supervision. The rules relate to the pre-degree supervised field experience and post-degree supervised professional practice requirements for Licensed Professional Counselors (LPCs) in Minnesota. Currently, there are no rules governing pre-degree supervised field experience and the post-degree supervised professional practice requirements. The proposed rules establish these procedures.

Board members Walter Roberts, Jr., Nicholas Ruiz, Duane Reynolds and Kari Rechzigel, executive director of the Board, appeared at the hearings to present the Board's justifications for the rules and to respond to questions. Nathan Hart, Assistant Attorney General, appeared on behalf of the Board.

Seven people attended the hearing in St. Paul. All signed the hearing register.[3] The hearing continued until all persons present had an opportunity to be heard.

The comment period ended on March 29, 2005. The Administrative Law Judge received no written comments during that period or during the reply period that ended April 5, 2005.

NOTICE

This Report must be available for review by anyone who wishes to review it for at least five working days before the Board takes any further action to adopt final rules or to modify or withdraw the proposed rules. If the Board makes changes in the rules, it must submit the rules, along with the complete hearing record, to the Chief Administrative Law Judge for a review of those changes before it may adopt the rules in final form. After adopting the final version of the rules, the Board must send the order adopting rules to the Administrative Law Judge. Provided that the Board has taken all of the required steps to adopt the rule, the Office of Administrative Hearings will request certified copies of the rule from the Revisor of Statutes and file them with the Secretary of State.

Based upon all the testimony, exhibits, and written comments, the Administrative Law Judge makes the following:

FINDINGS OF FACT

Rulemaking Legal Standards

1. Under Minn. Stat. § 14.14, subd. 2 and Minn. R. 1400.2100, one of the determinations that must be made in a rulemaking proceeding is whether a board has established the need for and reasonableness of the proposed rules by an affirmative presentation of facts. In support of a rule, a board may rely on legislative facts, namely general facts concerning questions of law, policy and discretion, or it may simply rely on interpretation of a statute, or stated policy preferences.[4] The Board prepared a Statement of Need and Reasonableness (SONAR)[5] in support of its proposed rules. At the hearings, the Board relied upon the SONAR as its affirmative presentation of need and reasonableness for the proposed amendments, supplemented by comments and answers by members of the Board and Board staff at the public hearings.

2. The question of whether a rule has been shown to be reasonable focuses on whether it has been shown to have a rational basis, or whether it is arbitrary, based upon the rulemaking record. Minnesota case law has equated an unreasonable rule with an arbitrary rule.[6] Arbitrary or unreasonable action is action without consideration and in disregard of the facts and circumstances of the case.[7] A rule is generally found to be reasonable if it is rationally related to the end sought to be achieved by the governing statute.[8] The Minnesota Supreme Court has further defined a board's burden in adopting rules by requiring it to "explain on what evidence it is relying and how the evidence connects rationally with the board's choice of action to be taken."[9]

3. A board is legally entitled to make choices between possible approaches so long as its choice is rational. It is not the role of the Administrative Law Judge to determine which policy alternative presents the "best" approach, since this would invade the policy-making discretion of the board. The question is, rather, whether the choice made by the board is one that a rational person could have made.[10]

4. In addition to need and reasonableness, the Administrative Law Judge must also assess whether the rule adoption procedures were properly followed and whether any parts of the proposed rules are improper because a rule grants undue discretion, the board lacks statutory authority to adopt a rule, a rule is unconstitutional or otherwise illegal, a rule constitutes an undue delegation of authority to another entity, or because the proposed language of a rule does not constituted a rule.[11]

Procedural Requirements

5. Minn. Laws 2003, Chap. 118 was enacted on July 1, 2003. Section 6 directed the Board to establish rules regarding standards of supervision.

6. On February 2, 2004, the Board published a Request for Comments on planned rules governing the standards for supervision. The notice indicated that Board was engaged in rulemaking on this topic and that the Board did not contemplate appointing an advisory committee to comment on the possible rules. The request for comment was published in the *State Register.*[12]

7. As required by Minn. Stat. § 14.131, the Board asked the Commissioner of Finance to evaluate the fiscal impacts and benefits of the proposed rules upon local units of government. The Board of Finance concluded that the rules would have no impact on local units of government and observed that most of the impact would be upon the licensees and the Board.[13]

8. By letter dated December 8, 2004, the Board requested that OAH review and approve its Additional Notice Plan.[14] By letter dated December 14, 2004, the Administrative Law Judge approved the Additional Notice Plan.

9. The Board filed the following documents with the Chief Administrative Law Judge:

a. a copy of the proposed rules certified by the Revisor of Statutes;

b. a copy of a Dual Notice of Hearing proposed to be issued (the Dual Notice);

c. a copy of the SONAR.

10. On December 22, 2004 the Board mailed the Dual Notice of Hearing to all persons and associations who had registered their names with the Board for the purpose of receiving such notice.[15] The Dual Notice contained the elements required by Minn. R. 1400.2080, subp. 2. Requests for a hearing had to be received by January 31, 2005. If sufficient requests for hearing were received, a hearing date of March 22,

2005 in St. Paul, Minnesota was announced. The Dual Notice also announced that the hearing would be continued until all interested persons had been heard.

11. On December 27, 2004, a copy of the proposed rules and the Dual Notice of Hearing were published in the *State Register*.[16]

12. Notice was also given on the Board's web site on December 28, 2004 at www.bbht.state.mn.us.[17]

13. The Board received over twenty-five signed requests from persons asking that a hearing be held on this matter.[18]

14. On February 17, 2005, the Board adopted a resolution authorizing the proposed rules.[19]

15. At the hearing on March 22, 2005 the Board placed the following documents into the record.

a. Statement of Walter B. Roberts, Jr., Board Chair.[20]

b. The Request for Comments on Possible Rules as published in the State Register on February 2, 2004.[21]

c. A copy of the proposed rule as approved by the Revisor of Statutes, dated December 6, 2004.[22]

d. The Statement of Need and Reasonableness signed and dated December 15, 2004.[23]

e. Department of Finance evaluation of financial impact of proposed rule dated December 7, 2004.[24]

f. Letter to OAH requesting approval of the Dual Notice and Additional Notice Plan, dated December 8, 2004.[25]

g. OAH approval of the Dual Notice and Additional Notice Plan dated December 14, 2004.[26]

h. Certificate of Mailing the Dual Notice, Proposed Rules and SONAR to listed parties, dated December 22, 2004.[27]

i. Certificate of Mailing the Dual Notice, Proposed Rules and SONAR to legislative reference library dated December 21, 2004.[28]

j. Certificate of Accuracy of Mailing Lists.[29]

k. Certificate of Giving Additional Notice, dated December 14, 2004.[30]

l. The Dual Notice as published in the State Register.[31]

m. Requests for Hearing received before January 31, 2005.[32]

n. Board Meeting Minutes containing the Board's authorization to increase the amount of supervision in the proposed rules, dated February 17, 2005.[33]

o. Proposed Rules, as revised, with Revisor's approval letter, dated February 28, 2005.[34]

Farming Operation

16. The proposed rules will not affect farming operations. Therefore, no notice to the Commissioner of Agriculture was required under Minn. Stat. § 14.111.

Nature of the Proposed Rules

17. The proposed rules govern the licensure of persons practicing as licensed professional counselors (LPC) and the supervisory standards required to engage in that work. The standards for supervised practice are established in the proposed rules.

Statutory Authority

18. The Board cites Minn. Stat. § 148B.52(a)(2) as the source of its authority to adopt rules. Minn. Stat. § 148B.52(a)(2) states that the Board shall: "establish by rule standards for…supervision."

19. The proposed rules are limited to the areas identified in Minn. Stat. § 148B.52(a)(2). The Administrative Law Judge finds that the Board has the necessary statutory authority to adopt the proposed rules.

Classes of Persons Affected by the Proposed Rules

20. Minn. Stat. § 14.11 requires an agency adopting rules to include in its SONAR:

a. a description of the classes of persons who probably will be affected by the proposed rule, including classes that will bear the costs of the proposed rules and the classes that will benefit from the proposed rule;

b. the probably costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues;

c. a determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule;

d. a description of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency and the reasons why they were rejected in favor of the proposed rule;

e. the probable costs of complying with the proposed rule; and

f. an assessment of any differences between the proposed rule and existing federal regulations and specific analysis of the need for and reasonableness of each difference.

21. In its SONAR, the Board included an analysis performed to meet the requirements of this statute.[35] The Board anticipates that costs will be born by licensees. The Board perceived that the proposed rule primarily benefited licensees and the public by establishing standards for supervision.[36]

22. The Board suggested that the clarity in the rule standards would reduce time expended by licensees needing supervision by reducing the time needed to understand the standards.[37] There were no costs identified as being incurred by the Board or any other state agency through these rules.[38]

23. The Board indicated that there were no federal regulations that the proposed rule might be in conflict with.[39] The Board has met the statutory requirements for assessing the impact of the proposed rules.

Analysis of the Proposed Rules

General

24. This Report is limited to discussion of the portions of the proposed rule that received significant critical comment or otherwise need to be examined. Accordingly, the Report will not discuss each comment or rule part. Persons or groups who do not find their particular comments referenced in this Report should know that each and every suggestion has been carefully read and considered. Moreover, because some sections of the proposed rules were not opposed and were adequately supported by the SONAR, a detailed discussion of each section of the proposed rule is unnecessary. The Administrative Law Judge specifically finds that the Board has demonstrated the need for and reasonableness of the provisions of the proposed rules that are not discussed in this report by an affirmative presentation of the facts, that such provisions are specifically authorized by statute, and that there are no legal barriers to adoption.

25. Furthermore, where changes are made to a rule after publication in the *State Register,* the Administrative Law Judge must determine if the new language is substantially different for that which was originally proposed.[40] The standards to determine if the new language is substantially different from that which where originally propose are found in Minn. Stat. §14.05, subd. 2. Any changes made to the language published in the *State Register* and not discussed are found to not constitute a substantially different rule.

Rule by Rule Discussion

Minn. R. 2150.5000, Pre-degree supervised field experience

26. Proposed rule Minn. R. 2150.5000 requires applicants to provide evidence of having completed pre-degree supervised field satisfactory to Board. The statute requires 700 hours as part of the applicant's master degree program.

27. There were no public comments on this rule.

Minn. R. 2150.5010, Post-degree professional practice

28. Proposed rule 2150.5010 sets out the standards for post-degree supervised practice. Subpart 1 sets out the general provisions governing the purpose of the supervision, the methods that can be used to supervise a licensee and the adequacy of supervision. Supervision is requires of licensees to meet the statutory requirements for LPC licensure.[41]

29. Subpart 2 defines post degree LPC professional practice to include paid or volunteer work experience and training that involves professional oversight by an approved supervisor. Joelle Kallio, a licensed psychologist, suggested that the rules permit licensure provision for LPC retirees or volunteers at a senior status or volunteer level. Bruce Minor, on behalf of Both/And Resources (BAR), suggested that the Board could adopt a senior status without legislation similar to marriage and family therapist emeritus status.

30. The Board responded that creation of a senior status LPC license would have to have a statutory change.

31. Subpart 3 requires that the Board approve supervisors. Items (A) and (B) of subpart 2 are taken directly from statutory requirements.[42] The statute also requires that the supervisor must have completed " a training in supervision that included content and experiences relevant to supervision of professional counselors." [43] The Board observes that this statutory language does not provide any guidance as to the type of training or experience satisfies the statutory requirement.[44] Item (C) requires supervisors to receive 45 hours of formal training in counseling supervision. These hours may be obtained through graduate coursework, continuing education courses or workshops or a combination thereof.

32. Subpart 4 sets out the supervision requirements for LPC's.

33. Subpart 4. A. requires licensees to obtain approved supervision during the first 2,000 hours of professional practice. This requirement is taken directly from the statute.[45] The proposed rule includes a provision that the first 2,000 hour supervision requirement does not preclude licensees from participation in other kinds of supervisory relationship for purposes other than meeting the 2,000 hour supervision requirement.

34. Trisha Stark, on behalf of the Minnesota Psychological Association (MPA) suggested that the public could be mislead to believe that a LPC with only 2,000 of supervision would be competent to treat clients with mental illness. Beverly Caruso, on behalf of the Minnesota Society of Clinical Social Workers (MSCSW), observed that social workers are required to have 4,000 of supervision over two years. MSCSW suggested that two years of supervised experience was needed to acquire the skills necessary to deal with clients who have mental illness. MSCSW noted that the Mental Health Act required 4,000 hours of post-master's supervised experience in the delivery of clinical services for the treatment of mental illness and suggested that there should be two tiers of LPC licensure to indicate those who met the additional statutory standards for mental health professional.[46] BAR complimented the Board on increasing the supervision hours from 50 to 100 but suggested that the 2,000 hours of supervised practice was still less than the community standard. BAR further suggested that tier licensing worked well for social workers and was effectively communicated to the public. Rachel Gustin, director of community services for the Store Front group, speaking on her own behalf, suggested that the hours of supervision for an LPC were not high enough. Ms. Gustin pointed the value of the supervision experience to the licensee and that a year was not a sufficient time period. Ms. Gustin suggested that the burden for description of the limitations of license was on the licensee. The MSCSW also expressed concern about sexual abuse reporting by an LPC.

35. The Board responded that the 2,000 hour supervision, single level licensure for LPCs was established by the legislature.[47] The Board recognized that an LPC with only 2,000 hours of supervision would not meet the statutory standards for an allied field mental health professional. The Board recognized that there are multiple tiers of licensure for social workers but noted that it did not model its rules on social work rules but rather considered a wide range of options and tried to strike a balance when it crafted the proposed rules. There was also an awareness that other counseling professions are going away from multiple tier licensing and that the public itself it not generally aware of the various levels of licensing that may exist in the licensed counseling professions. It also noted that sexual abuse reporting was not the subject of these supervision rules. The Board requested that the MSCSW address written comments on these issues to the Board for its consideration.

36. Subpart 4. B. sets out the content of supervision including the skills, ethics and scope of practice necessary for supervision.

37. Subpart 4. C. states how supervision is performed. As initially proposed required one hour of supervision for every 40 hours of professional practice.[48] After the proposed rule was published the Board increased the supervision hours to two hours for every 40 hours of professional practice.[49] The proposed rule requires that at least 75% of the supervision hours be received in person. The remaining 25% of supervision hours may be received by telephone or other audio electronic devices. At least 50% of the required supervision hours must be received in person. The other 50% of the supervision hours may be received in a group setting.

38. Brier Miller, on behalf of the Minnesota Association for Marriage and Family Therapist (MAMFT), supported the Board's decision to increase the hours of supervision to two hours per week but suggested that all 100 hours of supervision be performed face to face. He asked about supervision by e-mail and whether there was any limitation on the size of a group for supervision purposes. Trisha Stark of the Minnesota Psychological Association (MPA), expressed concern about the group supervision provision of the proposed rule. Ms. Stark asserted that group supervision was less effective than individual supervision and that while the MPA was comfortable with fully interactive (audio and visual) remote supervision, telephone supervision alone was insufficient. Tonie VanStelten, a pre-doctoral intern, expressed concerned about supervision in a group setting as opposed to individual face to face supervision and suggested that telephone supervision was not appropriate.

39. The Board responded that other types of counselors were using technologies, including Internet capabilities. The Board noted that it did not intend to allow supervision by email; that the proposed regulations require a component of audio communication so that the supervisor and licensee can hear each other.[50] The Board noted that the supervision standards set minimum standards and the hope would be that supervision, including group supervision, would exceed the standards.[51] The Board also observed that licensees in greater Minnesota needed the flexibility to be able to conduct supervision using the means designated in the proposed rule. MAMFT acknowledged that marriage and family therapist have similar problems in greater Minnesota but that the Marriage and Family Therapy Board was addressing the issue by giving variances from a rule.

40. MAMFT suggested that the Board should adopt more stringent requirements because LPC licensees are only required to have 2,000 of profession practice, in contrast to the 4,000 hours of professional practice required for social workers and marriage and family therapist, professions that similarly require a master's degree.[52] MAMFT expressed concern that the proposed rules do not have any specific clinical contact requirement and suggested that it would strengthen the LPC license if there were a requirement for supervised clinic contact. BAR suggested that under the proposed rules an LPC could complete supervised practice without any actual clinical contact.

41. The Board responded that while it recognized that the rules for marriage and family therapy specify a clinical contact requirement, the rules for social work and psychology do not.[53] The Board chose to follow those practices. Ms. Miller acknowledged that the Board was acting within a reasonable standard in choosing to follow the counseling practices established by social worker and psychologist licensing rules. The Board observed that both psychology and social work rules permit distant supervision.[54]

42. Subpart 4 D requires that the first 2,000 hours of supervision required by the statute must be completed in no less than 12 consecutive months and no more than 36 consecutive months. Supervision hours must be evenly distributed over the first 2,000 hours of professional practice. Minn. R. 2150.5010 subp. 4 C.[55]

43. The Board took into account the cost and benefits to the public of establishing supervision standards and concluded that benefit of establishing supervision standards outweighed the cost. Setting the standards for supervision is the sort of decision that requires an agency to exercise its discretion. There has been no demonstration that the standard to be imposed is unrelated to the goal to be attained or that the impact on the licensees is extraordinary. The proposed rules are needed and reasonable, as proposed.

Based on the foregoing Findings of Fact, the Administrative Law Judge makes the following:

CONCLUSIONS

1. The Board of Behavioral Health and Therapy ("Board") gave proper notice in this matter.

2. The Board has fulfilled the procedural requirements of Minn. Stat. § 14.14 and all other procedural requirements of law or rule.

3. The Board has demonstrated its statutory authority to adopt the proposed rules, and has fulfilled all other substantive requirements of law or rule within the meaning of Minn. Stat §§ 14.05, subd. 1, 14.15, subd. 3, and 14.50 (i) and (ii).

4. The Board has demonstrated the need for and reasonableness of the proposed rules by an affirmative presentation of facts in the record within the meaning of Minn. Stat. §§ 14.14, subd. 4 and 14.50 (iii).

5. The additions and amendments to the proposed rules suggested by the Board after publication of the proposed rules in the *State Register* do not constitute substantially different language within the meaning of Minn. Stat. §§ 1405,subd.2 and 14.15, subd.3.

6. Any Findings that might properly be termed Conclusions and any Conclusions that might properly be termed Findings are hereby adopted as such.

7. A Finding or Conclusion of need and reasonableness in regard to any particular rule subsection does not preclude and should not discourage the Board from further modification of the proposed rules based upon an examination of the public comments, provided that the rule finally adopted is based upon facts as appearing in this rule hearing record.

Based upon the foregoing Conclusions, the Administrative Law Judge makes the following:

RECOMMENDATION

IT IS HEREBY RECOMMENDED that the proposed amended rules be adopted.

Dated: April 29, 2005

s/Steve M. Mihalchick
STEVE M. MIHALCHICK
Administrative Law Judge

Reported: Tape-recorded (2 tapes), no transcript prepared.

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[1] Minn. Stat. §§ 14.131 through 14.20.
[2] Exhibit 13.
[3] Exhibit 16.
[4] *Mammenga v. Board of Human Services*, 442 N.W.2d 786 (Minn. 1989); *Manufactured Hous. Inst. v. Pettersen*, 347 N.W.2d 238, 244 (Minn. 1984).
[5] Exhibit 3.
[6] *In re Hanson*, 275 N.W.2d 790 (Minn. 1978); *Hurley v. Chaffee*, 231 Minn. 362, 43 N.W.2d 281, 284 (1950).
[7] *Greenhill v. Bailey*, 519 F.2d 5, 19 (8th Cir. 1975).
[8] *Mammenga*, 442 N.W.2d at 789-90; *Broen Mem'l Home v. Minnesota Dept. of Human Services*, 364 N.W.2d 436, 444 (Minn. Ct. App. 1985).
[9] *Manufactured Hous. Inst. v. Pettersen*, 347 N.W.2d at 244.
[10] *Federal Sec. Adm'r v. Quaker Oats Co.*, 318 U.S. 218, 233 (1943).
[11] Minn. R. 1400.2100.
[12] 28 *State Register* 957, Exhibit 2.
[13] Board Exhibit 6. Minn. R. 1400.2060 allows this procedure.
[14] Exhibit 6
[15] Exhibit 7
[16] 29 SR 723-26, Exhibit 12.
[17] Exhibit 11.
[18] Exhibit 13.
[19] Exhibit 14.
[20] Exhibit 1.
[21] Exhibit 2.
[22] Exhibit 3.
[23] Exhibit 4
[24] Exhibit 5.
[25] Exhibit 6.
[26] Exhibit 7.
[27] Exhibit 8.
[28] Exhibit 9.
[29] Exhibit 10
[30] Exhibit 11.
[31] Exhibit 12, 20 SR 723.
[32] Exhibit 13.
[33] Exhibit 14.
[34] Exhibit 15.
[35] SONAR, at 2.
[36] SONAR, at 2.

[37] SONAR, at 3.
[38] SONAR, at 3.
[39] Exhibit 3, at 6.
[40] Minn. Stat. §14.05, subd.3.
[41] Minn. Stat. § 148B.53.
[42] Minn. Stat. § 148B.50, subp. 2.
[43] Id.
[44] SONAR, at 8.
[45] Minn. Stat. § 148B.53, subp. 1 (a)(4).
[46] Minn. Stat. § 245.462, subp. 18.
[47] Minn. Stat. §148B.53, subp. 1 (a)(4).
[48] *State Register*, supra., at 725
[49] Exhibit 15, 2150.5010, subp.4 C.
[50] Rules governing Marriage and Family licenses expressly permit supervision by audio or video recordings. Minn. R. 5300.0150 subp. 4. C.
[51] Marriage and Family Therapy rules limit groups to no more than six supervisees. Minn. R. 5300.0150 Subp 4. B & 8740.0130 subp 1.a. The Marriage and Family Therapy rule defines" individual supervision" as a setting consisting of a supervisor and no more than two supervisees. Minn. R. 5300.0150 subp 4 A. The rules governing psychologist licensure requires at least two hours a week of face-to face supervision, but the supervisor may delegate one hour a week to appropriate staff. Minn. R. 7200.1300 subp. 4 B.(4)(c). Rules governing social work licenses permit both individual and group supervision. Minn. R. 8740.0130 subp.1a. Two-thirds of the 75 supervision hours, or 49.5 hours, must be in-person supervision. *Id.*
[52] Marriage and Family Therapy licenses requires a minimum of 1,000 hours of clinical client contact during the first two years. Minn. R. 5300.0150 subp. 2. Psychologist licenses with a master's degree must have a minimum of 600 hours of supervised practical or field experience within 24 months. Minn. R. 7200.1300 subp.4 (4) & (4)(d). Psychologist with a doctoral degree must have a minimum of 2,000 hours of supervised practical or field experience. *Id*. Social workers must receive a minimum of 75 hours of appropriate supervision for the first two years of full-time or 4,000 hours of part-time social work practice. Minn. R. 8740.0130 subp. 3, 4,5 & 6.
[53] Minn. R. 5300.0150, subp 3 (clinical client contact requirements for marriage and family therapy).
[54] *See* Minn. R. 8740.0130, subp 1a (social worker licenses); Minn. R. 7200.1300, subp.4 B.(2)(c) (psychologist).
[55] Other counseling and licensing rules have different requirements related to the distribution of supervision hours. Licensing rules for psychologist require an average of at least one hour a week of supervision. Minn. R. 7200.1300 subp 4 B. (c). Licensing rules for social workers require that 75 hours of supervision must be evenly distributed over the supervised social work practice. See e.g. Minn. R, 8740.0130 subp.3 A. There are no requirements regarding the distribution of supervisor hours in the Marriage and Family Therapy rules. Minn. R. 5300.0150.